

The Trustees of the Internal Improvement Fund met on this date in the Board Room of the office of the Governor in the Capitol.

Present: Haydon Burns	Governor
Fred O. Dickinson, Jr.	Comptroller
Broward Williams	Treasurer
Earl Faircloth	Attorney General
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Robert C. Parker	Director
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The minutes of the meeting of June 28, 1966, were approved as submitted.

BREVARD COUNTY - File No. 1821-05-253.12. On May 10, 1966, the Trustees considered application from Eugene W. Nyland on behalf of Whyland, Inc., the abutting upland owner, who offered \$700.00 per acre for 5.55 acres of submerged land in Newfound Harbor in Section 30, Township 24 South, Range 37 East, Brevard County, lying westerly of and abutting Lots 1, 2 and 3, and the North 51.24 feet of Lot 4, of Mrs. A. L. Smith's Subdivision, landward of the established bulkhead line. Notice of sale was published in the Cocoa Tribune, proof of publication filed in the Trustees' office.

Thirteen objections were filed from owners of property on land previously filled, only one being a riparian owner within one thousand feet of the application area. The objectors mentioned the proximity of a sewage disposal plant, pollution of the water, blocking water flow, wind tides, loss of water area for recreation and natural beauty. It appeared from information in the files that there was some water pollution in the area and that larger local facilities might be needed.

On the basis of previous commitments and sales, and careful study of the application file, the Staff recommended that the sale be approved.

On motion by Mr. Faircloth, seconded and adopted, the Trustees overruled the objections and confirmed sale of the advertised parcel to the riparian owner at the price offered.

BREVARD COUNTY - File No. 1830-05-253.12. On May 17, 1966, the Trustees considered application from Riverbank Corporation, the abutting upland owner, with offer of \$1,300.00 per acre, the appraised value, for purchase of 2.6 acre parcel of submerged land in the Indian River in Section 3, Township 22 South, Range 35 East, in the City of Titusville, Brevard County, landward of the established bulkhead line. Notice of sale was published in the Star Advocate, Titusville, Florida, and proof of publication was filed.

Andrew A. Titcomb, riparian owner immediately south of the area, objected that sale would cut off his view and breeze, lower the value of his property, leaving his waterfront a pocket which he did not feel able to purchase and fill. It did not appear that the objector protested the amendment of the bulkhead line.

Development of the waterfront area in downtown Titusville appeared to be in the best interest of the city, within the amended bulkhead line approved by the city and the Trustees.

Motion was made by Mr. Faircloth, seconded and adopted, that the objection be overruled and sale confirmed to the riparian owner at the appraised price.

MONROE COUNTY - File No. 1826-44-253.12. On May 10, 1966, the Trustees authorized advertisement for objections only of 2 parcels totalling 0.75 acre of submerged land in Pine Channel in Section 34, Township 66 South, Range 29 East, at Big Pine Key in Monroe County. Vincent K. Smale and Elmer R. Schultz, abutting upland owners, offered the price approved by the Staff Appraiser of \$300.00 per acre, or in this instance, \$100.00 minimum charge for the 0.28 acre parcel, more or less, and \$141.00 for the second parcel containing 0.47 acre, more or less. Notice of sale was published in the Key West Citizen, proof of publication filed and no objection received.

On motion by Mr. Dickinson, duly adopted, the Trustees confirmed sale of the advertised land to the riparian owners at the price offered.

MONROE COUNTY - File No. 1835-44-253.12. On May 17, 1966, the Trustees considered application from Beulah L. Lamb, the abutting upland owner, who offered the price approved by the Staff Appraiser, \$300.00 per acre, for a parcel of submerged land in the Bay of Florida in Section 6, Township 62 South, Range 39 East, at Key Largo in Monroe County, containing 0.8 acre, more or less. Notice of sale was published in the Key West Citizen, proof of publication filed and no objection received.

On motion by Mr. Dickinson, duly adopted, the Trustees confirmed sale of the advertised land to the riparian owners at the price offered.

PALM BEACH COUNTY - File No. 1828-50-253.12. On May 10, 1966, the Trustees authorized advertisement of a parcel of 0.358 acre, more or less, of submerged land in Lake Worth in Section 28, Township 42 South, Range 43 East, in the City of Riviera Beach, easterly of and abutting Lots 1 and 2, Block 2 of Coconut Lodge as recorded in Plat Book 7, Page 52, Public Records of Palm Beach County, landward of the established bulkhead line. Notice of sale was published in the Palm Beach Post, proof of publication filed in the Trustees' office.

A letter from S. Black, owner of Lot 5 in Block 1 of the subdivision, requesting that sale be deferred so that he, too, could project to his bulkhead line to prevent a pocket which might collect debris, was not considered a proper basis for objection to the sale. Staff recommended that sale be confirmed to Norman Ehinger and wife.

On motion by Mr. Dickinson, seconded and adopted, the objection was overruled and sale to the riparian owner was approved at the price approved by the Staff Appraiser, \$1,923.00 per acre.

SARASOTA COUNTY - File No. 1798-58-253.12. On May 10, 1966, the Trustees authorized advertisement for objections only, of a parcel of submerged land in Big Sarasota Pass in Section 1, Township 37

South, Range 17 East, 0.16 acre, more or less, landward of the established bulkhead line in Sarasota County. John D. MacDonald and wife, the abutting upland owners, offered \$625.00 per acre, or \$100.00 minimum in this instance. Notice of sale was published in the Sarasota Herald, proof of publication filed and no objection received.

Staff recommended confirmation of the sale and formal approval of the fill permit No. 65-4 approved by Sarasota County Water and Navigation Control Authority on April 12, 1966, for filling the parcel of submerged land.

On motion by Mr. Dickinson, duly adopted, the Trustees approved the sale and fill permit as recommended.

The following eleven (11) applications from riparian owners for purchase of submerged lands were presented:

1. BREVARD COUNTY - File No. 1854-05-253.12. J. Lewis Hall, Jr., on behalf of Pecony, Inc., abutting upland owner, offered \$1,200.00 per acre, the value reported by Staff Appraiser, for a parcel of submerged land in the Banana River in Section 34, Township 24 South, Range 37 East, in the City of Cocoa Beach, landward of the established bulkhead line, containing 8.677 acres in Brevard County.
2. BROWARD COUNTY - File No. 1844-06-253.12. Royal State Investment Corporation, abutting upland owner, offered the appraised price of \$2,380.95 per acre for purchase of two (2) parcels of submerged land totalling 0.21 acre, more or less, in the Hillsboro River in Section 8, Township 48 South, Range 43 East, in the Town of Hillsboro Beach landward of the established bulkhead line, in Broward County.
3. BROWARD COUNTY - File No. 1846-06-253.12. Margaret Honig, the abutting upland owner, offered \$2,380.95 per acre, the appraised value, or \$100.00 minimum in this instance, for purchase of a parcel of submerged land in the Hillsboro River in Section 8, Township 48 South, Range 43 East, containing 0.02 acre, more or less, in the Town of Hillsboro Beach landward of the established bulkhead line, in Broward County.
4. BROWARD COUNTY - File No. 1847-06-253.12. Chris Truelson, abutting upland owner, offered \$2,380.95 per acre, the appraised value, or \$100.00 minimum in this instance, for purchase of a parcel of submerged land in the Hillsboro River in Section 8, Township 48 South, Range 43 East, containing 0.02 acre, more or less, in the Town of Hillsboro Beach landward of the established bulkhead line, in Broward County.
5. INDIAN RIVER COUNTY - File No. 1843-31-253.12. Boring and Boring on behalf of Norbert F. Stanny and wife, abutting upland owners, offered \$200.00 per acre, the value reported by the Staff Appraiser, for a parcel of submerged land in the Indian River in Sections 33 and 34, Township 33 South, Range 40 East, containing 5.33 acres landward of the established bulkhead line in Indian River County.
6. INDIAN RIVER COUNTY - File No. 1855-31-253.12. R. D. Carter Engineering Firm, Inc., for Robert P. McLarty, the abutting upland owner, offered \$200.00 per acre, value approved by the Staff Appraiser, for a parcel of submerged land in the

Indian River in Section 33, Township 30 South, Range 39 East, containing 9.0 acres landward of the established bulkhead line in Indian River County, in the Ambersand Beach area.

7. LEE COUNTY - File No. 1799-36-253.12. George T. Swartz on behalf of Palm Acres, Inc., upland owner, offered \$280.00 per acre, value approved by Staff Appraiser, for a parcel of submerged land in the Caloosahatchee River in Section 34, Township 45 South, Range 23 East, containing 2.603 acres landward of the established bulkhead line in Lee County.
8. MONROE COUNTY - File No. 1824-44-253.12. Gene Midnight, the abutting upland owner, offered \$300.00 per acre, approved by Staff Appraiser, for a parcel of submerged land in the Straits of Florida in Section 30, Township 65 South, Range 34 East, at Grassy Key in Monroe County, containing 1.8 acres.
9. MONROE COUNTY - File No. 1858-44-253.12. Bailey-Mooney-Post Assoc., on behalf of F. H. Rutzke and wife, abutting upland owners, offered \$300.00 per acre, approved by Staff Appraiser, for a parcel of submerged land in the Bay of Florida in Section 18, Township 63 South, Range 38 East, containing 0.74 acre at Plantation Key in Monroe County.
10. MONROE COUNTY - File No. 1859-44-253.12. Bailey-Mooney-Post Assoc., on behalf of Creative Enterprises, Inc., the abutting upland owner, offered \$300.00 per acre, approved by Staff Appraiser, or \$100.00 minimum in this instance, for a parcel of submerged land in the Bay of Florida in Section 7, Township 63 South, Range 38 East, containing 0.22 acre at Plantation Key in Monroe County.
11. MONROE COUNTY - File No. 1860-44-253.12. Bailey-Mooney-Post Assoc., on behalf of Edmund Makowski and wife, the abutting upland owners, offered \$425.00 per acre, approved by Staff Appraiser, for a parcel of submerged land in the Straits of Florida in Section 23, Township 63 South, Range 37 East, containing 1.61 acres at Windley Key in Monroe County.

On motion by Mr. Dickinson, seconded and adopted, the Trustees authorized advertisement of the submerged land in the eleven above applications for objections only.

GLADES COUNTY - Lease. On November 2, 1965, the Trustees approved five-year extension of Agricultural Lease No. 1397 in favor of U. S. Sugar Corporation covering 6.5 acres of reclaimed lake bottom land in Section 19, Township 42 South, Range 34 East, in Glades County. The extension was to follow the term expiring on July 27, 1966, with the rental to be fixed by appraisal. Staff Appraiser recently approved the parcel of Lake Okeechobee bottom land and recommended that annual rental be increased from \$10.00 to \$25.00 per acre.

Upon motion by Mr. Faircloth, duly adopted, the Trustees approved annual rental of \$25.00 per acre for Lease No. 1397 extended for five years from July 27, 1966.

SHELL LEASES - On motion by Mr. Dickinson, duly adopted, the Trustees accepted as information the following report of remittances received by the Florida Board of Conservation from holders

of shell leases for the month of June, 1966:

<u>Lease No.</u>	<u>Name of Company</u>	<u>Amount</u>
1703	Bay Dredging & Construction Co.	\$ 6,075.17
1718	Radcliff Materials, Inc.	14,010.49
1788	Benton and Company, Inc.	7,940.45
1917	Fort Myers Shell & Dredging Co.	486.60

COLLIER COUNTY - Bulkhead Line. The Board of County Commissioners of Collier County after consideration at a hearing on March 17, 1965, did, by Resolution filed in the County Records on April 6, 1965, establish a bulkhead line in the Gulf of Mexico in Section 17, Township 48 South, Range 25 East, in the Bonita Beach - Wiggins Pass area in Collier County which was requested by applicant, Kramlich Associates, Inc. All required exhibits were furnished by the county and there were no objections to the establishment of the bulkhead line. All dredging would be done within the waterways encompassed by the bulkhead line. The Board of Conservation had no objection to the dredging within the bulkhead line.

Upon motion by Mr. Dickinson, duly adopted, the Trustees formally approved the bulkhead line established by Collier County.

LEE COUNTY - Bulkhead Line. The Board of County Commissioners of Lee County by Resolution adopted June 15, 1966, did establish a bulkhead line in the Caloosahatchee River near Ft. Myers, Florida, in Section 34, Township 44 South, Range 24 East, Lee County, which was requested by applicant Watson A. Walden. All required exhibits were furnished, there were no objections at the local level and the Board of Conservation had no objection.

Upon motion by Mr. Williams, seconded and duly adopted, the Trustees formally approved the bulkhead line established by Lee County.

CHARLOTTE COUNTY - File No. 1813-08-253.124. Staff recommended formal approval of a fill permit issued by the City of Punta Gorda by Resolution adopted on May 23, 1966, under the provisions of Section 253.124 Florida Statutes, to Punta Gorda Isles, Inc., to fill the 4.14 acres of submerged land previously conveyed by the Trustees under the referenced file number.

Motion was made by Mr. Faircloth, seconded and adopted, that the fill permit to Punta Gorda Isles, Inc., be formally approved.

CHARLOTTE COUNTY - West Coast Inland Navigation District requested an easement to allow a slight modification in right of way for the Intracoastal Waterway, for shifting the channel cut more to the north because of certain problems in connection with the foundation of the drawspan in reconstruction of the SAL bridge across Gasparilla Sound, all lying in Township 42 South, Range 20 East, Charlotte County. Staff recommended that the additional right of way be granted.

Upon motion by Mr. Dickinson, seconded and adopted, the Trustees

authorized issuance of easement for the additional right of way.

PINELLAS COUNTY - Pinellas County Water and Navigation Control Authority submitted an application on behalf of Helmut Rodde for a commercial dock permit authorizing construction of a commercial dock in Boca Ciega Bay at Lot 3, Block K, Isle of Capri, in Pinellas County. All necessary exhibits, including \$100.00 processing fee, were submitted and Staff recommended approval.

On motion by Mr. Faircloth, duly adopted, the Board authorized issuance of a commercial dock permit to Mr. Rodde.

POLK AND LAKE COUNTIES - Staff recommended approval of applications for removal of fill material from fresh water lakes for improvement of upland property, for which all necessary exhibits were submitted, the Florida Game and Fresh Water Fish Commission had inspected and had no objections providing standard stipulations were included in the permits, and applicants tendered payment for the material, as follows:

Polk County, Lake Clinch: R. E. Keller, applicant for removal of 500 cubic yards of material, remitted \$25.00; Chester G. Ashabranner, applicant for removal of 350 cubic yards of material, remitted \$25.00.

Polk County, Middle Lake Hamilton: David McCall, applicant for removal of 325 cubic yards of material, remitted \$25.00.

Lake County, Lake Gertrude: Ernest E. Sutter, applicant for removal of \$1,000 cubic yards of material, remitted \$50.00.

Motion was made by Mr. Dickinson, seconded and adopted, that permits for removal of the stated amounts of material be issued.

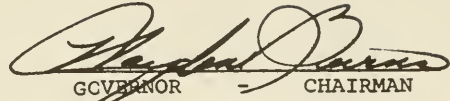
SARASOTA COUNTY - Request was made for approval of Fill Permit No. 61-33 issued by Sarasota County Water and Navigation Control Authority to the owners of all submerged bottoms in Spoil Areas S-6, S-8, S-10A, and S-11A, B and C, used in conjunction with the construction of the Intracoastal Waterway through Lemon Bay. (See Minutes of February 18, 1964.) The original permit expired July 1, 1966, but it was found necessary to complete certain remedial work to satisfy complaints of upland owners. The Authority requested that the permit be granted for a period of one year.

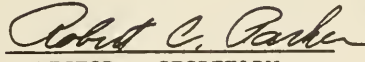
Upon motion by Mr. Dickinson, seconded and adopted, the Trustees formally approved Fill Permit No. 61-33 issued by Sarasota County Water and Navigation Control Authority for a period of one year.

SUBJECTS UNDER CHAPTER 18296

SUMTER COUNTY - Refund. On motion by Mr. Dickinson, seconded by Mr. Williams and duly adopted, the Trustees authorized refund in the amount of \$10.00 to A. M. Barlow, applicant for release of state road right of way reservation contained in Sumter County Murphy Act Deed No. 324. The State Road Department did not recommend release of the reservation.

On motion duly adopted, the meeting was adjourned.


GOVERNOR CHAIRMAN

ATTEST: 
DIRECTOR - SECRETARY

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Tallahassee, Florida
July 19, 1966

The Trustees of the Internal Improvement Fund met on this date in the Board Room of the office of the Governor in the Capitol.

Present: Haydon Burns Governor
Fred O. Dickinson, Jr. Comptroller
Earl Faircloth Attorney General

Robert C. Parker Director

The following seven (7) applications were presented from riparian owners for purchase of submerged lands abutting their upland ownerships:

1. BREVARD COUNTY - File No. 1853-05-253.12. Lloyd & Associates on behalf of Campbell Pocket Corporation, abutting upland owner, offered \$200.00 per acre, the value reported by the Staff Appraiser, for a parcel of submerged land in the Indian River in Section 17, Township 30 South, Range 39 East, containing 15.37 acres in Brevard County landward of the established bulkhead line.
2. INDIAN RIVER COUNTY - File No. 1851-31-253.12. Lloyd & Associates on behalf of Eugene J. Mosher and wife, abutting upland owners, offered \$200.00 per acre, the value reported by the Staff Appraiser, for a parcel of submerged land in the Indian River in Section 17, Township 33 South, Range 40 East, containing 3.73 acres in Indian River County landward of the established bulkhead line.
3. MONROE COUNTY - File No. 1863-44-253.12. Bailey-Mooney-Post Associates, Inc., on behalf of Holiday Isle, Inc., the abutting upland owner, offered \$425.00 per acre, value approved by Staff Appraiser, for a parcel of submerged land in the Straits of Florida in Section 22, Township 63 South, Range 37 East, containing 1.14 acres at Windley Key in Monroe County.
4. MONROE COUNTY - File No. 1864-44-253.12. Bailey-Mooney-Post, Assoc., on behalf of Peter A. Doyle and wife, abutting upland owners, offered \$300.00 per acre, the value approved by Staff Appraiser, for a parcel of submerged land in the Bay of Florida in Section 6, Township 62 South, Range 39 East, containing 0.71 acre at Key Largo in Monroe County.
5. MONROE COUNTY - File No. 1865-44-253.12. Bailey-Mooney-Post, Assoc., on behalf of T. I. C., Inc., abutting upland owner, offered \$326.82 per acre, the value approved by Staff Appraiser,

for a parcel of submerged land in Card Sound in Section 31, Township 58 South, Range 41 East, containing 7.4 acres in Monroe County.

6. PALM BEACH COUNTY - File No. 1861-50-253.12. Brockway, Owen & Anderson on behalf of Willard Utley and wife, abutting upland owners, offered \$1,401.00 per acre, the value approved by Staff Appraiser, for a parcel of submerged land in Lake Worth in Section 3, Township 43 South, Range 43 East, containing 0.306 acre in the City of West Palm Beach landward of the established bulkhead line.
7. PALM BEACH COUNTY - File No. 1862-50-253.12. Brockway, Owen & Anderson on behalf of Kenneth P. Foster and wife, the abutting upland owners, offered \$1,401.00 per acre, value approved by the Staff Appraiser, for purchase of a parcel of submerged land in Lake Worth in Section 3, Township 43 South, Range 43 East, containing 0.212 acre in the City of West Palm Beach landward of the established bulkhead line in Palm Beach County.

Attorney General Faircloth made a motion, which was seconded and adopted, that the land in the above seven applications be advertised for objections only.

DADE COUNTY - The Trustees' Staff recommended approval of a bulkhead line which the Board of County Commissioners of Dade County, by Resolution No. R-451-66 dated May 3, 1966, had located along the west shore of Card Sound and Barnes Sound from Mud Point to the north bank of Manatee Creek at U. S. Highway No. 1. Field inspection was made by members of the Staff of the Trustees and the Board of Conservation in conjunction with Dade County officials, to determine the best location of a bulkhead line to best serve the public interest.

At the local public hearing there were several objectors to the alignment, the basic objection being that the bulkhead line was set too close to shore. Mr. Henry M. Sinclair, attorney for one objector, had filed suit against the Board of County Commissioners objecting to the bulkhead line as established in Section 13, Township 59 South, Range 39 East, Dade County, shown on Sheet 3 of the maps submitted by the county. Therefore, the Staff recommended that the segment of bulkhead line shown on Sheet 3 be excepted from Trustees' approval pending the outcome of the litigation.

The Director said the party in the litigation claimed that the bulkhead line crossed over lands in private ownership and would prevent the owner from securing a fill permit for part of that land. The Director said the Staff did not recognize the meander line as being the boundary of upland ownership, and he pointed out on the map where the meander lines were beyond the bulkhead line adopted by Dade County.

The Board of County Commissioners on May 3, 1966, also adopted Resolution No. R-452-66 setting dredging areas limited to a line located seaward of the bulkhead line approximately equal to the distance between the bulkhead line and the average shoreline as shown on the maps attached to the resolution, but in no event would the dredging limits line be a greater distance seaward than 800 feet from the bulkhead line. This resolution created an

inshore navigation plan for the west side of Biscayne Bay, Card Sound and Barnes Sound, which would minimize the area of bottoms dredged for fill material and protect shallow grassy areas. The Board of Conservation generally approved the dredging limits area with the exception of areas in the Arsenicker Keys (shown on Sheets 13 and 14) and in the Chicken Key area (on Sheet 2), and the Staff recommended approval as to all areas except Sheets 2, 13, 14 and the area in litigation shown on Sheet 19.

Attorney General Faircloth asked for time to study the subject matter further.

Without objection, the Trustees took no action and directed that Resolutions Nos. R-451-66 and R-452-66 be brought back for consideration at a later date.

BAY COUNTY - File No. 1808-03-253.124. Upon motion by Mr. Dickinson, seconded and adopted, the Trustees formally approved the fill permit issued by the City of Panama City on July 14, 1966, to J. Leonard Johnson, Inc., under the provisions of Section 253.124 Florida Statutes, to fill the 1.55 acre parcel of submerged land in St. Andrews Bay in Section 35, Township 3 South, Range 15 West, in Bay County, which was conveyed by the Trustees under the above referenced file number.

GLADES COUNTY - The Staff requested authority to issue an ex parte disclaimer retaining, however, the usual oil and mineral reservations, to a parcel of land containing 4 acres, more or less, lying in Fractional Section 19, Township 38 South, Range 35 East, in Glades County, within an area commonly referred to as the Eagle Bay Tract. All of said tract was conveyed to G. W. Killian, B. J. Jennings and J. T. Hutto, acting as Trustees for settlers in the Eagle Bay reclaimed land area, by Trustees I. I. Fund instrument No. 17199 dated March 30, 1925. Due to death of the "Eagle Bay" trustees, and the fact that heirs, assigns and successors to said trustees are unnamed, it appears that title to the subject parcel remained vested in the "Eagle Bay" trustees and a color of title has therefore resulted. To remove whatever interest the Trustees might have in the subject parcel, the Staff recommended issuance of an ex parte disclaimer for the usual charge of \$10.00, excepting from the description the right of way of the state road.

Mr. Dickinson said it was a case of adverse possession for almost thirty years, that the applicant had satisfied all requirements of the statutes, and that a quitclaim was requested rather than a disclaimer. He was in possession of information and details with reference to the application made by Mr. Edgar Hamilton. Mr. Parker said the Trustees had no interest. He explained that as a matter of policy the Staff recommended issuance of ex parte disclaimers which appeared to serve the same purpose.

Motion was made by Mr. Dickinson, seconded and adopted, that the Trustees grant the request for issuance of a quitclaim subject, however, to an approving opinion from the Attorney General.

LAKE COUNTY - Application was made by Lake-Sumter Junior College for a permit to dredge 8,000 cubic yards of material from Silver

Lake to improve a beach area between State Road No. S499 and the edge of Silver Lake in Lake County. The Game and Fresh Water Fish Commission made an inspection and recommended approval of the proposed work. Staff recommended that permit be granted without charge for the material.

Motion was made by Attorney General Faircloth, seconded and duly passed, that permit be granted without charge to Lake-Sumter Junior College for dredging 8,000 cubic yards of material from Silver Lake for improvement of the beach.

POLK COUNTY - Application was made by Harry E. Nelson on behalf of The Vanguard School for a permit to remove approximately 500 cubic yards of fill material from Lake Pierce in Polk County to make slight improvements to an eroded shoreline. All required exhibits and remittance in the amount of \$25.00 were submitted. The Florida Game and Fresh Water Fish Commission investigated and approved the proposed work providing standard stipulations were included in the permit.

Motion was made by Mr. Dickinson, seconded and adopted, that permit be issued for the requested amount of material for \$25.00 charge.

DUVAL COUNTY - On October 4, 1960, the Trustees authorized issuance of Permit No. CD-108 to S. C. Henderson & Sons, Inc., for a marina in Julington Creek adjacent to State Road 13 near Mandarin in Duval County. James V. Freeman, holder of controlling interest in the marina now known as Julington Creek Marina, requested modification of the original permit to allow construction of additional boat slips. All necessary exhibits and \$100.00 processing fee were submitted.

Upon motion adopted without objection, the Trustees authorized issuance of state commercial dock permit to Julington Creek Marina modifying the original permit issued in 1960, for \$100.00 charge.

PINELLAS COUNTY - Pinellas County Water and Navigation Control Authority on behalf of William A. Skeen recommended issuance of a commercial dock permit for construction of a pier in Smith Bayou at Lot 16, Block C, Grand Bay Subdivision in Pinellas County. All necessary exhibits and \$100.00 processing fee were submitted.

Upon motion by Mr. Dickinson, duly adopted, the Trustees authorized issuance of state commercial dock permit to Mr. Skeen for \$100.00 charge.

ST. JOHNS COUNTY - The Board of Parks and Historic Memorials requested concurrence, as required by law, of the Governor and the Trustees of Internal Improvement Fund in the issuance by the Park Board of a quitclaim deed to College Park Realty Company reconveying a parcel of land included in error in a deed donating land in Section 22, Township 8 South, Range 30 East, St. Johns County, to the Park Board in 1963 for the Frank B. Butler State Park. The deed to the Park Board contained an erroneous legal

description which conveyed a small strip of land in excess of the amount intended. Legal public notice of the reconveyance was published pursuant to Chapter 589.10 Florida Statutes.

Mr. N. E. Bill Miller, Director of the Park Board, and the Trustees' Director both said the request had been thoroughly checked. The Attorney General had approved the quitclaim deed.

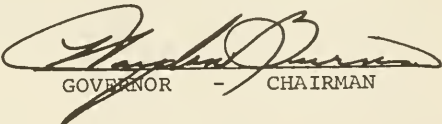
Upon motion duly adopted, the Trustees approved the request for concurrence of the Governor and the Trustees in issuance of the quitclaim deed.

SUBJECTS UNDER CHAPTER 18296

Motion was made by Comptroller Dickinson, seconded and adopted, that the Trustees approve Bidding Report No. 889 listing one regular bid for sale of land in Columbia County under provisions of Chapter 18296, the Murphy Act, and authorize execution of deed pertaining thereto.

BREVARD COUNTY - Refund. Upon motion by Mr. Dickinson, seconded and adopted, the Trustees authorized refund in the amount of \$10.00 to J. William Woodson, applicant for release of the state road right of way reservation contained in Brevard County Murphy Act Deed No. 1114. The State Road Department did not recommend release of the reservation.

On motion duly adopted, the meeting was adjourned.


GOVERNOR - CHAIRMAN

ATTEST:


DIRECTOR - SECRETARY

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Tallahassee, Florida
July 26, 1966

The Trustees of the Internal Improvement Fund met on this date in the Board Room of the office of the Governor in the Capitol.

Present: Haydon Burns Governor
Fred O. Dickinson, Jr. Comptroller
Earl Faircloth Attorney General

Robert C. Parker Director

On motion duly adopted, the Trustees approved the minutes of the meetings of July 12, and 19, 1966.

COLLIER COUNTY - File No. 1836-11-253.12. On June 7 the Trustees approved advertisement for objections only of several parcels of submerged land containing 4.7 acres, more or less, in Sections 11 and 12, Township 51 South, Range 25 East, lying between the mean high water mark boundary of Government Lot 9 of said Section 11 and the bulkhead line established for this area, for which application to purchase was made by Tri-County Engineering, Inc., on behalf of Naples Homes, Inc., the abutting upland owner. Notice of sale was published in the Collier County News, Naples, Florida, and proof of publication was filed in the Trustees' office.

Objections were received from several conservation groups including Collier County Conservancy Rookery Bay Committee primarily on the grounds that this group had purchased through donation of private funds a substantial acreage of upland property easterly of the application area for the purpose of creating a wildlife refuge and for preserving Rookery Bay. Staff reviewed objections with representatives of this group, and in view of the fact that the application to purchase was not considered as being detrimental to the objectives to be obtained by this Conservancy group, the objections were not considered as well founded.

Except for the area located within Section 12 of Township 51 South, Range 25 East, for which Staff requested deferment for further study, Staff recommended confirmation of the sale on the condition that the applicant restrict dredging operations on the easterly and northerly sides of his upland property to the areas landward of the bulkhead line.

The Director indicated on a map where the bulkhead line had been established generally along the line of mean high water, and where the applicant desired to purchase several slivers of land between the mean high water and the bulkhead line and scattered parcels within the bulkhead line, which was set as closely to the mean high water line as practicable. He said that the applicants and the Conservancy group knew the Staff's recommendations as to sale of the submerged land.

Motion was made by Governor Burns, and adopted without objection, that sale of the submerged land at \$100.00 per acre, the appraised price, be confirmed with condition that dredging be restricted on the easterly and northerly sides of applicant's upland to the areas within the bulkhead line, and that action be deferred for the area within Section 12.

DADE COUNTY - File No. 1833-13-253.12. On June 7, 1966, the Trustees authorized advertisement for objections only of a parcel of submerged land in Biscayne Bay in Section 21, Township 54 South, Range 41 East, in the City of Miami landward of the established bulkhead line, lying southerly of and abutting Lot 12 of Munroe's Plat as recorded in DB "D" at Page 253 of the Public Records of Dade County, containing 0.76 acre, more or less. Henry Field, the abutting upland owner, offered \$3,610.00 per acre, price approved by the Staff Appraiser, for the parcel. Notice of sale was published in the Miami Herald, proof of publication filed and no objection received.

Motion was made by Mr. Faircloth, seconded and adopted, that sale of the advertised parcel be confirmed in favor of the riparian owner at the price offered.

LEE COUNTY - File No. 1832-36-253.12. On May 31, 1966, the Trustees authorized advertisement for objections only of two (2) contiguous parcels of submerged land in Matanzas Pass in Section 19, Township 46 South, Range 24 East, containing 0.95 acre, more or less, landward of the established bulkhead line in Lee County. Notice of sale was published in the News-Press, Fort Myers, Florida, proof of publication filed and no objection received.

Motion was made by Mr. Faircloth, seconded and adopted, that sale of the advertised parcel be confirmed in favor of Lewis E. Thurston and Hazel C. Pearce at \$1000.00 per acre, approved by Staff Appraiser.

MARTIN COUNTY - File No. 1820-43-253.12. On May 21, 1966, the Trustees authorized advertisement for objections only of a parcel of submerged land in the St. Lucie River in Section 32, Township 37 South, Range 41 East, containing 0.83 acre, more or less, in the City of Stuart lying westerly of and abutting Lots 8 to 15 of Block "B" of Riverside Park Subd., as recorded in Plat Book 4, Page 98, Public Records of St. Lucie County, for which application was made by Crary, Crary & Crary on behalf of Laurel Court, Inc., the abutting upland owner. Applicant offered \$1,750.00 per acre, the price approved by the Staff Appraiser. Notice of sale was published in the Stuart News, proof of publication filed.

Objections were received from several riparian owners. Toley A. Engebretsen and wife, immediately north of the applicant, objected that sale and fill would encroach on his dock and boat-house in place and prevent access to the southern part of his beach. At any area where the shoreline is concave bayward, an alignment difficulty occurs in extending boundary lines for purchase of submerged riparian land. The Staff was working further on allocating the submerged land and requested deferment.

Motion was made by Mr. Dickinson, and duly adopted, that action be deferred for final consideration at another meeting.

MONROE COUNTY - File No. 1693-44-253.12. On May 31, 1966, the Trustees considered application from Bahia Honda, Inc., the abutting upland owner, with offer of the appraised price of \$425 per acre for a tract of submerged land in Hawk Channel in Section 25, Township 66 South, Range 30 East, containing 36.78 acres, more or less, at Bahia Honda Key lying southerly of and abutting Government Lot 3 of said Section 25 in Monroe County. Notice of sale was published in the Key West Citizen, proof of publication filed.

Florida Board of Parks and Historic Memorials registered an objection to the sale for the reason that the Park Board owned a parcel of upland property in the vicinity, had a commitment from the Board of County Commissioners of Monroe County for conveyance to the Park Board of the upland property now owned by the county lying adjacent to the upland property of the applicant, and the Park Board Staff felt that sale and development of the submerged land would be incompatible with the use of the adjacent area for park and recreational use under the supervision of the Park Board.

In recognition of the position of the Park Board, the Trustees' Staff recommended that the sale not be approved. Mr. Parker

advised the Board that the Monroe County Attorney, Paul Sawyer, by telephone had requested that action be deferred pending further negotiations with respect to the whole matter.

The Trustees heard Representative Bernie Papy, Jr., also request deferment. Mr. Papy said the applicant was unable to attend because of the airlines strike. He pointed out that the county had given the Park Board 243 acres and that the application to purchase would place land on the county tax roll and enable the applicant to improve his property. He said he would like to have time to discuss the matter with the Park Board.

Motion was made by Mr. Faircloth, seconded and Mr. Dickinson and adopted, that action be deferred pending further discussion and negotiations between the interested parties.

MONROE COUNTY - File No. 1831-44-253.12. On June 7, 1966, the Board considered application from William J. Upjohn, et al, abutting upland owners, who offered \$425.00 per acre, approved by Staff Appraiser for purchase of two (2) parcels of submerged land in Section 32, Township 63 South, Range 37 East, containing a total of 4.17 acres, more or less, at Upper Matecumbe Key in Monroe County. Parcel No. 1 lying in the Bay of Florida northwesterly of and abutting Tracts 2, 3 and 6 of the Subdivision of Lots 3 and 4, Plat Book 2, Page 59, Public Records of Monroe County, contained 2.33 acres; and Parcel 2 in the Straits of Florida southeasterly of and abutting Tracts 1 and 4 of said subdivision of Lots 3 and 4 contained 1.84 acres, more or less.

Notice of sale was published in the Key West Citizen, proof of publication filed and no objection to the sale was received.

On motion by Mr. Faircloth, duly adopted, the Trustees confirmed sale of the advertised parcels to the riparian owners at the price offered.

MONROE COUNTY - File No. 1837-44-253.12. On June 7, 1966, the Board considered application from Robert F. Merrick, Clifford D. Steves, James A. Conklin and Harvey J. Johnson, abutting upland owners, who offered \$425.00 per acre, the value approved by Staff Appraiser, for five (5) parcels of submerged land containing a total of 3.97 acres, more or less, in the Bay of Florida in Section 21, Township 64 South, Range 36 East, Lower Matecumbe Key, Monroe County, lying northerly and abutting the northeasterly one-half of Lot 2; Lots 3, 4, 5 and Lots 8 and 9 of Lower Matecumbe Harbor as recorded in Plat Book 2, Page 105, Public Records of Monroe County. Notice of sale was published in the Key West Citizen, proof of publication filed in the Trustees' office.

The Director pointed out on the map the application area which the four abutting upland owners desired to make a protected area with a breakwater, a boat basin. The Governor and Attorney General asked about use of the water area by the boating public and Mr. Parker said that was considered by a former Attorney General, and until the submerged land was filled the public could use the water area as long as it did not unduly interfere with the rights of the riparian owner. In Monroe County where the Bulkhead Act did not apply, "area bulkhead lines" were set at the staff level after careful study and discussion with owners and engineers. Mr. Parker

said that other sales had been made for the purpose of affording riparian owners protected boat basins.

At the suggestion of the Governor, the Trustees tentatively approved the sale subject to approval by the Attorney General after a study of whether waters over submerged land sold into private ownership remained available for public use.

PALM BEACH COUNTY - File No. 1841-50-253.12. On May 31, 1966, the Trustees considered application from Gee & Jenson on behalf of seven (7) upland owners with offer of the appraised price of \$3,468.00 per acre for 7 parcels of submerged land in Lake Worth in Section 22, Township 43 South, Range 43 East, containing a total of 0.581 acre, more or less, within the established bulkhead line in the City of West Palm Beach, as follows:

1. Agnes Greer	0.115 acre
2. Stanley Peeler	0.076 acre
3. Olive Street Properties, Inc.	0.121 acre
4. Ella D. Potter, et al	0.114 acre
5. Valley D. Townsend	0.058 acre
6. City of West Palm Beach	0.038 acre
7. Holy Trinity Church	0.059 acre

The Trustees also approved dedication of a parcel of submerged land in Lake Worth in Section 22, Township 43 South, Range 43 East, containing 6.50 acres, more or less, lying lakeward of and abutting the above parcels, to the City of West Palm Beach, to be used for road right of way and parkway for beautification purposes in connection with the widening of Flagler Drive in the cove area of Lake Worth. The seven riparian owners gave written consent in compliance with Section 253.126 Florida Statutes.

The parcels applied for by the seven owners and the 6.5 acres dedicated to the city were advertised for objections only in the Palm Beach Post, and proof of publication was filed. The law firm of Farish and Farish representing Gladys M. Ryon, Executrix of the Estate of James S. Ryon, deceased, a former riparian owner whose upland property was acquired by the city by condemnation, protested the sale of the submerged land adjacent to her former ownership. This owner had appealed the Order of Taking filed with the Court in the condemnation procedure and the attorneys objected on other grounds. There were also some objections on conservation grounds from Izaak Walton League, Palm Beach County Chapter.

Staff recommended that the objections be overruled in recognition of the public benefit to be derived from the road improvement program, and since the Court issued an Order of Taking which vested title to the upland property of former owner Ryon in the City of West Palm Beach, that procedure entitled the city to make application for that particular parcel of submerged land.

City Attorney John Evans was present. He said plans and specifications for the four-laning of Flagler Drive were ready, that delay by appeals could go on for years, that only one owner had objected and appealed the Order of Taking. Mr. Evans said that the Court action had vested title in the city, that the Trustees could go ahead with the dedication, and he believed that whatever happened thereafter would be between the owner and the city, that her remedy would be in damages against the city should a Court rule it was unlawful taking. He also said that the

objector had no supersedeas.

Representing the objector, Joe Farish, Jr., argued strongly against approval by the Trustees, said the ten-foot strip taken by the city was not going to be used for a public purpose, that the Board should allow the Court to adjudicate the matter before making a decision. He also said that traffic needs did not show any immediate urgency for the road project, that his client's home was involved and her rights should be protected.

After consideration, discussion and questioning of the two parties by the Trustees, motion was made by the Governor, seconded and adopted without objection, that all applications for purchase of submerged land be confirmed to the above listed seven applicants, and that the 6.5 acres of submerged land be dedicated to the City of West Palm Beach to be used for road right of way and parkway to be used for beautification purposes in connection with the widening of Flagler Drive in this cove area of Lake Worth.

VOLUSIA COUNTY - File No. 1838-64-253.12. On May 31, 1966, the Trustees authorized advertisement for objections only of a parcel of submerged land in the Indian River North in Section 2, Township 18 South, Range 34 East, containing 2.60 acres in the City of Edgewater landward of the established bulkhead line in Volusia County. A. J. Frisch and wife, abutting upland owners, offered \$372.00 per acre, the value approved by the Staff Appraiser, for the parcel. Notice of sale was published in the New Smyrna Beach News, proof of publication filed and no objections received.

On motion by Mr. Faircloth, duly adopted, the Trustees confirmed sale of the advertised parcel to the riparian owners at the price offered.

VOLUSIA COUNTY - File No. 1839-64-253.12. On May 31, 1966, the Trustees authorized advertisement for objections only upon application by Samuel A. Strassler and the Estate of Samuel S. Flug, abutting upland owners, to purchase two (2) contiguous parcels of submerged land in the Halifax River in Section 26, Township 14 South, Range 32 East, in the City of Daytona Beach, Volusia County, lying westerly of and abutting Lot 4 of Block 1 and Parcel No. 1, Lot 5 of Block 1 of Orgona Park, Section 3, as recorded in MB 23, Pages 232 and 233, landward of the established bulkhead line. Notice of sale was published in the News-Journal, Daytona Beach, proof of publication filed and no objection received.

Upon motion, seconded and adopted, the Trustees confirmed sale of the advertised parcel to the riparian owners at \$450.00 per acre, the price approved by the Staff Appraiser.

The following four (4) applications were presented from riparian owners desiring to purchase submerged lands abutting their upland ownerships:

1. BREVARD COUNTY - File No. 1868-05-253.12. Grusenmeyer and Associates, on behalf of C. R. Moore and Imperial Towers, Inc., abutting upland owners, offered \$1,500.00 per acre, approved by Staff Appraiser, for purchase of a parcel of submerged land in the Indian River in Section 15, Township

22 South, Range 35 East, 4.0 acres in the City of Titusville landward of the established bulkhead line, in Brevard County.

2. BREVARD COUNTY - File No. 1869-05-253.12. Grusenmeyer and Associates, on behalf of Roy D. Stackhouse and Washington Plaza, Inc., abutting upland owners, offered \$1,500.00 per acre, price approved by Staff Appraiser, for purchase of a parcel of submerged land in the Indian River in Section 22, Township 22 South, Range 35 East, 6.7 acres in the City of Titusville landward of the established bulkhead line in Brevard County.
3. PALM BEACH COUNTY - File No. 1870-50-253.12. Adair, Brady & Fish on behalf of Richard L. Lowe, et al, as Trustees, abutting upland owners, offered \$1,900.00 per acre, approved by Staff Appraiser, for a parcel of submerged land in Lake Worth in Section 15, Township 45 South, Range 43 East, containing 3.569 acres in the City of Boynton Beach landward of the established bulkhead line in Palm Beach County.
4. PALM BEACH COUNTY - File No. 1871-50-253.12. Brockway, Owen and Anderson, on behalf of S. Black, the abutting upland owner, offered \$1,923.00 per acre, or a minimum of \$100.00 in this instance, for a parcel of submerged land in Lake Worth in Section 28, Township 42 South, Range 43 East, 0.014 acre landward of the established bulkhead line in the City of Riviera Beach, Palm Beach County.

Attorney General Faircloth made a motion, which was seconded and adopted, that the land in the above four applications be advertised for objections only.

OKEECHOBEE COUNTY - Glen Davis, holder of Grazing Lease No. 1559 covering 53.64 acres of reclaimed lake bottom land in Section 5, Township 38 South, Range 35 East, Okeechobee County, made application for renewal of the lease which expired June 1, 1966. Staff Appraiser recommended an increase from \$1 to \$3 per acre annually.

Staff recommended issuance of a new lease for grazing purposes only at an annual rental of \$3 per acre with provision allowing the Trustees to cancel the lease after ninety (90) day notice in writing.

Upon motion by Mr. Faircloth, duly adopted, the Trustees accepted the recommendations of the Staff for issuance of lease to Mr. Davis.

HILLSBOROUGH COUNTY - The Trustees, as the Board of Drainage Commissioners of the State of Florida under provisions of Section 298.12 Florida Statutes, were requested by Joanne E. Blackburn, Secretary, Board of Supervisors of Southwest Tampa Storm Sewer Drainage District, to approve the recommendation from the fifty land owners present at the land owners' meeting for reappointment of Mrs. Margaret H. Green as a member of the Board of Supervisors for a three-year term from the expiration of her current term on August 1, 1966. Pursuant to advertised call, the owners of a majority of the acreage in the District were not present at the meeting and a legal election could not be had.

On motion by Mr. Faircloth, duly adopted, the Trustees appointed Mrs. Green as Supervisor of Southwest Tampa Storm Sewer Drainage

District for a three-year term as recommended.

MANATEE COUNTY - File No. 1867-41-253.129. Upon motion made by Mr. Faircloth, seconded and adopted, the Trustees authorized the issuance of disclaimer to A. J. Jamison and wife, for handling charge of \$10.00, under the provisions of Section 253.129 Florida Statutes, covering a parcel of sovereignty land in Section 31, Township 34 South, Range 17 East, which was filled prior to May 29, 1951.

BROWARD COUNTY - Charles Blickle made application for a state permit for construction of a concrete bulkhead, wharf and ten piers in the South Fork of New River in Section 20, Township 50 South, Range 42 East, Broward County. A limited amount of dredging to improve navigation was included in the project, with the spoil to be deposited on the applicant's upland property. All necessary exhibits, including \$100.00 processing fee, were submitted. The Staff recommended approval.

Upon motion by Mr. Faircloth, seconded and adopted, the Trustees authorized issuance of state dock permit to Mr. Blickle.

POLK COUNTY - James Felder Selph made application for a state permit to remove approximately 1,000 cubic yards of fill material from Lake Reedy in Polk County to be placed on his upland property in Blocks 4 and 9, U. S. Lot 2, Section 33, Township 31 South, Range 28 East, Polk County.

The application also included a request to straighten the shoreline of the lake along the upland property. The Florida Game and Fresh Water Fish Commission investigated and had no objection to removal of the fill material to improve the upland property providing standard stipulations are included in the permit. However, the Game and Fish Commission recommended against alteration of the shoreline.

Staff recommended approval of the permit to obtain fill material to fill upland only, and that request to alter the shoreline be denied.

Motion was made by Mr. Faircloth, seconded and adopted, that Mr. Selph be issued a permit for removal of the requested amount of material for deposit on upland property for \$50.00, and that no alteration of the shoreline would be permitted.


VOLUSIA COUNTY - Volusia County requested amendment of the permit for artificial reef construction approved by the Trustees on May 10, 1966, for a location at 29° 07.7' North Latitude and 80° 51.5' West Longitude, for the reason that a new location was recommended by the Board of Conservation biologist who worked with the county on plans for the reef. Staff recommended approval of amended permit for an artificial reef at 29° 09' 04" North Latitude and 80° 53' 20" West Longitude.

Upon motion by Mr. Dickinson, seconded and adopted, the Trustees authorized issuance of the amended permit for artificial reef to the Board of County Commissioners of Volusia County.

TRUSTEES' FUNDS - Pursuant to authorization of the Trustees that the Staff negotiate with owners of three parcels of land in the block south of the Governor's Mansion for purchase of the lots to eliminate the unsightly houses located thereon, and approval of the Trustees on November 16, 1965, of the purchase of the lots owned by E. C. Allen and Frances H. Carter, the Staff continued negotiations for purchase of the third parcel owned by J. C. Anders. Mr. Anders agreed to sell for a negotiated price of \$15,900.00 which appeared to be the lowest price he would accept. In consideration of all the factors surrounding the efforts that were made to secure the property, Staff recommended approval by the Board of purchase of the Anders property at the negotiated price.

Upon motion, seconded and adopted without objection, the Trustees approved purchase of the Anders property at the negotiated price of \$15,900.00.

Upon motion duly adopted, the meeting was adjourned.


GOVERNOR - CHAIRMAN

ATTEST: 
DIRECTOR - SECRETARY

* * * * *

Tallahassee, Florida
August 2, 1966

The Trustees of the Internal Improvement Fund met on this date in the Board Room of the office of the Governor in the Capitol.

Present: Fred O. Dickinson, Jr. Comptroller
Earl Faircloth Attorney General
Doyle Conner Commissioner of Agriculture

Robert C. Parker Director

On motion by Mr. Dickinson, duly adopted, the Trustees approved the minutes of the meeting of July 26, 1966.

In order to provide specific guide lines with respect to the conduct of employees of the Trustees in the discharge of their official duties, the Trustees adopted the following resolution submitted by the Director, which contained rules and regulations to govern the conduct of all employees of the Board.

RESOLUTION

WHEREAS, The Trustees of the Internal Improvement Fund of the State of Florida, hereinafter referred to as Trustees, recognize the right of the citizens of Florida to have full confidence in the official conduct of all members of their staff, and

WHEREAS, the Trustees believe that public confidence will be strengthened by adoption of rules and regulations to govern the conduct of members of its staff in all matters which might result in, or arouse suspicion of, what is known familiarly as conflicts of interest by members of their staff,

NOW, THEREFORE, BE IT RESOLVED THAT THE TRUSTEES ADOPT THE FOLLOWING RULES AND REGULATIONS BY WHICH MEMBERS OF THEIR STAFF ARE TO BE GOVERNED:

- (1) No employee of the Trustees shall have any financial interest, direct or indirect, with any firm or individual engaged in business transactions with the Trustees.
- (2) No employee of the Trustees shall have any financial interest, direct or indirect, with any firm or individual subject to supervision or regulation by the Trustees of any members of their staff.
- (3) No employee of the Trustees shall engage for personal gain in any business transaction with the Trustees or any other activity which would be a conflict of interest.
- (4) No employee of the Trustees shall request, solicit, demand, accept, receive or agree to receive any gift, favor, service or other thing of value from any firm or individual transacting business with the Trustees or subject to supervision or regulations by the Trustees.
- (5) No employee of the Trustees shall request, solicit, demand, accept, receive or agree to receive any gift, favor, service or other thing of value from any firm or individual for performance of, or failure to perform, any of his official duties.
- (6) No employee of the Trustees shall accept any employment, or engage in any activities for personal gain, outside his official duties without the knowledge and consent of the Director of the Trustees.
- (7) Nothing herein described shall be construed as prohibiting any employee of the Trustees from accepting citations, awards or prizes, even though accompanied by things of value, given in recognition of his public service or accepting grants, scholarships and fellowships for education and training related to the employee's official duties, provided that acceptance of the citations, awards, prizes, grants, scholarships and fellowships has been approved by the Director of the Trustees.

BE IT FURTHER RESOLVED that any violation of these rules and regulations shall constitute grounds for disciplinary action including dismissal from employment.

ADOPTED BY THE TRUSTEES OF THE INTERNAL IMPROVEMENT FUND OF THE STATE OF FLORIDA This the 2nd day of August, A.D. 1966.

HAYDON BURNS
Governor and Chairman

EARL FAIRCLOTH
Attorney General

FRED O. DICKINSON, JR.
Comptroller

LAND MANAGEMENT DIVISION OF TRUSTEES OF INTERNAL IMPROVEMENT FUND - Upon request of Ney C. Landrum, Director for Florida Outdoor Recreational Planning Committee, the Staff submitted to the Trustees recommendation that lease agreement instruments be issued, in form approved by the office of the Attorney General, between the Trustees and the Florida Board of Parks and Historic Memorials as to certain parcels of land recently acquired as authorized by the Outdoor Recreational Development Council. In meeting on this same date, the Council approved issuance of the instruments which had been approved by the Attorney General individually, involving ten (10) separate transactions for tracts of land described as follows:

- | | |
|---|------------|
| 1. St. Joseph Peninsula, Gulf County | 671 acres |
| 2. Gold Head Branch Addition, Clay County | 23 " |
| 3. St. Joseph Peninsula, Tract 2, Gulf County | 98.05 " |
| 4. O'Leno Addition, Columbia County | 120 " |
| 5. Florida Caverns Addition, Jackson County | 20 " |
| 6. Gold Head Branch Addition(second), Clay County | 13.333" |
| 7. Washington Oaks Addition, Flagler County | 73.375" |
| 8. Lake Jackson Mounds, Leon County | 10 " |
| 9. Cape Florida, Dade County | 100 " |
| 10. St. Joseph Peninsula, Tract 3, Gulf County | 1,747.14 " |

Upon motion by Mr. Conner, seconded and adopted, the Trustees authorized issuance of the lease agreements between the Trustees and the Florida Board of Parks and Historic Memorials, by which instruments the above tracts of land would be placed under the jurisdiction of the latter board as recommended by the Outdoor Recreational Development Council.

PALM BEACH COUNTY - File No. 1866-50-253.12. Hutcheon Engineers, Inc., on behalf of Nathan R. Silverstein, abutting upland owner, offered \$4,989.40 per acre, price approved by Staff Appraiser, for a parcel of submerged land in Lake Worth in Section 23, Township 44 South, Range 43 East, containing 0.38 acre, more or less, in the Town of Palm Beach, Palm Beach County, landward of the established bulkhead line.

Upon motion duly adopted, the Trustees authorized advertisement of the parcel for objections only.

BAY COUNTY - Bulkhead Line. Staff recommended denial of approval for a bulkhead line in Johnson's Bayou which was adopted on May 12, 1964 by the City Commission of the City of Panama City in Bay County, Florida. Johnson's Bayou was not meandered and was conveyed out by patent from the United States to private owners. The Staff had previously been advised by Attorney General's Opinion No. 58-3 dated January 3, 1958, that a bulkhead line may be established across privately-owned submerged lands.

Prior to action on the bulkhead line by the Trustees, suit was brought against Sunite, Inc., a Florida corporation, and Norman

P. Gross and Bernice E. Gross to prevent them from bulkheading and filling land they owned in Johnson's Bayou. The Final Decree stated, "The Court cannot find that the attempt of the City of Panama City to set a bulkhead line on Johnson Bayou after the institution of this suit can have any legal effect insofar as the defendants are concerned," and, further, "The Court finds that the filling of that portion of the defendants' property herein-after described would not in any way constitute an unreasonable interference with the rights of others to use the waters of Johnson Bayou."

The Staff, advised by the City Attorney that he knew of no plan by the city to amend the bulkhead line to include the area set out in the Final Decree of the Court, recommended against approval of the bulkhead line. Map of the area was exhibited at the Trustees' meeting, showing the bulkhead line set close to the shore, the offshore ownership boundary line, and the line within which the Court found that filling would not be an unreasonable interference with the rights of others, the latter line being considered by the Staff as a reasonable bulkhead line location.

In view of the apparent position of the city in not amending the bulkhead line in accordance with the Court ruling, motion was made by Mr. Dickinson, seconded and adopted, that approval of the bulkhead line adopted on May 12, 1964, by the City of Panama City be denied and said bulkhead line be returned to the local authority for further consideration.

BREVARD COUNTY - The Staff recommended approval of assignment of Lease No. 1950 held by Blue Crystal Broadcasting Corporation to Astro Enterprises, Inc., of a parcel of submerged land in the Indian River used for a radio transmission tower. Assignment and instrument of acceptance by Astro Enterprises, Inc., was filed with the State Land Office.

Upon motion duly adopted, the Trustees approved the assignment of Lease No. 1950.

DADE COUNTY - The Staff recommended approval of assignment of Lease No. 1627 from Mission Broadcasting Company to Mission East Company covering 7.16 acres of submerged land in Dade County for use in construction of radio transmitter towers. Assignment and instrument of acceptance by Mission East Company were filed with the State Land Office.

Upon motion duly adopted, the Trustees approved the assignment of Lease No. 1627.

CHARLOTTE COUNTY - Wotitzky, Wotitzky and Schoonover, attorneys for and on behalf of Central Charlotte County Drainage District, requested the Trustees, as the Board of Drainage Commissioners of the State of Florida, to approve issuance of bonds of the drainage district in the amount of \$300,000.00, such approval being required under the provisions of Section 298.47 Florida Statutes.

Upon motion, seconded and adopted, the Trustees, in their official capacity as the Board of Drainage Commissioners of the State of Florida, pursuant to Section 298.47 Florida Statutes, approved the

issuance of bonds in the amount of \$300,000.00 by Central Charlotte County Drainage District.

GLADES COUNTY - Presented for further consideration was the application made by Edgar G. Hamilton, attorney for and on behalf of Mrs. Lois E. Wetherell, for a quitclaim deed or disclaimer as to a parcel of land containing 4 acres in Fractional Section 19, Township 38 South, Range 35 East, in Glades County, which was located in a larger parcel of land known as Eagle Bay Tract No. 44. On July 19, 1966, the Trustees approved issuance of quitclaim deed subject, however, to an approving opinion from the Attorney General. Staff had advised that ex parte disclaimer was usually recommended and issued in such cases.

In response to request from the Staff, the Attorney General by memorandum of July 25, 1966, reviewed the entire transaction and recommended that the policy of the Trustees be adhered to, and a disclaimer be issued rather than a quitclaim deed.

Mr. Dickinson asked several questions and at his request, the Trustees temporarily postponed action until a later date.

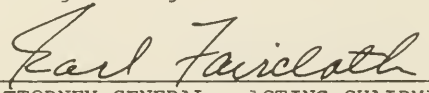
OKEECHOBEE AND MARTIN COUNTIES - The Central and Southern Florida Flood Control District made application for fee title covering two parcels of lake bottom land in Lake Okeechobee lying within areas now under perpetual easement for levee right of way granted to the District by the Trustees. Navigational access locks would be constructed at both sites, Parcel No. 1 lying in Section 15, Township 38 South, Range 36 East, containing 18.0 acres in Okeechobee County, and Parcel No. 2 in Section 17, Township 39 South, Range 37 East containing 22.19 acres in Martin County.

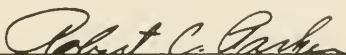
Motion was made by Mr. Conner, seconded and adopted, that the Trustees grant the request of the Central and Southern Florida Flood Control District for granting title to the two parcels of lake bottom land to be used for construction of locks.

ST. JOHNS COUNTY - Francis E. Usina made application for a commercial dock permit for construction of a ramp and piers in the Tolomoto River at North Beach Subdivision, Block 47, in St. Johns County, for which all required exhibits, including \$100 processing fee, were submitted. Staff recommended approval.

Upon motion adopted without objection, the Trustees authorized issuance of commercial dock permit to Mr. Usina.

Upon motion duly adopted, the meeting was adjourned.


ATTORNEY GENERAL - ACTING CHAIRMAN

ATTEST: 
DIRECTOR - SECRETARY

MONROE COUNTY - File No. 1837-44-253.12. On July 26 the Trustees considered the application of Robert F. Merrick, Clifford D. Steves, James A. Conklin and Harvey J. Johnson, abutting upland owners, for purchase of five (5) parcels of submerged land totalling 3.97 acres, more or less, in the Bay of Florida in Section 21, Township 64 South, Range 36 East, Lower Matecumbe Key, lying northerly and abutting the northeasterly one-half of Lot 2, Lots 3, 4, 5, 8 and 9 of Lower Matecumbe Harbor as recorded in Plat Book 2 at Page 105, Public Records of Monroe County. Final action was withheld pending review by the Attorney General of the legal aspects of the question of whether or not the public would be able to use the open water above the purchased submerged land which the applicants planned not to fill but to use as a protected boat basin.

The file was submitted to the Attorney General with request for a review, and the Attorney General forwarded to the Staff memorandum opinions which take into account the written agreement to be entered into by all affected riparian owners with respect to the use of the open water adjacent to their upland ownership. The agreement assures that all owners of riparian property adjacent to the tracts sought for purchase will have the right of ingress and egress by boat to and from their upland holdings, and although the design of the entire project might have a restrictive effect on the use by the general public of the open water areas over the tract sought for purchase, the written agreement in the opinion of the Staff would afford adequate protection to the upland owners involved with respect to ingress and egress by boat to and from their upland property. Therefore, the Staff recommended confirmation of the sale.

The Director pointed out on the application map where breakwaters were installed several years ago when dredging for navigation was done to provide access channels to the property. Upland owners had a plan for providing a harbor for their boats with access for each riparian owner assured by the agreement. Other sales in the Keys had been for the purpose of making sheltered harbors for boats.

At the previous meeting Governor Burns had questioned whether the public could be excluded from the use of these open water areas. In the memorandum from the Attorney General it was pointed out that conceivably the sale of the application parcel of land could deprive the public of the free and full use of the area, but the Staff felt that in recognition of the existing conditions in the Keys and the need for protective harbors for owners' boats it was not against the public interest to sell the submerged land for that use. The Director pointed out when submerged land was sold and filled it was removed from the use of the public.

Attorney General Faircloth said he could not vote in favor of the sale, that when land was filled the public recognized it as private property but not in case of open water areas which the applicants might close off by some device such as a line. He thought the boating public should have free use of the waters.

Upon expressions from the Comptroller and the Commissioner of Agriculture that in view of the Attorney General's reservations they were not able to vote for the sale, the Treasurer made a motion that it be taken off the agenda. Attorney General Faircloth requested that he be allowed to study the matter further.

Upon motion by Mr. Williams, duly adopted, the matter was referred to the Attorney General for study and securing additional information.

GLADES COUNTY - File No. 1873-22-253.36. Mosby Engineering Associates, for Malcolm J. Hopkins, et ux, abutting upland owners, made application for a parcel of reclaimed lake bottom land in Lake Okeechobee in Sections 7 and 18, Township 40 South, Range 33 East, landward of the right of way for Levee L-49, comprising 0.42 acre, more or less, in Glades County.

Staff recommended sale at \$594.57 per acre, approved by the Staff Appraiser, without advertisement in accordance with the policy for sale of reclaimed lake bottom land to the adjacent upland owner.

Upon motion, seconded and adopted, the Trustees confirmed sale of the parcel of reclaimed lake bottom land to the abutting upland owners at the appraised price.

ORANGE COUNTY - File No. 1857-48-253.36. T. P. Warlow, Jr., on behalf of Margaret S. King, the abutting upland owner, offered \$500.00 per acre, value approved by the Staff Appraiser, for a parcel of reclaimed lake bottom land in Lake Conway in Section 13, Township 23 South, Range 29 East, containing 0.735 acre, more or less, landward of the 86.4 ft. elevation contour line of the lake.

Lake Conway Water and Navigation Control District approved the application and had advertised the proposed sale. Staff recommended confirmation of the sale.

Upon motion, seconded and adopted, the Trustees confirmed sale of the parcel of reclaimed lake bottom land to the abutting upland owner at the price offered.

The following six (6) applications were presented from riparian owners for purchase of submerged lands abutting their upland properties:

1. BREVARD COUNTY - File No. 1877-05-253.12. Buckner Realty & Surveying, Inc., on behalf of Ferdinand R. Montami, Trustee, offered \$1,060.00 per acre, value approved by Staff Appraiser, for a parcel of submerged land in the Indian River in Section 34, Township 27 South, Range 37 East, containing 1.20 acres in the City of Melbourne landward of the established bulkhead line.
2. BREVARD COUNTY - File No. 1878-05-253.12. Buckner Realty & Surveying, Inc., on behalf of John W. Garvy, Jr., et ux, offered \$1,060.00 per acre, value approved by Staff Appraiser, for two (2) separate parcels of submerged land in the Indian River in Section 34, Township 27 South, Range 37 East, containing 1.33 acres in the City of Melbourne landward of the established bulkhead line.
3. DADE COUNTY - File No. 1880-13-253.12. L. M. Lowry, the abutting upland owner, offered \$4,655.00 per acre, the price approved by Staff Appraiser, for a parcel of submerged land in Biscayne Bay abutting uplands in Section 40, Township 54 South, Range 41 East, containing 0.47 acre in the City of Miami landward of the established bulkhead line.
4. MONROE COUNTY - File No. 1874-44-253.12. Bailey-Mooney-Post Assoc., on behalf of Miss Whitney Bourne Atwood, the

abutting upland owner, offered \$425.00 per acre, price approved by the Staff Appraiser, for a parcel of submerged land in the Straits of Florida in Section 28, Township 63 South, Range 37 East, containing 0.67 acre at Upper Matecumbe Key in Monroe County.

5. MONROE COUNTY - File No. 1875-44-253.12. Bailey-Mooney-Post Assoc., on behalf of Robert C. Hunter, the abutting upland owner, offered \$425.00 per acre, approved by Staff Appraiser, for a parcel of submerged land in the Bay of Florida in Section 28, Township 63 South, Range 37 East, containing 0.35 acre at Upper Matecumbe Key in Monroe County.
6. MONROE COUNTY - File No. 1876-44-253.12. Bailey-Mooney-Post Assoc., on behalf of Whitney Bourne Atwood, the abutting upland owner, offered \$300.00 per acre, approved by the Staff Appraiser, for a parcel of submerged land in the Bay of Florida in Section 18, Township 63 South, Range 38 East, containing 0.39 acre at Plantation Key in Monroe County.

Upon motion, duly adopted, the Trustees authorized the advertisement of the land in the above six applications for objections only.

DUVAL COUNTY - Geophysical Permit. Geophysical Service, Inc., made application for a permit to conduct a reflection-type siesmograph survey offshore along the east coast of Florida in the Atlantic Ocean extending southeast from the southern tip of Amelia Island in Duval County. On this date the Board of Conservation approved this application. Staff recommended approval insofar as the interest of the Trustees extended.

Upon motion adopted without objection, the Trustees approved the permit.

DADE COUNTY - Francis X. Knuck, holder of Campsite Lease No. 2126 which expired on August 18, 1966, covering one acre of submerged land in the south shoal area south of Key Biscayne, requested renewal of the lease for private campsite purposes only. The annual rental was \$100.00. Lease contained provision for cancellation by the Trustees after 120-day written notice.

Upon motion duly adopted, the Trustees approved renewal for one year for \$100.00 annual rental, on the same terms and conditions, with option for renewal for an additional four years on a year to year basis, subject to all applicable laws and regulations.

DADE COUNTY - Nicola Associates, holder of Campsite Lease No. 2128 which expired on August 17, 1966, covering one acre of submerged land located on the south shoal area south of Key Biscayne, requested renewal. The lease, for private campsite purposes only with annual rental of \$100.00, contained a provision for cancellation by the Trustees after 120-day written notice.

Upon motion duly adopted, the Trustees approved renewal for one year for \$100.00 annual rental, on the same terms and conditions, with option for renewal for an additional four years on a year

to year basis, subject to all applicable laws and regulations.

DADE COUNTY - Upon motion duly adopted, the Trustees approved the assignment of Campsite Lease No. 2158 from M. G. Hammon, et al, to Anthony Gunther Klose, covering one acre parcel of submerged land in the south shoal area south of Key Biscayne in Biscayne Bay, Dade County. Executed assignment and acceptance of lease were filed in the State Land Office.

FLAGLER COUNTY - Marine Studios, Inc., holder of Lease No. 1059 which expired on August 18, 1966, made application for renewal for five years of lease of that area between the high and low water mark of the Atlantic Ocean adjacent to upland owned by Marine Studios, Inc. The lease allowed lessee to maintain barriers at the north and south ends of the strip to prevent vehicular traffic on the beach but specifically allowed public use for bathing and other public beach uses.

Since the lease did not restrict the right of the public to use the beach, but prohibited only vehicular traffic, Staff recommended five-year extension as requested, with annual rental of \$10.00 and one-year cancellation clause.

Upon motion duly adopted, the Trustees approved extension of the lease as recommended.

GLADES COUNTY - Lykes Bros., Inc., holder of Grazing Lease No. 2130 which expired August 25, 1966, covering 148 acres of land in Section 34, Township 40 South, Range 32 East, made application for one-year renewal on the same terms and conditions. Annual lease rental was increased to \$3.00 per acre after an appraisal made in 1965, and the lease contained provision for cancellation by the Trustees after 90-day notice.

Upon motion duly adopted, the Trustees authorized renewal of the lease for one year on the same terms and rental.

SHELL LEASES - The Trustees accepted as information the following report of remittances received by the Florida Board of Conservation from holders of shell leases for the month of July:

<u>Lease No.</u>	<u>Name of Company</u>	<u>Amount</u>
1703	Bay Dredging & Construction Co.	\$ 4,770.52
1718	Radcliff Materials, Inc.	12,276.19
1788	Benton and Company, Inc.	6,328.31 (April sales)
1917	Ft. Myers Shell & Dredging Co.	945.75

PINELLAS COUNTY - Bulkhead Line; Dredge and Fill Permit; SAJKV Permits (66-139)

The Pinellas County Water and Navigation Control Authority at its meeting on April 5, 1966, in accordance with order of the court in the case of Zabel and Russell vs. Pinellas County Water and

Navigation Control Authority, established a bulkhead line in Boca Ceiga Bay in Section 25, Township 31 South, Range 15 East and Section 30, Township 31 South, Range 16 East, and granted a dredge and fill permit to Zabel and Russell, being Permit No. BDF-80 for submerged land, title to which was vested in the applicants, lying west of Pasadena Avenue South in a portion of said Sections 5 and 30 in the Town of South Pasadena in Pinellas County, Florida.

Zabel and Russell in July 1958 made application to the county for establishment of a bulkhead line and a dredge and fill permit. Hearings on the application resulted in denial by the Authority at its regular meeting on November 12, 1959. Applicants brought suit against the Authority, appealed the decision through the courts, and the Florida Supreme Court in the January Term, 1965, held that "The statutory rights of the appellants to dredge, fill and bulkhead the land, subject to reasonable limitations, are appellants' only present rights attributable to ownership of the submerged land itself. It is our view that a denial of permission to fill in this case amounts to a taking of property without just compensation because it was not established that the granting of the permit would materially and adversely affect the public interest. In view of the foregoing, the decision appealed from is quashed and the cause remanded for disposition consistent herewith."

Subsequently, the Circuit Court of the Sixth Judicial Circuit directed that the bulkhead line be amended to provide a channel seventy (70) feet in width between the area to be filled and the upland. The channel would be crossed by a low-level, fixed-span bridge.

Florida Board of Conservation in a report on dredging and filling in the area, stated that although the area involved was partially silted from extensive dredge and fill projects, the parcel represented almost the last vestiges of an undisturbed, productive Boca Ciega Bay, and recommended that the application be denied.

In view of the Supreme Court decision and subsequent Circuit Court action in compliance with the decision, there appeared to be no proper basis for the exercise by the Trustees of independent judgment or discretion with respect to granting approval of the bulkhead line and dredge and fill permit. With these circumstances in mind, the Staff recommended approval of the bulkhead line established by Pinellas County Water and Navigation Control Authority on April 5, 1966, and approval of the dredge and fill permit issued on that date.

Numerous objections were received by the Trustees' office. In response to question by the Attorney General, no objector spoke up at the meeting on this date.

The Director said that applicants had made application to the U. S. Army Corps of Engineers, which had jurisdiction as to navigation.

The Trustees, upon motion approved without objection, formally approved the bulkhead line for Zabel and Russell as established by Pinellas County Water and Navigation Control Authority on April 5, 1966, and approved the permit numbered BDF-80 issued by said Authority.

VOLUSIA COUNTY - Bulkhead Line. The City Council of the City of Port Orange by Ordinance adopted on June 14, 1966, amended the bulkhead line previously established by Ordinance 41:00 along the banks of the Halifax River in the City of Port Orange, in Volusia County. The bulkhead line, on the easterly shore in Section 2, Township 16 South, Range 33 East, was amended to include land that had been filled for some years which was thought to have been included in the original bulkhead line description. The discrepancy was discovered when the property was surveyed for improvements. There were no objections to the amended bulkhead line at the local level, and the Staff recommended approval.

Upon motion by Mr. Williams, seconded and adopted, the Trustees formally approved the amended bulkhead line established by the City of Port Orange on June 14, 1966.

CHARLOTTE COUNTY - Mr. Herman T. Isis, attorney on behalf of East Charlotte Drainage District, requested the Trustees, as the Board of Drainage Commissioners of the State of Florida, to approve issuance of bonds of the drainage district in the amount of \$375,000.00, such approval being required under the provisions of Section 298.47 Florida Statutes.

Upon examination of the exhibits submitted, which appeared to be in order, the Staff recommended approval by the Board.

Upon motion, seconded and adopted without objection, the Trustees, in their official capacity as the Board of Drainage Commissioners of the State of Florida, pursuant to Section 298.47 Florida Statutes, approved the issuance of bonds in the amount of \$375,000.00 by East Charlotte Drainage District.

CITRUS COUNTY - The State Road Department made application for two dedications for public highway purposes, of land described as follows:

1. A parcel of sovereignty land in the Gulf of Mexico in Section 14, Township 18 South, Range 16 East, for construction of State Road S-44, Section No. 02620-2601, containing 0.519 acre, and
2. A parcel of sovereignty land in Lake Tsala Apopka in Section 16, Township 19 South, Range 20 East, for construction and relocation of State Road 44, Section 02050-2503, containing 9.05 acres.

Motion was made, seconded and adopted, that the Trustees approve issuance of the two dedications of land to the State Road Department.

DUVAL COUNTY - The Staff recommended issuance of an exclusive use-right agreement to the United States for the purpose of giving the government the authority to exercise exclusive control in order to provide adequate security for the defense establishment adjacent to the parcel in question, with a provision for cancellation when the land is no longer needed for the purpose, covering 29.04 acres, more or less, extending from the line of mean high water easterly into the waters of the Atlantic Ocean for a distance of more than

a mile southerly of the jetties at the mouth of the St. Johns River. The recommendation was subject to the reconveyance of title to the parcel in question to the Trustees from the U. S. Government, which instituted suit against the Trustees and an Order of Taking was entered vesting title to the land in the United States. The need for the taking was declared to be for security reasons to protect the defense installations adjacent thereto, known as the Mayport Naval Air Base.

The appraiser for the government and the appraiser for the Trustees were unable to reach agreement with respect to the value of the parcel, and the office of the U. S. District Attorney suggested the possibility that the Trustees might agree to issuance of exclusive use-right - which would accomplish the same objective as was accomplished by the order of Taking. Staff reviewed the matter with the office of the Attorney General which approved the recommendation.

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Motion was made by Mr. Williams, seconded and adopted without objection, that the Trustees authorize issuance of an exclusive use-right agreement to the United States upon the reconveyance of title to the foreshore area in question to the Trustees of the Internal Improvement Fund from the United States.

GLADES COUNTY - On July 19, 1966, the Trustees considered an application submitted by Edgar G. Hamilton for and on behalf of Mrs. Lois C. Wetherell for a quitclaim deed as to a parcel containing some four (4) acres in fractional Section 19, Township 38 South, Range 35 East, in Glades County within an area commonly referred to as the Eagle Bay Tract. Upon motion by Mr. Dickinson which was adopted, the Board authorized quitclaim deed subject to an approving opinion by the Attorney General.

On August 2 the matter was again submitted for consideration but action was deferred at the request of Mr. Dickinson. Subsequently the Staff was in conference with the office of the Attorney General and additional facts were developed resulting in a letter from the Attorney General dated August 9 advising that it would be appropriate to issue a quitclaim deed. On the basis of that letter the Staff recommended approval for issuance of a quitclaim deed by the Trustees to the applicant, Mrs. Lois E. Wetherell, for the usual handling charge of \$10.00.

Upon motion duly adopted, the Trustees authorized issuance of the quitclaim deed to the parcel in question.

MARION AND PUTNAM COUNTIES - The Canal Authority of the State of Florida requested perpetual easement for canal right of way purposes over the sovereign bottoms of the Ocklawaha River in locations where said river was meandered as shown on the Official Township Plats of Township 12 South, Range 24 East; Township 13 South, Range 24 East; Township 14 South, Range 24 East; and in Township 15 South, Range 23 East, in Marion and Putnam Counties.

On motion by Mr. Williams, seconded and adopted, the Trustees authorized issuance of perpetual easement to the Canal Authority.

OKEECHOBEE COUNTY - The Central and Southern Florida Flood Control District made application for fee title to a parcel of sovereignty

lake bottom land in Lake Okeechobee in Section 35, Township 37 South, Range 35 East, and lying within an area now under perpetual easement for levee right of way granted to the United States, said parcel containing 11.71 acres in Okeechobee County. A water control structure designated as S-133 would be constructed on the parcel.

On motion duly adopted, the Trustees granted the request of Central and Southern Florida Flood Control District for fee title to the 11.71 acres of land for the water control structure.

PALM BEACH COUNTY - Upon motion by Mr. Williams, seconded by Mr. Dickinson and duly adopted, the Trustees granted the request of the Town of Jupiter, by Resolution No. 23-66 dated July 19, 1966, for dedication for access road and bridge construction purposes covering three parcels of submerged land in Sawfish Bay in Section 31, Township 40 South, Range 43 East, and Section 6, Township 41 South, Range 43 East, totalling 2.39 acres, more or less, in Palm Beach County.

PALM BEACH COUNTY - File No. 1879-50-253.129. Upon motion duly adopted, the Trustees authorized issuance of disclaimer to Helen Norcross Ceder, for handling charge of \$10.00, under the provisions of Section 253.129 Florida Statutes, for 0.64 acre parcel of sovereignty land in Lake Boca Raton in Section 29, Township 47 South, Range 43 East, Palm Beach County, which was filled prior to June 11, 1957.

PINELLAS COUNTY - The Board of County Commissioners of Pinellas County by Resolution adopted July 26, 1966, requested dedication of a small parcel containing 0.10 acre of submerged land in Safety Harbor in Section 27, Township 28 South, Range 16 East, Pinellas County, abutting county-owned Philippe Park, to be used for a county boat launching ramp.

Upon motion by Mr. Williams, duly adopted, the Trustees granted the request of Pinellas County for dedication of the small parcel of submerged land.

PINELLAS COUNTY - Pinellas County Water and Navigation Control Authority submitted application on behalf of Harry C. Kennedy for a state permit for construction of two commercial docks in waters of The Narrows at Lot 2 in Section 13, Revised Map of Indian Rocks South Shore Addition, Pinellas County. All requirements and \$100.00 fee were submitted and Staff recommended approval.

Upon motion by Mr. Williams, duly adopted, the Trustees authorized issuance of state commercial dock permit to the applicant.

POLK COUNTY - Early N. Davis, Jr., made application for a permit to remove approximately 350 cubic yards of fill material from Lake Clinch for improvement of his upland property at Lot 1, First Addition to Lake Hills Subdivision in Section 29, Township 31 South, Range 28 East, Polk County. Florida Game and Fresh Water Fish Commission inspected the area and reported no objection providing

standard stipulations as to dredging were included in the permit. All requirements and \$25.00 payment for the material were received, and the Staff recommended approval.

Upon motion adopted without objection, the Trustees authorized issuance of permit to the applicant.

ST. LUCIE COUNTY - On September 21, 1965, the Trustees deferred action to give the Attorney General an opportunity to study the legal questions with reference to the matter of forfeiture of \$50,000.00 performance bond which had been given by Fort Pierce Port and Terminal Company to assure performance of the obligations set forth in a Deposit Agreement entered into between the Trustees and said company on September 29, 1957, in connection with the sale at less than the appraised price of a parcel of 64 acres of submerged land in the City of Fort Pierce, St. Lucie County. Mr. Charles A. Williams, attorney for the company, at that meeting pointed out that forfeiture of the bond would require release by the Trustees of a restrictive provision in the Trustees' deed.

Mr. Faircloth studied that transaction and indicated that he was in a position to advise the Trustees with respect to the legal questions. The Staff, having heard nothing further from the company concerning compliance with the provisions of the Deposit Agreement as to completion of Phase 1 of the port facilities, scheduled the matter for consideration by the Trustees and recommended that official action be taken to forfeit the performance bond of \$50,000. Further, the Staff recommended that an appropriate instrument be drawn for execution by the Trustees to release the restrictive provision contained in the original deed in accordance with the terms of said Deposit Agreement.

Mr. Parker informed the Board that he had a long conference with Mr. Williams, the company attorney, on this date, had received from him the check from the surety company in the amount of \$50,000.00 forfeited for non-performance with the terms of the Deposit Agreement, and had given Mr. Williams a receipt to the effect that this constituted full compliance with the provisions of the surety bond.

On motion, seconded and adopted without objection, the Trustees approved the report of the Director and, further, approved the issuance of an appropriate instrument for releasing the restrictive provisions contained in the original deed in accordance with the terms of the Deposit Agreement, subject to approval of the instrument by the office of the Attorney General.

SUBJECTS UNDER CHAPTER 18296

On motion duly adopted, the Trustees approved Report No. 890 listing three (3) regular bids for sale of parcels of land in Okaloosa, Osceola and Putnam Counties under provisions of the Murphy Act, and authorized execution of deeds pertaining thereto.

INDIAN RIVER COUNTY - The City Council of the City of Fellsmere, Indian River County, by a resolution adopted on June 2, 1966, requested the Trustees of the Internal Improvement Fund to approve the sale of all lots in the city now owned by the State of Florida

(some 2381 city lots containing approximately 400 acres) which reverted to the State in 1939 under the provisions of Chapter 18296, Acts of 1937, commonly known as the Murphy Act, to the City of Fellsmere for a cash consideration of \$1.00 per lot for all lots over 25 feet and 50¢ per lot for all lots 25 feet or under. This initial cash consideration would be considered as a down-payment and the city would obligate itself to make all reasonable efforts to sell said land for the primary purpose of attracting new industry, it being agreed that the land would not be sold for less than \$50.00 per acre.

Efforts had been made in the past to dispose of the lots but without success, due primarily to the large amount of outstanding and unpaid assessments due to the Fellsmere Drainage District and the unpaid city taxes due to the City of Fellsmere. The closing of the Okeelanta Sugar Mill, which had been the most important industry and source of employment to the citizens of Fellsmere, was creating a very serious economic problem. The proceeds from sale of this Murphy Act land, as provided in the terms of the city resolution, would be divided as follows: one-third to the Trustees, less amounts paid by the city for the lots as set forth above, which could be considered as being a down-payment, one-third to the Fellsmere Drainage District to apply on payment of outstanding drainage assessments, and the final one-third would be retained by the City of Fellsmere. The city would be granted a reasonable length of time within which to conclude sale of this land, not to exceed ten years, with extension being permissible as approved by the Trustees.

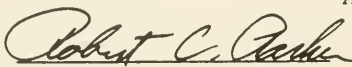
The proposal had the approval of the legislative delegation, the City Council of Vero Beach as set forth in Resolution No. 1847 adopted June 7, 1966, the Commissioners of Fellsmere Drainage District, and other local officials.

The procedure outlined in the proposal was a departure from the policy generally followed in recent years with respect to Murphy Act lands. However, it was authorized by Section 192.38, Florida Statutes, (1) paragraph (b). The Staff carefully reviewed the application and in recognition of the primary objective of the City of Fellsmere to secure new industry to improve the economic status of the city and the need to have land available for any industry expressing an interest in locating there, and in recognition of the further need to get this land back into private ownership and on the tax rolls, the Staff recommended approval of the application by the City of Fellsmere upon the terms and conditions to be included in a formal agreement between the city, Fellsmere Drainage District and the Trustees.

Upon motion by Mr. Dickinson, seconded by Mr. Williams and adopted without objection, the Trustees agreed to enter into the formal agreement, to be prepared by the office of the Attorney General, for the proposal as requested by the City of Fellsmere for the sale of all lots in the city now owned by the State of Florida under the Murphy Act.

Upon motion duly adopted, the meeting was adjourned.


ATTORNEY GENERAL - ACTING CHAIRMAN

ATTEST: 
DIRECTOR - SECRETARY

The Trustees of the Internal Improvement Fund met on this date in the Board Room of the office of the Governor in the Capitol.

Present:	Haydon Burns	Governor
	Fred O. Dickinson, Jr.	Comptroller
	Broward Williams	Treasurer
	Earl Faircloth	Attorney General
	Doyle Conner	Commissioner of Agriculture

Robert C. Parker	Director
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Minutes of the meeting of August 16, 1966, were approved.

BREVARD COUNTY - File No. 1850-05-253.12. On June 28, 1966, the Trustees considered application from Norseman Construction and Realty, Inc., the abutting upland owner, with offer of \$700.00 per acre, the value approved by Staff Appraiser, for a parcel of submerged land in Newfound Harbor in Section 31, Township 24 South, Range 37 East, containing 17.73 acres, more or less, landward of the established bulkhead line in Brevard County, Florida. Notice of sale was published in the Cocoa Tribune, proof of publication filed and no objection to the sale received.

On motion by Mr. Williams, seconded and adopted, the Trustees confirmed sale of the advertised parcel of submerged land to the riparian owner at the price offered.

BROWARD COUNTY - File No. 1844-06-253.12. On July 12, 1966, the Trustees considered application from Royal State Investment Corporation, abutting upland owner, with offer of the appraised price of \$2,380.95 per acre for purchase of two (2) parcels of submerged land in the Hillsboro River in Section 8, Township 48 South, Range 43 East, containing 0.21 acre, more or less, in the Town of Hillsboro Beach, Broward County, landward of the established bulkhead line. Notice of sale was published in the Sun-Sentinel of Pompano Beach, Florida, proof of publication filed and no objection to the sale was received.

The Town Commission of Hillsboro Beach on July 25, 1966, approved fill permit to the applicant for filling the submerged land in this application.

In connection with the application area, the Town of Hillsboro Beach by Resolution No. 69 dated May 23, 1966, requested the Trustees to dedicate a permanent easement for public right of way for causeway and bridge access purposes over the Hillsboro River, across a parcel of submerged land in the S $\frac{1}{2}$ of Section 8, Township 48 South, Range 43 East, Broward County.

Motion was made by Mr. Williams, seconded and adopted, that Trustees confirm sale of the 0.21 acre parcel to Royal State Investment Corporation at the price offered, formally approve the fill permit granted by the Town of Hillsboro Beach, and authorize issuance of dedication instrument for causeway and bridge right of way as requested by the town.

BROWARD COUNTY - File No. 1846-06-253.12. On July 12, 1966, the Trustees considered application from Margaret Honig, abutting upland owner, who offered the appraised price of \$2,380.95 per acre for a parcel of submerged land in the Hillsboro River in Section 8, Township 48 South, Range 43 East, containing 0.02 acre, more or less, in the Town of Hillsboro Beach, Broward County, landward of the established bulkhead line. Notice of sale was published in the Sun-Sentinel, Pompano Beach, Florida, proof of publication filed and no objection received.

Motion was made by Mr. Williams, and duly adopted, that sale of the advertised parcel be confirmed in favor of the riparian owner.

BROWARD COUNTY - File No. 1847-06-253.12. On July 12, 1966, the Trustees considered application from Chris Truelson, abutting upland owner, who offered the appraised price of \$2,380.95 per acre for a parcel of submerged land in the Hillsboro River in Section 8, Township 48 South, Range 43 East, containing 0.02 acre, more or less, in the Town of Hillsboro Beach, Broward County, landward of the established bulkhead line. Notice of sale was published in the Sun-Sentinel, Pompano Beach, Florida, proof of publication filed and no objection received.

Motion was made by Mr. Williams, seconded and adopted, that sale of the advertised parcel be confirmed in favor of the riparian owner. Also, the Trustees formally approved the fill permit granted to the applicant by the Town Commission of Hillsboro Beach on July 25, 1966.

MONROE COUNTY - File No. 1824-44-253.12. On July 12, 1966, the Trustees considered application from Gene Midnight and wife, et al, abutting upland owners, with offer of \$300.00 per acre, price approved by Staff Appraiser, for purchase of 1.8 acres of submerged land in the Straits of Florida in Section 30, Township 65 South, Range 34 East, at Grassy Key, Monroe County, lying southerly of and abutting Lots 1, 2 and 3, Block 1 of Crain's Subdivision, Plat Book 1, Page 51, Monroe County Public Records. Notice of sale was advertised in the Key West Citizen, proof of publication filed in the Trustees' office.

One objection, received from the riparian owner of part of Government Lot 2 approximately 600 feet from the applicant's upland, was based on a misunderstanding of the location of the application area and in the opinion of the Staff was not valid. The application did not interfere with Mrs. Goldie M. Silva's right to purchase nor interfere with her riparian rights.

Motion was made by Mr. Williams, seconded and adopted, that the objection be overruled and sale of the advertised parcel confirmed.

MONROE COUNTY - File No. 1858-44-253.12. On July 12, 1966, the Trustees considered application from F. H. Rutzke and wife, the abutting upland owners, with offer of \$300.00 per acre for a parcel of submerged land in the Bay of Florida in Section 18, Township 63 South, Range 38 East, containing 0.74 acre, more or less, at Plantation Key in Monroe County. Notice of sale was published in the Key West Citizen, proof of publication filed and no objection received.

On motion by Mr. Williams, duly adopted, the Trustees confirmed sale of the advertised parcel to the applicants at the price offered.

MONROE COUNTY - File No. 1859-44-253.12. On July 12, 1966, the Trustees considered application from Creative Enterprises, Inc., the abutting upland owner, with offer of \$300.00 per acre, approved by the Staff Appraiser, for a parcel of submerged land in the Bay of Florida in Section 7, Township 63 South, Range 38 East, containing 0.22 acre, more or less, at Plantation Key in Monroe County. Notice of sale was published in the Key West Citizen, proof of publication filed and no objection received.

On motion by Mr. Williams, duly adopted, the Trustees confirmed sale of the advertised parcel to the applicant at the price offered.

MONROE COUNTY - File No. 1860-44-253.12. On July 12, 1966, the Trustees considered application from Edmund Makowski and wife, abutting upland owners, with offer of \$425.00 per acre, approved by the Staff Appraiser, for a parcel of submerged land in the Straits of Florida in Section 23, Township 63 South, Range 37 East, containing 1.61 acres, more or less, at Windley Key in Monroe County. Notice of sale was published in the Key West Citizen, proof of publication filed and no objection received.

On motion by Mr. Williams, duly adopted, the Trustees confirmed sale of the advertised parcel to the applicant at the price offered.

BROWARD COUNTY - By Resolution dated April 5, 1966, the Board of County Commissioners of Broward County requested the Trustees to dedicate a 542.65 acre tract of land owned by the Trustees in Section 33, Township 49 South, Range 40 East, and Section 4, Township 50 South, Range 40 East, located on State Road 84 approximately 14 miles west of Fort Lauderdale, to the county for public park and recreational purposes. The county submitted a proposed ten-year development plan with a detailed schedule showing contemplated construction and development cost during the ten-year period. The county agreed to use all money received from concessions, camping area fees or other revenue-producing facilities for further development and operation of the park, and agreed to submit a yearly progress report on improvements, expenditures and revenues.

Within the overall tract there existed five scattered tracts of privately-owned land containing a total of 66.7 acres, which the county proposed to acquire during the first year of development for an estimated cost of \$70,000. Access into the tract would be provided by construction of a \$65,000 bridge during the second year, and development for the balance of the 10 years would be in the construction of recreational facilities totaling \$360,725 as shown on the park development map submitted by the county.

The Outdoor Recreational Planning Committee reviewed the county plan and recommended dedication of the tract to the county conditioned upon the county adhering to the proposed ten-year development plan as closely as possible.

The Staff recommended dedication of the land for park and recreational purposes for this populous area, subject to certain provisions.

Upon motion by Mr. Williams, seconded and adopted, the Trustees approved dedication of the 542.65 acre tract to Broward County for public park and recreational purposes subject to the following provision: in the event the county shall (1) fail to comply with the ten-year plan of development which was submitted as a part of its request, or (2) use said land or any part thereof for purposes other than county park and recreational purposes, the dedication hereby made shall at the option of the Trustees be subject to termination upon sixty days' notice in writing to the county.

BROWARD COUNTY - The Outdoor Recreational Planning Committee, by Director Ney C. Landrum, requested approval by the Trustees of an instrument executed by the Board of Commissioners of Florida Inland Navigation District and forwarded to Mr. Landrum by letter of August 12, 1966, by the General Manager of said District, constituting a grant of a 99-year lease to the Trustees of the Internal Improvement Fund for the use and benefit of the Outdoor Recreational Development Council of the State of Florida, of a parcel of land described as part of Government Lots 2, 3 and 9, and part of SE $\frac{1}{4}$ of NW $\frac{1}{4}$, of Section 5, Township 48 South, Range 43 East, in Broward County, more particularly described in Schedule A of the dedication instrument. The parcel, containing approximately 56 acres, was near Deerfield Beach.

The Outdoor Recreational Development Council endorsed the purpose for which this instrument was to be executed in meeting on August 31, 1965.

The Director said that the Trustees, acting under provisions of the statutes, would receive the lease instrument on behalf of the Council.

Motion was made by Mr. Williams, seconded and adopted, that the Trustees approve the request for acceptance of the instrument from Florida Inland Navigation District.

DADE COUNTY - File No. 714-13-253.124; SAKSP Permits (62-278) On June 28, 1966, the Trustees considered the dredge and fill permit which was issued by Dade County to Malcolm B. Wiseheart and Marshall C. Wiseheart, for filling a submerged tract of land consisting of 105 acres, more or less, in Sections 2 and 11, Township 56 South, Range 40 East, landward of the established bulkhead line in Dade County. The minutes of the Trustees' meeting on that date showed that Circuit Judge Hugh M. Taylor had rendered a declaratory decree on June 7, 1966, in which the Trustees were parties defendant, which decree declared it was the duty of the Trustees to give formal approval of the fill permit with the two-year limitation to commence on the date of such formal approval. The Trustees then deferred action to give Attorney General Earl Faircloth an opportunity to review the legal questions involved in the litigation to ascertain whether appropriate grounds for an appeal existed.

Subsequently, the Attorney General reviewed the litigation and determined that an appeal of the decision of June 7, 1966, was not deemed appropriate. Therefore, on this date the Staff again submitted the matter to the Trustees for consideration. Based on the decree of the court, the Staff recommended approval conditioned upon full compliance by the designees in the subject permit with all dredging policies of Metro-Dade County in effect at the time of this formal approval, with the understanding that the 2-year limitation of said dredge and fill permit should commence on the

date approved by the Trustees.

Mr. Faircloth said the Trustees had three alternatives. First, the Board could grant the relief and give the land owner the right to fill, within the bulkhead line, the submerged land he purchased; second, deny him the right to secure fill material bayward of the bulkhead line; or third, the Board could deny the application and bring into issue the responsibility and jurisdiction of the Trustees of the Internal Improvement Fund with respect to reviewing and acting upon dredge and fill permits issued by local governmental agencies. He said that to deny the fill permit would bring the matter of jurisdiction of this Board sharply into focus; and he recommended denial as he did not agree that the county by issuance of a dredge and fill permit could decide the matter of acquisition of fill material secured from state-owned submerged land outside of the area purchased, since this is a matter concerning which the Trustees have a statutory responsibility.

On motion of Mr. Williams which was unanimously adopted, the application of Malcolm B. and Marshall C. Wiseheart for formal approval of subject dredge and fill permit as approved by the Board of County Commissioners of Dade County, was denied.

DUVAL COUNTY - File No. 1012-16-253.124. Upon motion by Mr. Dickinson, seconded and adopted, the Trustees formally approved the fill permit issued by the Board of County Commissioners of Duval County on July 25, 1966, under the provisions of Section 253.124 Florida Statutes, to John N. Blow to fill the 3.2 acre parcel of submerged land in the St. Johns River in Section 34, Township 1 South, Range 27 East, conveyed by the Trustees under the referenced file number.

INDIAN RIVER COUNTY - The Board of County Commissioners of Indian River County by Resolution adopted on August 10, 1966, requested dedication of two parcels of submerged land in the Indian River totalling 6.90 acres, more or less, in Sections 33 and 34, Township 33 South, Range 40 East, Indian River County, to be used for road, causeway and bridge construction between the mainland and two islands known as Round Island and No Name Island which were formerly dedicated to the county for public recreational areas.

Motion was made by Mr. Williams, and duly adopted, that the 6.90 acres of submerged land be dedicated to Indian River County for the purpose requested.

OKALOOSA COUNTY - Robert C. Hoffman made application for a permit for construction of a dock which would include facilities for docking boats, fishing and marine concessions, in Santa Rosa Sound at applicant's upland described as Lots 1, 2 and 3 of Greater Camp Walton south of right of way of U. S. 98. All necessary exhibits including \$100 processing fee were submitted, and Staff recommended approval.

On motion by Mr. Williams, duly adopted, the Trustees authorized issuance of state commercial dock permit to the applicant.

PINELLAS COUNTY - Pinellas County Water and Navigation Control Authority submitted application on behalf of Storm Harbor Marina, Inc., for a permit for construction of floating docks and pier in St. Joseph Sound at applicant's upland Lot 30, Tampa and Tarpon Springs Land Co. Subdivision in Section 23, Township 27 South, Range 15 East, Pinellas County. All required exhibits and \$100 processing fee were submitted, and Staff recommended approval.

On motion by Mr. Faircloth, duly adopted, the Trustees authorized issuance of state commercial dock permit to the applicant.

VOLUSIA COUNTY - File No. 1884-64-253.129. On motion by Mr. Dickinson, seconded by Mr. Williams and adopted, the Trustees authorized issuance of a disclaimer for handling charge of \$10.00 to Joey Strong Schuler under the provisions of Section 253.129 Florida Statutes, for a 1.4 acre parcel of sovereignty land in the Halifax River in Section 10, Township 14 South, Range 32 East, Volusia County, which was filled prior to May 29, 1951.

SUBJECTS UNDER CHAPTER 18296

On motion by Mr. Dickinson, duly adopted, the Trustees approved Report No. 891 listing 1 regular bid for sale of Murphy Act land in Okaloosa County, and authorized execution of deed pertaining thereto.

On motion duly adopted, the meeting was adjourned.


GOVERNOR - CHAIRMAN

ATTEST: 
DIRECTOR - SECRETARY

* * * * *

Tallahassee, Florida
August 30, 1966

The Trustees of the Internal Improvement Fund met on this date in the Board Room of the Office of the Governor, in the Capitol.

Present: Haydon Burns Governor
Fred O. Dickinson, Jr. Comptroller
Broward Williams Treasurer
Earl Faircloth Attorney General
Doyle Conner Commissioner of Agriculture

Robert C. Parker Director

MONROE COUNTY - File No. 1739-44-253.12. On February 15, 1966, the date advertised for consideration by the Trustees of sale of a parcel of submerged land in the Bay of Florida in Section 7, Township 63 South, Range 38 East, at Plantation Key in Monroe County, for which Mrs. Rose M. Weiler, abutting upland owner, offered \$300.00 per acre, the Staff recommended deferment pending receipt of information with respect to an objection to the sale received on February 14. The Trustees postponed action on confirmation of sale to the riparian owner.

On this date the Staff advised the Trustees that the objector, purporting to own the lot abutting the applicant's property and who advised the Staff of a controversy over the location of the boundary line between the two parcels, did not own the abutting lot. Although the objector had not withdrawn his protest, the Staff was of the opinion that he had no basis for the continuance thereof and recommended confirmation of sale to the applicant.

On motion by Mr. Dickinson, duly adopted, the Trustees overruled the objection and confirmed sale of the advertised parcel containing 0.35 acre, more or less, to the applicant.

VOLUSIA COUNTY - File No. 1882-64-253.12. Gillespie, Gillespie and Hall, on behalf of Harold J. Heilman and wife, abutting upland owners, offered the appraised value of \$372.00 per acre, or \$100.00 minimum in this instance, for purchase of a parcel of submerged land in the Indian River North in Section 2, Township 18 South, Range 34 East, containing 0.09 acre in the City of Edgewater landward of the established bulkhead line in Volusia County.

On motion by Mr. Williams, seconded by Mr. Dickinson and duly adopted, the Trustees authorized advertisement of the parcel for objections only.

CHARLOTTE COUNTY - Drilling Lease No. 224-B, as Modified. Coastal Petroleum Company, holder of valid Drilling Lease No. 224-B, as Modified, covering the submerged land on the westerly shore of the State of Florida between New Port Richey on the north and approximately 26° N. Latitude or just below the City of Naples on the south, had assigned some of its interest in said lease to Socony Mobil Oil Company, now Mobil Oil Corporation, which assignment was previously approved by the Trustees. Under the terms of the assignment Mobil Oil Corporation assumed certain obligations with respect to drilling as set forth in the lease. There was a balance of 1379 feet required to be drilled, commencement of which was required before March 27, 1966, in order to extend said lease for an additional five-year period.

Mobil Oil applied for a permit to drill a well prior to February 1, 1966, and, due to certain local conditions, the State Board of Conservation deferred action on the application for a permit to drill, which resulted in an application being made to the Trustees for an extension of the time within which to comply with the drilling regulations as set forth in the lease. The Trustees adopted a resolution at their meeting on February 15, 1966, extending the time within which to commence drilling operations to complete the balance of the drilling requirements of 1379 feet for a period of six months from March 27, 1966.

The State Board of Conservation as of this date had not granted

the request for the permit to drill an oil well filed by Mobil Oil, and Staff received a formal request from Coastal Petroleum Company and from Mobil Oil Corporation that the Trustees adopt an appropriate resolution extending the time within which to commence drilling operations to complete the balance of the drilling requirements of 1379 feet for an additional period of six months from and after September 27, 1966.

Staff reviewed this request, and since deferment of the commencement and completion of the drilling operations as required by subject lease was occasioned through no fault of Coastal Petroleum Company or Mobil Oil Corporation, Staff recommended that the Trustees grant the request for an extension for a period of six months from and after September 27, 1966, within which to commence drilling operations as set forth above, and that appropriate resolution be drafted and made a part of the minutes.

Mr. Williams commented on the deferment of issuance of the drilling permit, and Governor Burns explained that action as recommended by the Staff would allow time for the Board of Conservation to act on the request for drilling permit.

Motion was made by Mr. Williams, seconded by Mr. Dickinson and adopted unanimously, that the Trustees agree to extend the time for a period of six months from and after September 27, 1966, as recommended by the Staff, and that the following resolution be approved for incorporation into these minutes.

RESOLUTION

WHEREAS, March 27, 1966, is the end of the existing five-year extended term of Drilling Lease No. 224-B, as Modified, and

WHEREAS, under the terms and conditions of Drilling Lease No. 224-B, as Modified, the Lessee, or its successors or assigns, is obligated to drill a total of 24,000 feet of hole in search of oil and gas within each five-year extended period, and

WHEREAS, there has been credited to Drilling Lease No. 224-B, as Modified, a total of 22,621 feet of hole drilled within the existing five-year extended term in search of oil and gas, leaving a deficit of 1,379 feet of hole to be drilled, and

WHEREAS, the Trustees of the Internal Improvement Fund by Resolution dated February 15, 1966, extended the time for the commencement of drilling a well for a period of six months from and after March 27, 1966, which is the time fixed by the terms of Drilling Lease No. 224-B, Modified, within which the lessee or its assigns is required to drill a minimum of 12,000 feet in order to extend the lease for an additional five-year period; and

WHEREAS, Coastal Petroleum Company and Mobil Oil Corporation, Assignee of the obligations of Coastal Petroleum Company, pursuant to a contract duly approved by the Trustees of the Internal Improvement Fund, by Resolution dated August 25, 1966, have requested a further extension of time within which to commence the drilling of a well, inasmuch as the State Board of Conservation has not to date granted the permit to drill a well as duly applied for and filed with

the State Board of Conservation on January 26, 1966; and

WHEREAS, the deferment of the commencement and completion of the drilling operations as required by subject lease has been occasioned through no fault of Coastal Petroleum Company or Mobil Oil Corporation; and

WHEREAS, the Trustees of the Internal Improvement Fund of the State of Florida find that Notice of Intention to Drill was duly filed with the State Board of Conservation of the State of Florida on January 26, 1966, for the drilling of a well to be known as No. 1 State Well, Lease 224-B, at a location as in said Notice of Intention to Drill described. The Trustees of the Internal Improvement Fund of the State of Florida further find the facts as set forth in the application of Coastal Petroleum Company and Mobil Oil Corporation, for an extension of the commencement date as aforesaid to be substantially true and correct, and that the annual rental due March 27, 1966, has been paid.

NOW, THEREFORE, upon motion duly made, seconded and carried, it is:

RESOLVED that the time within which to commence drilling operations to complete the balance of the drilling requirements of 1,379 feet be extended for an additional period of six months from and after September 27, 1966.

BE IT FURTHER RESOLVED that the Director of the Trustees of the Internal Improvement Fund of the State of Florida be, and he is hereby authorized and directed to furnish copy of this Resolution to Coastal Petroleum Company and Mobil Oil Corporation, Assignee of Coastal Petroleum Company, as aforesaid.

DADE COUNTY - The owners of that part of Cape Florida not purchased by the State requested the Trustees of the Internal Improvement Fund, acting for and in behalf of the Outdoor Recreational Development Council, to accept an instrument relocating the right of way easement for the extension of Crandon Boulevard over property still in private ownership. The private owners were shown in the instrument as the Miami Beach First National Bank, as Trustee, and Elena Santeiro Garcia, a single woman.

The instrument was reviewed by the office of the Attorney General and approved as to form and legality. Staff recommended approval and acceptance. On a map the Trustees saw how the realignment would take out a sharp angle turn.

Motion was made by Mr. Williams, seconded and adopted, that the Trustees approve and accept the instrument on behalf of the Outdoor Recreational Development Council.

MONROE COUNTY - Dawes & Lummus on behalf of Lucille W. Jugar made application for a disclaimer covering two contiguous parcels of land which by accretion attached to the applicant's upland Lots 16 and 17, Block 3 of Matecumbe Sandy Beach, Plat Book 3, Page 127, Monroe County Public Records, in Section 21, Township 64 South, Range 36 East, Monroe County. Affidavits were submitted with the application which substantiated the claim that the 0.30 acre parcel

was accretion. Staff recommended issuance of ex parte disclaimer.

Motion was made by Mr. Williams, seconded and adopted, that the Trustees authorize issuance of ex parte disclaimer for \$10.00 charge.

PALM BEACH COUNTY - The Staff requested the Trustees to authorize the Attorney General to take whatever action he deemed appropriate, including institution of litigation, to require the owners of the Steamship Amaryllis to remove the vessel from the beach in Palm Beach County where it was driven aground on about September 10, 1965, by hurricane Betsy. Repeated efforts had been made by the Staff and by Director W. T. Carlton of the Division of Beaches and Shores of the State Board of Conservation, to have the owners of the said vessel remove it from its present location, but without success. The freighter was owned by McIntosh Steamship, S. A., a Panamanian corporation with offices in the City of Miami.

The continued presence of the vessel on the beach caused many objections from the owners of property along the beach near where the vessel was grounded. Owners of the vessel had removed valuable items of superstructure including engines, boilers and other items of equipment, in what they described as an effort to lighten the hull sufficiently to enable it to be floated free, but those efforts did not have the desired effect to permit removal.

Motion was made by Mr. Dickinson, seconded and adopted, that the Attorney General take appropriate action to require the owners to remove the grounded vessel.

PALM BEACH COUNTY - File No. 1841-50-253.124. Staff recommended approval of fill permit issued by the City Commission of the City of West Palm Beach, Florida, by Resolution No. 77-66 dated August 22, 1966, under the provisions of Section 253.124 Florida Statutes, to fill the nine contiguous parcels of submerged land in the "Cove Area" in said city in Section 22, Township 43 South, Range 43 East, containing 0.957 acre, more or less, landward of the established bulkhead line in West Palm Beach, Palm Beach County, recently conveyed by the Trustees to the following applicants:

Stafford and John Beach	0.217 acres
Agnes Greer	0.115 acres
Cordova Holding Co.	0.159 acres
Stanley Peeler	0.076 acres
Olive Street Properties, Inc.	0.121 acres
Estate of Ella D. Potter	0.114 acres
Volley D. Townsend	0.058 acres
City of West Palm Beach	0.038 acres
Holy Trinity Church	<u>0.059 acres</u>
	0.957 acres

On motion by Mr. Dickinson, seconded and adopted, the Trustees formally approved the fill permit issued by the City of West Palm Beach by Resolution No. 77-66 dated August 22, 1966.

VOLUSIA COUNTY - East Volusia Mosquito Control District requested the adoption of a policy whereunder the Trustees' Staff might examine plans for and authorize limited dike construction and

drainage ditching in marginal swamp areas without changing the legal status of the areas, all in accordance with standards of the State Board of Health. The District maintained excellent records of its operations and it was in the public interest to permit (1) construction of dikes upon the perimeter of mangrove and swamp areas to keep the enclosed areas flooded to a depth which would support fish, and (2) cutting of drainage ditches through mangrove and perimeter escarpments in order to drain stagnant, mosquito-breeding ponds or maintain connection with the open waters in order that stagnation might be eliminated.

On motion by Mr. Dickinson, duly adopted, the Trustees authorized the Staff to review plans for such diking and ditching and to authorize such limited work by the District in Volusia County.

In addition to the above, the District from time to time would need to fill by hydraulic fill certain mosquito-breeding areas, and the policy recommended for such work would be approval by the Trustees based on submission of plans, determination as to whether the area to be filled was swamp and overflow or tidal sovereignty land. Authorization for such filling on state-owned land would be by action of the Board based on Staff recommendation.

On motion by Mr. Dickinson, seconded and adopted, the Trustees accepted the recommendation of the Staff as the policy to be followed for the above described filling on state-owned land by the East Volusia Mosquito Control District, without changing the legal status of the land.

BROWARD AND PALM BEACH COUNTIES - Upon recommendation of the Staff, the Trustees by motion made by Mr. Dickinson, seconded and adopted, authorized issuance of state commercial dock permits for \$100.00 each to the following applicants.

1. BROWARD COUNTY - Carl A. Rose, bulkhead and dock in the Hillsboro River at his property in Government Lot 4 in Section 8, Township 48 South, Range 43 East, in the Town of Hillsboro Beach, Broward County.
2. PALM BEACH COUNTY - Norman Ehinger, dock in Lake Worth at Lots 1 and 2, Block 2, Coconut Lodge in the Town of Riviera Beach, Palm Beach County.

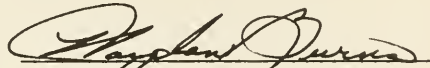
SUBJECTS UNDER CHAPTER 18296

INDIAN RIVER COUNTY - Indian River Farms Drainage District, represented by its attorney, Chas. E. Smith, made application under provisions of Chapter 21684, Acts of 1943, for conveyance for \$80.00 of a small parcel of land containing 0.2 acre, more or less, lying between two parcels of land previously purchased by said District under provisions of the Murphy Act.

The plat showed that Tract 1 of Section 8, Township 32 South, Range 39 East, contained 40.43 acres. The East 20 acres were conveyed July 16, 1945 in Indian River County Murphy Act Deed No. 531 to the District. The West 20.23 acres of said tract were conveyed to the District May 15, 1951, in Deed No. 899, leaving a gap of about 0.2 acre between the two parcels conveyed.

Motion was made by Mr. Williams, seconded and adopted, that the small parcel be conveyed to Indian River Farms Drainage District for \$80.00 under provisions of Chapter 21684, Acts of 1943, without advertisement and public sale.

On motion duly adopted, the meeting was adjourned.


GOVERNOR - CHAIRMAN

ATTEST: 
DIRECTOR - SECRETARY

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Tallahassee, Florida
September 6, 1966

The Trustees of the Internal Improvement Fund met on this date in the Board Room of the office of the Governor, in the Capitol.

Present:	Haydon Burns	Governor
	Fred O. Dickinson, Jr.	Comptroller
	Broward Williams	Treasurer
	Earl Faircloth	Attorney General
	Doyle Conner	Commissioner of Agriculture

Robert C. Parker Director

VOLUSIA COUNTY - File No. 1885-64-253.12. David L. Black, on behalf of the Florida Bank and Trust Company as Trustee, the abutting upland owner, made an offer of \$200.00 per acre, price approved by the Staff Appraiser, for purchase of a parcel of submerged land in the Halifax River in Section 13, Township 16 South, Range 33 East, 2.6 acres landward of the established bulkhead line in Volusia County.

On motion duly adopted, the Trustees authorized advertisement of the parcel of submerged land for objections only.

BROWARD COUNTY - William Grefe, the owner of the remainder of Lot 11, Block 1, of Seabreeze Estates, Plat Book 2, Page 48, of Broward County Public Records, in Section 25, Township 50 South, Range 42 East, Broward County, made application to purchase said lot. The original Seabreeze Estates Subdivision existed east of New River Sound along the Atlantic Ocean but was torn out by hurricanes or other natural causes, and New River Sound filled naturally with a corresponding area. A narrow portion of the original subdivision survived, to which this new area was attached.

The minutes of the meeting on September 18, 1951, reported that the area in which the subject lot existed was advertised for objec-

tions only and sale confirmed on that date for various applicants seeking to clear title to lots in the new area corresponding to lots in the destroyed area. The new lot in the application of Mr. Grefe contained 0.39 acre, more or less.

Staff recommended that quitclaim deed be issued to the applicant for \$117.00 based on the established price at the rate of \$300.00 per acre.

Upon motion, adopted without objection, the Trustees accepted the recommendation as the action of the Board.

DUVAL COUNTY - File No. 1890-16-253.129. The Bureau of Yards and Docks, U. S. Navy, on behalf of the United States, made application for (1) a disclaimer under the provisions of Section 253.129 Florida Statutes of a parcel of sovereignty land in the St. Johns River in Section 24, Township 2 South, Range 26 East, in the City of Jacksonville, Duval County, which was filled prior to May 29, 1951, containing 0.02 acre, and (2) authorization for exclusive U. S. use by dedication of the 0.05 acre area along and riverward of the bulkhead along the U. S. Naval and Marine Corps Reserve Training Center at the same location as the parcel in (1). The 0.05 acre strip was 5.0 ft. in width over submerged lands of the St. Johns River along the riverward boundary of the Training Center.

Upon motion duly adopted, the Trustees authorized issuance of disclaimer for a handling charge of \$10.00 for the 0.02 acre parcel, and a dedication of the 0.05 acre parcel to the United States.

MANATEE COUNTY - The State Road Department made application for a temporary dredging easement covering two parcels of sovereignty land in the open waters of Terra Ceia Bay in Sections 28 and 35, Township 33 South, Range 17 East, Manatee County, necessary for the improvement and maintenance of State Road No. 55, Section No. 13130-2507, to terminate September 1, 1970.

On motion duly adopted, the Trustees authorized issuance of the temporary dredging easement requested by the State Road Department.

On motion duly adopted, the meeting was adjourned.


GOVERNOR - CHAIRMAN

ATTEST: 
DIRECTOR - SECRETARY

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BREVARD COUNTY - File No. 1868-05-253.12. On July 26, 1966, the Trustees considered application from C. R. Moore and Imperial Towers, Inc., abutting upland owners, with offer of \$1,500.00 per acre, value approved by Staff Appraiser, for purchase of a parcel of submerged land in the Indian River in Section 15, Township 22 South, Range 35 East, containing 4.0 acres, more or less, in the City of Titusville, Brevard County, landward of the established bulkhead line. Notice of sale was published in the Star Advocate, Titusville, Florida, proof of publication filed and no objection to the sale was received.

Motion was made by Mr. Faircloth, seconded by Mr. Dickinson, and adopted without objection, that sale of the advertised parcel be confirmed.

BREVARD COUNTY - File No. 1869-05-253.12. On July 26, 1966, the Trustees considered application from Roy D. Stackhouse and Washington Plaza, Inc., abutting upland owners, with offer of \$1,500.00 per acre, value approved by Staff Appraiser, for purchase of a parcel of submerged land in the Indian River in Section 22, Township 22 South, Range 35 East, containing 6.7 acres, more or less, in the City of Titusville, Brevard County, landward of the established bulkhead line. Notice of sale was published in the Star Advocate, proof of publication filed and no objection to the sale was received. Motion was made by Mr. Faircloth, seconded by Mr. Dickinson, and adopted without objection, that sale of the advertised parcel be confirmed.

INDIAN RIVER COUNTY - File No. 1843-31-253.12. On July 12, 1966, the Trustees considered the application from Norbert F. Stanny and wife, abutting upland owners, who offered \$200.00 per acre, appraised value, for purchase of a parcel of submerged land in the Indian River in Sections 33 and 34, Township 33 South, Range 40 East, containing 5.33 acres, more or less, landward of the established bulkhead line in Indian River County. Notice of sale was published in the Press Journal, Vero Beach, Florida, proof of publication was filed, and no objection to the sale was received.

Motion was made by Mr. Faircloth, seconded by Mr. Dickinson, and adopted without objection, that sale of the advertised parcel be confirmed.

INDIAN RIVER COUNTY - File No. 1851-31-253.12. On July 19, 1966, the Trustees considered the application from Eugene J. Mosher and wife, abutting upland owners, who offered the appraised price of \$200.00 per acre for a parcel of submerged land in the Indian River in Section 17, Township 33 South, Range 40 East, containing 3.73 acres in Indian River County landward of the established bulkhead line. Notice of sale was published in the Press Journal, Vero Beach, Florida. Proof of publication was filed and no objection was received by the Trustees' office.

Motion was made by Mr. Faircloth, seconded by Mr. Dickinson, and adopted, that sale of the advertised parcel be confirmed.

INDIAN RIVER COUNTY - File No. 1855-31-253.12. On July 12, 1966, the Trustees considered the application from Robert P. McLarty, abutting upland owner, with offer of \$200.00 per acre, approved by

the Staff Appraiser, for purchase of a parcel of submerged land in the Indian River in Section 33, Township 30 South, Range 39 East, containing 9.0 acres, more or less, landward of the established bulkhead line in the Ambersand Beach area of Indian River County. Notice of sale was published in the Press Journal, Vero Beach, Florida, proof of publication filed and no objection to the sale received.

On motion by Mr. Faircloth, seconded by Mr. Dickinson and adopted, the Trustees confirmed sale of the advertised parcel to the riparian owner.

LEE COUNTY - File No. 1799-36-253.12. On July 12, 1966, the Trustees considered the application from Palm Acres, Inc., abutting upland owner, with offer of the appraised value of \$280.00 per acre for purchase of a parcel of submerged land in the Caloosahatchee River in Section 34, Township 45 South, Range 23 East, containing 2.603 acres, more or less, landward of the established bulkhead line in Lee County. Notice of sale was published in the News Press, Fort Myers, Florida, proof of publication filed and no objection to the sale received.

On motion by Mr. Faircloth, seconded by Mr. Dickinson and adopted, the Trustees confirmed sale of the advertised parcel to the riparian owner.

MONROE COUNTY - File No. 1863-44-253.12. On July 19, 1966, the Trustees considered the application from Holiday Isle, Inc., abutting upland owner, with offer of \$425 per acre for a parcel of submerged land in Section 22, Township 63 South, Range 37 East, at Windley Key, Monroe County, containing 1.14 acres, more or less. Notice of sale was published in the Key West Citizen, proof of publication filed and no objection to the sale was received. The State Road Department approved the application.

On motion by Mr. Faircloth, seconded by Mr. Dickinson and adopted, the Trustees confirmed sale of the advertised parcel to the riparian owners.

MONROE COUNTY - File No. 1864-44-253.12. On July 19, 1966, the Trustees considered the application from Peter A. Doyle and wife, abutting upland owners, with offer of \$300.00 per acre, approved by Staff Appraiser, for purchase of a parcel of submerged land in Florida Bay in Section 6, Township 62 South, Range 39 East, at Key Largo, Monroe County, containing 0.71 acre, more or less. Notice of sale was published in the Key West Citizen, proof of publication filed and no objection to the sale was received.

On motion by Mr. Faircloth, seconded by Mr. Dickinson and adopted without objection, the Trustees confirmed sale of the advertised parcel to the riparian owner.

MONROE COUNTY - File No. 1865-44-253.12. On July 19, 1966, the Trustees considered the application from T. I. C., Inc., abutting upland owner, with offer of \$326.82 per acre, price approved by the Staff Appraiser, for purchase of a parcel of submerged land in Card Sound in Section 31, Township 58 South, Range 41 East, containing 7.4 acres, more or less, in Monroe County. Notice of sale was published in the Key West Citizen, proof of publication filed and

no objection was received.

On motion by Mr. Faircloth, seconded by Mr. Dickinson and adopted without objection, the Trustees confirmed sale of the advertised parcel to the riparian owner.

PALM BEACH COUNTY - File No. 1861-50-253.12. On July 19, 1966, the Trustees considered the application from Willard Utley and wife, the abutting upland owners, with offer of \$1,401.00 per acre, value approved by Staff Appraiser, for purchase of a parcel of submerged land in Lake Worth in Section 3, Township 43 South, Range 43 East, containing 0.306 acre in the City of West Palm Beach, landward of the established bulkhead line in Palm Beach County. Notice of sale was published in the Palm Beach Post, proof of publication filed. One objection received was withdrawn prior to the sale date.

On motion by Mr. Faircloth, seconded by Mr. Dickinson and adopted without objection, the Trustees confirmed sale of the advertised parcel to the riparian owner.

PALM BEACH COUNTY - File No. 1862-50-253.12. On July 19, 1966, the Trustees considered the application from Kenneth P. Foster and wife, abutting upland owners, with offer of \$1,401.00 per acre, approved by the Staff Appraiser, for purchase of a parcel of submerged land in Lake Worth in Section 3, Township 43 South, Range 43 East, City of West Palm Beach, landward of the established bulkhead line, containing 0.212 acre, more or less. Notice of sale was published in the Palm Beach Post, proof of publication filed, and no objection received.

On motion by Mr. Faircloth, seconded by Mr. Dickinson and adopted without objection, the Trustees confirmed sale of the advertised parcel to the riparian owner.

PALM BEACH COUNTY - File No. 1866-50-253.12. On August 2, 1966, the Trustees considered the application from Nathan R. Silverstein, abutting upland owner, with offer of \$4,989.40 per acre, value approved by Staff Appraiser, for purchase of a parcel of submerged land in Lake Worth in Section 23, Township 44 South, Range 43 East, containing 0.38 acre, more or less, in the Town of Palm Beach landward of the established bulkhead line in Palm Beach County. Notice of sale was published in the Palm Beach Daily News and proof of publication was filed in the Trustees' office.

On this date an objection received from Owen R. Cheatham complained that the sale and filling of the area would impede the tidal flow and cause a stagnant pocket. The Staff did not agree with the complaint and recommended that it be overruled. Mr. Parker showed the map to the members and answered questions. Mr. Dickinson read the letter of objection and commented on the conclusions of the objector's engineer. Governor Burns said that as far as the 0.38 acre parcel in question was concerned, he did not see that sale would cause any problems.

Motion was made by Mr. Faircloth, seconded by the Governor, that sale of the advertised parcel be confirmed and the objection overruled. Mr. Dickinson said he objected to the sale, and the motion

was adopted by a vote of two to one, with Mr. Dickinson recorded as voting no.

PALM BEACH COUNTY - File No. 1870-50-253.12. On July 26, 1966, the Trustees considered application from Richard L. Lowe, et al, as Trustees, abutting upland owners, with offer of \$1,900.00 per acre, price approved by Staff Appraiser, for purchase of a parcel of submerged land in Lake Worth in Section 15, Township 45 South, Range 43 East, containing 3.569 acres, more or less, in the City of Boynton Beach landward of the established bulkhead line. Notice of sale was published in the Lake Worth Herald, proof of publication filed and no objection was received.

Upon motion, seconded and adopted without objection, the Trustees confirmed sale of the advertised parcel to the applicant at the appraised price.

PALM BEACH COUNTY - File No. 1871-50-253.12. On July 26, 1966, the Trustees considered the application from S. Black, abutting upland owner, with offer of \$1,923.00 per acre, or a minimum of \$100.00 in this instance, for a parcel of submerged land in Lake Worth in Section 28, Township 42 South, Range 43 East, 0.014 acre, more or less, in the City of Riviera Beach landward of the established bulkhead line in Palm Beach County. Notice of sale was published in the Palm Beach Post, proof of publication filed and no objection to the sale was received.

Upon motion, seconded and adopted without objection, the Trustees confirmed sale of the advertised parcel to the riparian owner at the price offered.

The following three (3) applications were presented from riparian owners for purchase of submerged lands abutting their upland properties:

1. BREVARD COUNTY - File No. 1893-05-253.12. Grusenmeyer & Associates on behalf of Louis D. Harris, the abutting upland owner, offered \$1,500.00 per acre, value approved by the Staff Appraiser, for a parcel of submerged land in the Indian River in Sections 14 and 15, Township 22 South, Range 35 East, containing 0.61 acre landward of the established bulkhead line in the City of Titusville, Brevard County.
2. MONROE COUNTY - File No. 1891-44-253.12. Bailey-Mooney-Post Assoc., for Courtney T. Thompson and wife, abutting upland owners, offered \$425.00 per acre, or a minimum of \$100.00 in this instance, approved by Staff Appraiser, for a parcel of submerged land in the Bay of Florida in Section 32, Township 63 South, Range 37 East, 0.20 acre at Upper Matecumbe Key in Monroe County.
3. MONROE COUNTY - File No. 1892-44-253.12. Bailey-Mooney-Post Assoc., for Millard Roberts and wife, abutting upland owners, offered \$425.00 per acre, approved by the Staff Appraiser, for a parcel of submerged land in the Bay of Florida in Section 32, Township 63 South, Range 37 East, containing 0.50 acre at Upper Matecumbe Key in Monroe County.

Upon motion, seconded and adopted, the Trustees authorized the land in the three (3) above applications advertised for objections only.

SHELL LEASES - The Trustees accepted as information for the minutes the following report of remittances received by the Florida Board of Conservation from holders of shell leases for the month of August:

<u>Lease No.</u>	<u>Name of Company</u>	<u>Amount</u>
1703	Bay Dredging & Construction Company	\$ 4,579.09
1718	Radcliff Materials, Incorporated	12,380.47
1788	Benton and Company (for May sales)	8,350.22
1788	Benton and Company (balance of deficiency on secondary royalties)	3,000.00

DADE COUNTY - Mission East Company, holder of Lease No. 1627 covering 7.16 acres of sovereignty submerged shoal area in Township 55 South, Range 42 East, Dade County, for radio antenna and towers, requested five-year renewal of the lease which expires on September 21, 1966. The towers are in place and the lease requires compliance with all applicable regulations and requirements of the U. S. Army Corps of Engineers, Federal Communications Commission and the Federal Aviation Administration, as well as the state and local regulations. Annual rental is \$50.00 per acre.

Upon motion by Mr. Dickinson, seconded and adopted without objection, the Trustees approved five-year renewal on the same terms and conditions.

LEE COUNTY - Bulkhead Line. Pursuant to application of property owners, Pine Island Shores, Inc., and Lucille Pearce, the Board of County Commissioners of Lee County on July 13, 1966, adopted a resolution establishing a bulkhead line in San Carlos Bay in Section 2, Township 46 South, Range 22 East, in Lee County at the south end of Pine Island. There were no objections to the bulkhead line. All required exhibits were submitted and the Staff recommended formal approval.

Motion was made by Mr. Dickinson, seconded and adopted without objection, that the Trustees formally approve the bulkhead line as established by Lee County on July 13, 1966.

DADE COUNTY - Bulkhead Line. The City of Miami Beach by Resolution No. 11922 adopted on August 24, 1966, amended the bulkhead line along the easterly side of Indian Creek in Section 14, Township 53 South, Range 42 East, in Dade County. Change in the bulkhead line was needed in connection with the widening of State Road A-1-A, Collins Avenue. The amendment was a continuation of the bulkhead line to the south previously approved by the Trustees. All required exhibits were furnished and there were no objections. Staff recommended approval.

Motion was made by Mr. Dickinson, seconded and adopted without objection, that the Trustees formally approve the amended bulkhead line as established by the City of Miami Beach by Resolution No. 11922.

DADE COUNTY - Bulkhead Line. The Trustees on January 11, 1966, formally approved an amended bulkhead line at the west end of

Fairyland Island in North Biscayne Bay (Bella Vista Bay) which was established by the Board of County Commissioners of Dade County by Resolution No. 11486 dated December 7, 1965. The Staff recommended confirmation of the previous action formally approving the amended bulkhead line for the following reason.

The County had certified that all the requirements of Florida Statutes 253.122(4) had been met but subsequently discovered that they had not notified all riparian upland owners within 1000 feet. Therefore, to rectify that error, the Board of County Commissioners of Dade County scheduled a public hearing on the application to amend the bulkhead line and to ratify the Board's action of December 7, 1965. The Board of County Commissioners on June 7, 1966, adopted Resolution No. R-575-66 ratifying the action taken in Resolution No. 11486.

Upon motion by Mr. Dickinson, seconded and adopted without objection, the Trustees confirmed their action of January 11, 1966, formally approving the amended bulkhead line as established by Dade County.

PINELLAS COUNTY - Staff recommended formal approval of an amended bulkhead line established by Pinellas County Water and Navigation Control Authority on August 23, 1966, in Sections 7, 12, 13, 24, 19 and 30, Township 30 South, Range 15 East, Pinellas County, along the easterly shore of The Narrows. The amended bulkhead line was located westward to coincide with the east right of way line of the Intracoastal Waterway. There were no objections and all required exhibits were furnished.

Motion was made by Mr. Faircloth, seconded and adopted without objection, that the Trustees formally approve the amended bulkhead line as established by Pinellas County Water and Navigation Control Authority on August 23, 1966.

BAY COUNTY - Formal request was made by Mexico Beach Corp., Inc., that the Trustees accept ownership of submerged bottoms of the canals as indicated on plats of Unit No. 7 (a part of Fractional Sections 22, Township 6 South, Range 12 West) and Unit No. 8 (a part of Fractional Sections 22 and 23, Township 6 South, Range 12 West) in Bay County, which were recorded in the Public Records of Bay County, Florida, by Mexico Beach Corp., Inc., the developer. The primary purpose of the request was to get the canals leading out to the Gulf into public ownership so that certain surveys and improvement might be made by the U. S. Army Corps of Engineers.

Director Randolph Hodges of the State Board of Conservation advised that the canals in the two units appeared to be primarily for recreational use and were not needed at the present time to serve the commercial traffic needs of the state on the intracoastal waterway system.

Director Ney Landrum of the Outdoor Recreational Planning Committee advised the Staff that he saw no objection provided the Trustees, in accepting title to the submerged bottoms, assumed no responsibility for maintenance or improvement of the navigation capacity of the canals in question.

The proposal was endorsed by the Board of County Commissioners of Bay County, Port St. Joe-Gulf County Chamber of Commerce, and

Representative Ben C. Williams of Gulf County who was present on this date. Mr. Williams said better boating facilities and protection for small boats in bad weather were needed, and that federal funds were available for feasibility surveys and maintenance of waterways in public ownership. Primarily, he and the others were interested in the area south of the highway, about one-fourth mile of canal, and maintenance by the state was not requested, Mr. Williams said.

The Staff reviewed the plats attached to the request and noted that in the dedication portion of the plat as to Unit No. 8, the area northerly of U. S. Highway No. 98, the language, "The canals and waterways within the bounds of this subdivision are reserved for the use of the owners and occupants of the lands within the subdivision", raised serious question with respect to the authority of the development company to convey a clear title to the submerged bottoms of the canal in Unit No. 8. There was nothing shown in the Unit No. 7 dedication that created doubt with respect to the requested conveyance of title of submerged bottoms of the canals in Unit No. 7.

In recognition of the public benefits that might flow by the Trustees owning title to submerged bottoms of the canals shown in the Plat for Unit No. 7, the Staff recommended approval of acceptance of title conditioned upon a clear understanding that the Trustees would not be assuming any obligations with respect to maintenance of the canals, jetties or other installations having a relationship to said canals.

Mr. Dickinson asked about the approval by public officials from both counties. Governor Burns remarked that similar requests might be received from the developers of hundreds of other private developments with waterways, and in spite of the understanding or commitment that the Trustees would assume no obligation for maintenance of the canal or jetties, there would be citizens calling upon the state to maintain or improve canals owned by the state. He suggested that if needed, public boat basins should be placed on public property.

Motion was made by Governor Burns, and adopted without objection, that the request from Mexico Beach Corp., Inc., be denied.

DADE COUNTY - Treasure House Associates made application for a permit for a commercial dock in Biscayne Bay at Lots 10, 11, 12 and 13, Block 8, First Addition to Treasure Island, North Bay Village. All required exhibits and \$100.00 processing fee were submitted, and the Staff recommended approval.

Motion was made by Mr. Faircloth, seconded and adopted, that the Trustees authorize issuance of a state permit to the applicant.

GLADES COUNTY - Upon motion by Mr. Dickinson, seconded and duly adopted, the Trustees granted the request from the Central and Southern Florida Flood Control District for the following:

1. Perpetual right of way easement over a part of the sovereignty bottom lands of Lake Hicpochee in Sections 29 and 30, Township 42 South, Range 32 East, Glades County, abutting the present right of way of the Caloosahatchee River Canal (C-43), necessary for widening that canal; and

2. Temporary easement for spoil area lying northerly of the easement requested in "1" above, said spoil disposal easement to terminate June 1, 1970.

LEE COUNTY - Charles I. Campbell, attorney, requested that the Trustees disclaim the NW $\frac{1}{4}$ of NE $\frac{1}{4}$ of SW $\frac{1}{4}$ of Section 4, Township 45 South, Range 27 East, Lee County, by reason of quitclaim deed of the L & N Railroad Company to the Trustees dated March 12, 1908. That company quitclaimed to the Trustees approximately 12,000 acres of land in settlement of litigation between the L & N and the Trustees. Quitclaim deed was issued to distinguish and nullify certain certificates issued by the Trustees in 1888 to the Pensacola and Atlantic Railroad, whereby the Trustees would deed to the P & A Railroad the land when patented to the state by the United States.

As patents were not issued to the state by the United States covering these lands, no title passed with the certificates and the quitclaim was to extinguish any claim by the L & N Railroad arising out of these certificates. Title to the NE $\frac{1}{4}$ of SW $\frac{1}{4}$ of Section 4 did not pass to the State of Florida, as it was patented to John H. Johns on December 28, 1926.

Upon motion by Mr. Faircloth, seconded and adopted without objection, the Trustees authorized issuance of an ex parte disclaimer for handling charge of \$10.00.

MONROE COUNTY - Upon motion by Mr. Faircloth, seconded and adopted without objection, the Trustees granted request from the State Road Department for the following:

1. Dedication for road right of way purposes covering a small parcel of submerged land in Toms Harbor in Sections 16 and 21, Township 65 South, Range 34 East, Duck Key in Monroe County, necessary in the construction of access road to Duck Key, the project being identified as SRD Section 90508-2601; and

2. Perpetual drainage easement over a parcel of submerged land in the Straits of Florida in Section 36, Township 67 South, Range 25 East, Stock Island, necessary to construct and maintain an outfall ditch for State Road No. 941, the project being identified as SRD Section 90550-2608.

TRUSTEES' FUNDS - Capitol Center. The Director of the Capitol Center Planning Committee advised the Trustees' Staff that property owned by Samuel Pate, J. A. Tubbs, R. V. Mickler, Childers Construction and Jerry W. Carter, located within the capitol center, was available for purchase. Staff requested authority to acquire those parcels of land provided the purchase price agreed upon was not in excess of the appraised value as established by the Staff Appraiser. In the event the five above owners would not sell for the appraised price, it was anticipated that negotiations would be continued to reach an agreed-upon purchase price, which amount would be re-submitted to the Trustees for their consideration at a subsequent meeting.

Motion was made by Mr. Faircloth, seconded and adopted without

objection, that the report on pending acquisition of capitol center property be accepted and approved.

Motion was made by Mr. Faircloth, seconded, and adopted without objection, that the Trustees authorize issuance of refund of a \$10.00 fee received from Stamey, Dravitz and Dudley of Hialeah, Florida, which was a duplication of charges involved in application for release of the canal reservations held by the Trustees affecting a residential building lot in Dade County, the land having been conveyed in Trustees' Deed No. 16187.

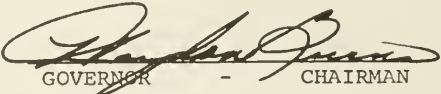
Upon motion by Mr. Dickinson, seconded and adopted, the Trustees authorized the Staff to invite bids for printing and binding 150 copies of Volume 35 of the minutes of the Trustees, the reproduction to be by photo-lithographic process, 10 copies to be in full sheep-skin binding, and the balance paper cover stock uniform with the preceding volume.

SUBJECTS UNDER CHAPTER 18296

DUVAL COUNTY - The City of Jacksonville offered \$1,000.00 for removal of all reservations and restrictions contained in Duval County Murphy Act Deed No. 013-Chapter 21684, dated September 12, 1946, to the City of Jacksonville, which conveyed "Unnumbered lot 36 feet wide lying between Lots B & C Wilson, Clarkson & Williams Subdivision, an addition to Blocks 7, 8 James Subdivision Riverside." The Staff recommended approval.

Upon motion by Mr. Dickinson, seconded and adopted without objection, the Trustees approved the application and authorized issuance of an appropriate instrument for the price offered.

Upon motion duly adopted, the meeting was adjourned.


GOVERNOR - CHAIRMAN

ATTEST:


DIRECTOR - SECRETARY

* * * * *

The Trustees of the Internal Improvement Fund met on this date in the Board Room of the Governor's Office, in the Capitol.

Present: Earl Faircloth Attorney General, Acting Chairman
Fred O. Dickinson, Jr. Comptroller
Broward Williams Treasurer
Doyle Conner Commissioner of Agriculture

James T. Williams Staff Member

GLADES COUNTY - File No. 1889-22-253.36. S. J. Strickland and wife, abutting upland owners, offered \$594.57 per acre, the price approved by the Staff Appraiser, for purchase of a parcel of reclaimed lake bottom land in Lake Okeechobee in Section 18, Township 40 South, Range 33 East, containing 1.28 acres landward of the right of way for Levee L-49, in Glades County. Staff recommended sale without advertising in accordance with the usual policy of the Trustees for sale of reclaimed lake bottom lands to the abutting upland owner.

Motion was made by Mr. Dickinson, seconded and adopted without objection, that the Trustees authorize conveyance of the reclaimed land to the abutting owner at the appraised price.

CITRUS COUNTY - File No. 1888-09-253.12. Moorhead Engineering Company on behalf of Harbond, Inc., the abutting upland owner, made application for purchase of land within the established bulkhead line in Citrus County described as (1) 4 parcels of submerged land in the Gulf of Mexico in Sections 19 and 30, Township 17 South, Range 16 East, containing 145 acres appraised at \$75.00 per acre by the Staff Appraiser, and (2) 3 separate parcels of submerged land in Crystal River in Section 10, Township 18 South, Range 16 East, containing 10 acres appraised by the Staff Appraiser at \$100.00 per acre, comprising a total of 155 acres of submerged land in the application.

Motion was made by Mr. Dickinson, seconded, and adopted without objection, that the land applied for be advertised for objections only.

The following two applications were presented from riparian owners for purchase of submerged lands abutting their upland properties:

1. MONROE COUNTY - File No. 1897-44-253.12. Bailey-Mooney-Post Associates, on behalf of the Coral Rock Company, Inc., offered \$250.00 per acre, value approved by the Staff Appraiser, for purchase of a parcel of submerged land in the Straits of Florida in Section 28, Township 60 South, Range 40 East, 5.47 acres at Key Largo in Monroe County.
2. MONROE COUNTY - File No. 1900-44-253.12. Bailey-Mooney-Post Associates, for Whitney Bourne Atwood, offered \$425.00 per acre, the value approved by the Staff Appraiser, for a parcel of submerged land in the Straits of Florida in Section 5, Township 64 South, Range 37 East, 2.5 acres at Upper Matecumbe Key in Monroe County.

Upon motion by Mr. Dickinson, seconded and adopted without objection, the Trustees authorized the land in the two applications to be advertised for objections only.

COLLIER COUNTY - Bulkhead Line. The Staff recommended approval of a bulkhead line established by the Board of County Commissioners of Collier County by resolution dated January 4, 1966, located in Sections 34 and 35, Township 49 South, Range 25 East, and in Sections 2, 11 and 14, Township 50 South, Range 25 East, in the Gordon River, Rock Creek and Haldeman Creek in Collier County. The county fixed the bulkhead line for the stated purpose of preventing filling of the Gordon River and to protect the navigable waters. All required exhibits were furnished, and there were no local objections.

Motion was made by Comptroller Dickinson, seconded and adopted without objection, that the bulkhead line fixed by the Board of County Commissioners of Collier County on January 4, 1966, be formally approved by the Trustees.

COLLIER COUNTY - Bulkhead Line. The Staff recommended approval of bulkhead line established by the City Council of the City of Naples, Florida, by Resolution No. 1171 adopted on January 19, 1966, located in Section 34, Township 49 South, Range 25 East, and in Section 3, Township 50 South, Range 25 East, along the Gordon River and Rock Creek in Collier County. All required exhibits were furnished and there were no local objections. This bulkhead line was said to begin where the county-established line terminated.

Motion was made by Comptroller Dickinson, seconded and adopted without objection, that the bulkhead lines fixed by the City of Naples on January 19, 1966, be formally approved by the Trustees.

COLLIER COUNTY - Bulkhead Line. The Staff recommended approval of bulkhead lines established by the City Council of the City of Naples, Florida by Resolution No. 1215 adopted on July 20, 1966, along the eastern shore of Naples Bay in Sections 15 and 22, Township 50 South, Range 25 East, Collier County. All required exhibits were submitted and there were no local objections to the bulkhead line.

Motion was made by Comptroller Dickinson, seconded and adopted without objection, that the bulkhead lines fixed by the City of Naples on July 20, 1966, be formally approved by the Trustees.

DUVAL COUNTY - On behalf of the United States of America, the District Engineer, Jacksonville, Florida, applied for temporary spoil area in the Atlantic Ocean abutting lands apparently owned by the Trustees at Wards Bank in Township 1 South, Range 29 East, northerly of the North Jetty of the St. Johns River, said area being approximately 1500 by 2000 feet needed for the disposal of spoil from maintenance work in the turning basin at Mayport Naval Station. The easement would terminate September 30, 1967. Staff recommended that the easement be granted.

Motion was made by Mr. Dickinson, seconded and adopted without objection, that the Trustees grant to the United States the tempo-

rary spoil easement requested.

INDIAN RIVER COUNTY - File No. 1898-31-253.12(1) Lloyd and Associates, on behalf of Virginia G. W. Russell, et al, made application for conveyance under the provisions of Section 253.12(1) Florida Statutes, of a parcel of sovereignty land in Bethel Creek in Section 29, Township 32 South, Range 40 East, Indian River County, which was filled subsequent to May 29, 1951, and prior to June 11, 1957, containing 1.69 acres. The applicant offered the appraised value of \$200.00 per acre, being the value of the submerged land as it existed prior to filling. The Staff recommended approval.

On motion by Mr. Dickinson, adopted without objection, the Trustees authorized issuance of the instrument requested.

PALM BEACH COUNTY - File No. 1901-50-253.129. Upon motion by Mr. Dickinson, duly adopted without objection, the Trustees authorized issuance of disclaimer for handling charge of \$10.00 to Herbert A. Schriener under the provisions of Section 253.129 Florida Statutes, for a parcel of sovereignty land containing 0.077 acre in Lake Boca Raton in Section 29, Township 47 South, Range 43 East, Palm Beach County, which was filled prior to June 11, 1957.

PALM BEACH COUNTY - File No. 1807-50-253.124. Motion was made by Mr. Dickinson, seconded and adopted without objection, that the Trustees formally approve the fill permit issued by the City Council of the City of Boca Raton on August 30, 1966, under provisions of Section 253.124 Florida Statutes, to the Arvida Corporation, to dredge and fill within the 2.5 acre parcel of submerged land in Lake Boca Raton in Section 29, Township 47 South, Range 43 East, conveyed by the Trustees under the above file number.

FLAGLER COUNTY - Ocean Palm Country Club, Inc., made application to obtain 8,000 cubic yards of fill material from the Intracoastal Waterway to improve upland property in Government Lots 4 and 5, Section 30, Township 12 South, Range 32 East, Flagler County. Florida Board of Conservation had no objection to issuance of the permit. All required exhibits and payment for the fill material in the amount of \$400.00 were submitted.

Motion was made by Treasurer Williams, seconded and adopted without objection, that the Trustees authorize issuance of permit to the applicant for the amount of fill material requested.

OSCEOLA COUNTY - Alvin L. Hook, Sr., made application for 500 cubic yards of fill material from Lake Hinden (meandered as a part of East Lake Tohopekaliga) in Osceola County to improve his upland property in Lot 9 of Hendon Park in Section 8, Township 24 South, Range 31 East. All required exhibits and \$25.00 for the material were submitted. The Florida Game and Fresh Water Fish Commission had no objection to issuance of permit including the standard stipulations as to dredging.

On motion by Mr. Conner, seconded and adopted without objection,

the Trustees authorized issuance of permit to Mr. Hook for the amount of fill material requested.

POLK COUNTY - Victor H. Sullivan applied for 500 cubic yards of fill material from Lake Reedy in Polk County to improve his upland property at 390 East Seventh Street in Frostproof, Florida. All required exhibits and payment of \$25.00 for the fill material were submitted. The Florida Game and Fresh Water Fish Commission had no objections to issuance of the permit with standard stipulations as to dredging.

Motion was made by Mr. Dickinson, seconded and adopted, that the Trustees authorize issuance of the requested permit.

TRUSTEES' FUNDS - Capitol Center. On July 20, 1965, in response to request from the Commissioners of State Institutions, the Trustees authorized expenditure of Trustees' funds in the sum of not to exceed \$20,000, for soil testing and borings at the site of the J. Edwin Larson Building in the capitol center, said advance of funds to be reimbursed upon issuance of the revenue certificates.

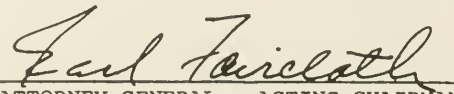
The Board of Commissioners' Staff informed the Trustees' office that it was their intention to include in the request the authorization for payment of other expenses incident to the preliminary planning for construction of the building, and requested payment of \$27.00 to cover advertising costs involved in request for bids for the Larson Building. The expense appeared to be in order and Trustees Staff requested authority to pay the \$27.00, together with other bills of similar nature conditioned upon the total amount expended not to exceed the amount of \$20,000 heretofore authorized.

On motion by Mr. Williams, seconded and adopted without objection, the Trustees agreed to allow payment of this and other bills of similar nature conditioned upon the total amount not exceeding the total amount of the loan, \$20,000.00.

SUBJECTS UNDER CHAPTER 18296

Upon motion adopted without objection, the Trustees accepted and approved Murphy Act Report No. 892 listing County of Broward Deed No. 1339-Corrective to Geo. B. Cotton, issued in lieu of Broward County Deed No. 1339 dated April 18, 1942, to the same grantee. The corrective deed was to supply a more sufficient description by adding Plat Book 6, Page 27, to the description of the land conveyed.

On motion duly adopted, the meeting was adjourned.


ATTORNEY GENERAL - ACTING CHAIRMAN

ATTEST:


STAFF MEMBER

9-20-66

DADE COUNTY - File No. 1880-13-253.12. On August 16, 1966, the Trustees considered application from L. M. Lowry, abutting upland owner, with offer of \$4,655 per acre, approved by the Staff Appraiser, for purchase of a parcel of submerged land in Biscayne Bay abutting uplands in Section 40, Township 54 South, Range 41 East, City of Miami, Dade County, lying southeasterly of and abutting Lot 69, Block B of Flagler Subdivision as recorded in Plat Book 5 at Page 44, Public Records of Dade County, containing 0.47 acre, more or less, landward of the established bulkhead line. Notice of sale was published in the Miami Review, proof of publication filed and no objections received.

On motion by Mr. Conner, adopted without objection, the Trustees confirmed sale of the advertised parcel to the riparian owner at the appraised price.

MONROE COUNTY - File No. 1874-44-253.12. On August 16, 1966, the Trustees considered application from Whitney Bourne Atwood, the abutting upland owner, with offer of \$425.00 per acre, approved by the Staff Appraiser, for purchase of a parcel of submerged land in the Straits of Florida in Section 28, Township 63 South, Range 37 East, Upper Matecumbe Key, containing 0.67 acre in Monroe County. Notice of sale was published in the Key West Citizen, proof of publication filed and no objection received.

On motion by Mr. Dickinson, adopted without objection, the Trustees confirmed sale of the advertised parcel to the riparian owner at the appraised price.

MONROE COUNTY - File No. 1875-44-253.12. On August 16, 1966, the Trustees considered application from Robert C. Hunter, abutting upland owner, with offer of \$425.00 per acre, approved by Staff Appraiser, for purchase of a parcel of submerged land in the Bay of Florida in Section 28, Township 63 South, Range 37 East, containing 0.35 acre, more or less, at Upper Matecumbe Key in Monroe County. Notice of sale was published in the Key West Citizen, proof of publication filed and no objection received.

On motion by Mr. Dickinson, adopted without objection, the Trustees confirmed sale of the advertised parcel to the riparian owner at the appraised price.

MONROE COUNTY - File No. 1876-44-253.12. On August 16, 1966, the Trustees considered application from Whitney Bourne Atwood, abutting upland owner, with offer of \$300.00 per acre, approved by Staff Appraiser, for a parcel of submerged land in the Bay of Florida in Section 18, Township 63 South, Range 38 East, containing 0.39 acre, more or less, at Plantation Key, Monroe County. Notice of sale was published in the Key West Citizen, proof of publication filed and no objection received.

On motion by Mr. Faircloth, seconded by Mr. Dickinson and adopted, without objection, the Trustees confirmed sale of the advertised parcel to the riparian owner at the appraised price.

MONROE COUNTY - File No. 1757-44-253.12. On the advertised sale date, January 25, 1966, objections were reported and the Trustees deferred action pending receipt of further information with respect to an application from Paul M. Kirby, abutting upland

owner, with offer of \$425.00 per acre for purchase of a parcel of submerged land in Blackwater Sound in Section 14, Township 61 South, Range 39 East, containing 4.49 acres, more or less, at Key Largo in Monroe County.

The objections offered by abutting upland owners were withdrawn after certain concessions were made by the applicant, including a realignment of the east line of the parcel sought for purchase, without changing the acreage applied for, and the maintenance of access streets. Also, Monroe County recommended approval of the sale. Staff recommended confirmation of the sale on this date.

Motion was made by Mr. Faircloth, seconded by Mr. Dickinson and adopted without objection, that sale of the 4.49 acres of submerged land be confirmed in favor of the abutting upland owner at the price offered.

PINELLAS COUNTY - File No. 1881-52-253.12. Morris J. LeVine, and wife, abutting upland owners, offered \$500.00 per acre, the value approved by Staff Appraiser, for purchase of a parcel of sovereignty land in Boca Ciega Bay in Section 13, Township 31 South, Range 15 East, containing 0.252 acre, more or less, in the City of St. Petersburg landward of the established bulkhead line, in Pinellas County.

Pinellas County Water and Navigation Control Authority advertised the application and approved the sale in regular meeting on August 16, 1966, no objections having been presented. Staff recommended confirmation of the sale.

Motion was made by Mr. Dickinson, and adopted without objection, that the Trustees confirm sale of the advertised parcel to the riparian owners at \$500.00 per acre.

BROWARD COUNTY - File No. 1387-06-253.12. An application was presented from W. D. Horvitz, President of Hollywood, Inc., the abutting upland owner, with offer of \$350.00 per acre, value approved by the Staff Appraiser, for purchase of a parcel of submerged land in New River Sound in Section 25, Township 50 South, Range 42 East, containing 44.1 acres, more or less, in Broward County.

Hollywood, Inc., was the upland owner on the west side of New River Sound in the South 1/2 of Section 25 and the owner of uplands on both sides in the North 1/2 of said section. After relocation of the Intracoastal Waterway, that portion of New River Sound in said Section 25 had become an unused body of water. Various storms and other natural causes caused the Sound to become non-navigable and restricted in width. In 1951 the Trustees authorized the conveyance of the easterly one-half of the remnant of the Sound in the South 1/2 of said Section 25 to the various owners of upland lots in Seabreeze Estates Subdivisions. Therefore for this application, sale and development of the bottoms did not require a bulkhead line under Section 253.122, Florida Statutes. Staff recommended advertisement for objections only.

Mr. Broward Williams asked that the Trustees defer action pending further review of the application. He had received request from officials of Broward County that the area be checked with a view toward possible use for park purposes.

Governor Burns asked that the application be deferred for a week,

and Mr. Williams asked that information be furnished to the county.

It was so ordered.

BROWARD COUNTY - File No. 1844-06-253.12. Irving H. Zuckerman, the attorney for Royal State Investment Corp., the applicant recorded in Trustees File No. 1844-06-253.12, by error received and paid the invoice from the newspaper for the cost of advertising the sale of two parcels of submerged land. Staff requested authorization to issue warrant in the amount of \$47.70 to Mr. Zuckerman to reimburse him for said cost.

Motion was made by Mr. Faircloth, seconded and adopted without objection, that refund be issued.

FLAGLER COUNTY - The Florida Board of Parks and Historic Memorials requested concurrence in the execution of an easement over park property granted by that Board to the Board of County Commissioners of Flagler County for the purpose of construction of a public road. The right of way easement instrument was approved by the Attorney General and the Trustees' Staff recommended approval of the request.

Motion was made by Mr. Dickinson, seconded and approved without objection, that the Trustees concur in the execution of the easement instrument in accordance with the provisions of Section 589.10 Florida Statutes.

LAKE COUNTY - W. F. Lasater applied for permission to remove 500 cubic yards of fill material from Lake Gertrude in Lake County to be placed on his upland property at Block 11A, Sylvan Shores. The proposed work was approved by the Florida Game and Fresh Water Fish Commission provided standard stipulations were included in the permit. All required exhibits, including payment for the material in the amount of \$25.00, were submitted and Staff recommended approval.

On motion by Mr. Williams, seconded by Mr. Dickinson and adopted without objection, the Trustees authorized issuance of permit for removal of the requested fill material.

PALM BEACH COUNTY - File Nos. 471, 1861 and 1862-50-253.124. On motion by Mr. Dickinson, adopted without objection, the Trustees formally approved the fill permit issued by the City Commission of the City of West Palm Beach in meeting August 15, 1966, under the provisions of Section 253.124 Florida Statutes, to W. C. Regelmann, Willard Utley and Kenneth Foster, to fill the three parcels of submerged land in Lake Worth in Section 3, Township 43 South, Range 43 East, conveyed by the Trustees under the referenced file numbers.

PALM BEACH COUNTY - The Division of Corrections requested permission to utilize spoil material that is in excess of Levee L-12 (West Palm Canal) design requirements in Section 16, Township 43 South, Range 39 East, Palm Beach County (title in the State Board of Education) and Sections 21 and 22, Township 43 South, Range 39

East (title in Trustees of Internal Improvement Fund), to be used to improve and maintain access roads and levee in State Project No. 1 at 20 Mile Bend. The Central and Southern Florida Flood Control District declared the material surplus and agreed to the removal subject to authority being granted by the Board of Education and Trustees for such use.

On this date the State Board of Education granted permission with respect to land in Section 16, and upon motion by Mr. Dickinson, adopted without objection, the Trustees approved the request of the Division of Corrections to use the excess spoil material on lands in Sections 21 and 22, Township 43 South, Range 39 East, Palm Beach County, removal of the material to proceed under the supervision of the Central and Southern Florida Flood Control District.

PALM BEACH COUNTY - The City Council of the City of Pahokee in Palm Beach County, Florida, on September 19, 1966, adopted Resolution No. 31-66 requesting the Trustees to allow a moratorium for two years of the annual payments due for 1966 and 1967 on the loan of \$200,000.00 made by the Trustees on March 29, 1955, to the city for the purpose of constructing a breakwater facility in Lake Okeechobee. The city in the loan agreement should repay the loan on the basis of \$10,000 per year, each payment due and payable on or before December 1 of each year, and the city had repaid \$100,000 of the loan amount. Resolution No. 31-66 obligated the city to resume payment of \$10,000 per year commencing with the year 1968.

As justification for the moratorium, the city stated that it had obligated itself to contribute the sum of \$21,900 for development of a state park on the waterfront of Lake Okeechobee within the city limits. Another factor was the action of the Port of Palm Beach in refusing to extend their participation in the amount of \$5,000 per year for repayment of the loan. Trustees' Staff reviewed the request and recommended approval conditioned upon the city resuming payments commencing with the payment due on December 1, 1968.

Motion was made by Mr. Dickinson, seconded by Mr. Williams and adopted without objection, that the Trustees grant the request for moratorium of payments for the years 1966 and 1967, conditioned upon the city resuming payments of \$10,000 per year beginning with the payment due December 1, 1968.

PINELLAS COUNTY - The City of Treasure Island by Resolution of the City Commission adopted on September 15, 1966, requested permission to extend the existing shoreline along the Gulf of Mexico within the corporate limits of the city for a linear distance of approximately 1.7 miles along the beach. The extension or widening would be a cooperative project with the United States in accordance with detailed studies published by the U. S. Army Corps of Engineers in January of 1966. Severe erosion existed along the gulf beach frontage of the City of Treasure Island, and the program of artificial nourishment would create a public beach approximately 150 to 200 feet in width by the filling of presently submerged lands adjacent to the present existing beach.

All but one of the riparian upland owners involved had consented to the project as provided in Section 253.126 Florida Statutes. In the case of the one refusal, the City Commission had resolved to negotiate purchase of the subject upland, or in the alternative to proceed to condemnation. The Staff recommended approval, conditioned

upon the final disposition of the one objection.

Mayor Julian Fant, Commissioner A. K. Weckesser, City Attorney Robert Holman and City Manager David M. Wilkison were present on behalf of the City of Treasure Island.

Mr. Dickinson said that since there was only one objector, and the city was trying to improve the beaches damaged by erosion, he thought the Trustees should back up their efforts.

Motion was made by Mr. Dickinson, seconded by Mr. Williams and adopted unanimously, that the Trustees grant permission for the City of Treasure Island beach nourishment project, conditioned upon the final disposition of the objection by one upland owner.

PINELLAS COUNTY - Motion was made by Mr. Williams, seconded and adopted without objection, that the Trustees grant approval of the application submitted by Pinellas County Water and Navigation Control Authority on behalf of Dolphin Properties, Inc., for a state commercial dock permit for construction of five piers at applicant's property on Boca Ciega Bay in Section 6, Township 32 South, Range 16 East, Pinellas County, for which all required exhibits and \$100.00 processing fee were received.

SUBJECTS UNDER CHAPTER 18296

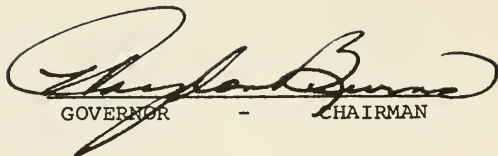
Motion was made by Mr. Dickinson, seconded and adopted, that Report No. 893 listing 1 regular bid for sale of land in Jefferson County under provisions of Chapter 18296, Acts of 1937, the Murphy Act, be approved and execution of deed pertaining thereto be authorized.

CITRUS COUNTY - The State Road Department requested easement for construction and maintenance of State Road No. S-44 over Murphy Act land which was certified to the State of Florida under tax sale certificate No. 528 of 1934, described as part of Government Lot 5 in Section 14, Township 18 South, Range 16 East, and the project was identified by the Road Department as Parcel No. 103.2, Section No. 02620-2601. Staff recommended approval.

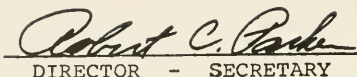
Upon motion made by Mr. Williams, seconded and adopted without objection, the Trustees authorized issuance of the easement requested by the State Road Department over land needed in connection with the state road in Citrus County.

HILLSBOROUGH COUNTY - On motion made by Mr. Williams, seconded by Mr. Dickinson, and adopted without objection, the Trustees authorized issuance of refund in the amount of \$10.00 to Real Estate Title Company for the reason that the State Road Department did not recommend release of the road right of way reservation contained in Hillsborough County Murphy Act Deed No. 3923, and the application for which the ten dollar fee was submitted was not granted.

On motion duly adopted, the meeting was adjourned.


GOVERNOR - CHAIRMAN

ATTEST:


DIRECTOR - SECRETARY

* * * * *

Tallahassee, Florida
October 4, 1966

The Trustees of the Internal Improvement Fund met on this date in the Board Room of the office of the Governor, in the Capitol.

Present: Haydon Burns Governor
Fred O. Dickinson, Jr. Comptroller
Broward Williams Treasurer

Robert C. Parker Director

BROWARD COUNTY - File No. 1387-06-253.12. On September 27, 1966, the Trustees deferred action for a week on the application from W. D. Horvitz, President of Hollywood, Inc., the abutting upland owner, for a parcel of submerged land in New River Sound in Section 25, Township 50 South, Range 42 East, 44.1 acres, more or less, in Broward County. The applicant offered \$350.00 per acre, the value approved by the Staff Appraiser, for a deed which would clear the title.

The State Treasurer had heard nothing further from the local interests and suggested deferment for another week. He thought interested parties should get together in Broward County on any plans for use and development of the land.

The Director showed a map of the area and said he was under the impression that the applicant had contacted the county officials and cleared up any questions when it was listed on the agenda.

Motion was made by Mr. Governor, and adopted without objection, that the application be deferred for another week.

The following five (5) applications were presented from riparian owners for purchase of submerged lands abutting their upland properties:

1. MANATEE COUNTY - File No. 1902-41-253.12. William C. Strode on behalf of Jerome V. Ansel, abutting upland owner, offered \$700.00 per acre, the value reported by the Staff Appraiser, for purchase of a parcel of submerged land in Sarasota Bay in Section 25, Township 35 South, Range 16 East, containing 6.4 acres landward of the established bulkhead line in the Town of Longboat Key in Manatee County.

2. MONROE COUNTY - File No. 1883-44-253.12. Jack M. Phillips on behalf of Rudolph M. Wylk and wife, the abutting upland owners, offered \$425.00 per acre, price approved by Staff Appraiser, for a parcel of submerged land in Cow Key Channel in Section 35, Township 67 South, Range 25 East, containing 0.50 acre at Stock Island in Monroe County.
3. MONROE COUNTY - File No. 1904-44-253.12. Jack M. Phillips on behalf of Arthur B. Lujan and wife, the abutting upland owners, offered \$300.00 per acre, price approved by Staff Appraiser, for a tract of submerged land in the Bay of Florida in Section 26, Township 67 South, Range 25 East, containing 62.09 acres at Raccoon Key in Monroe County.
4. MONROE COUNTY - File No. 1907-44-253.12. Bailey-Mooney-Post Associates on behalf of Robert R. Soellner and wife, abutting upland owners, offered \$300.00 per acre, price approved by Staff Appraiser, for a parcel of submerged land in the Bay of Florida in Section 6, Township 62 South, Range 39 East, containing 0.79 acre at Key Largo in Monroe County.
5. MONROE COUNTY - File No. 1906-44-253.12. Bailey-Mooney-Post Associates on behalf of Joseph B. Albury and wife, abutting upland owners, offered \$300.00 per acre, price approved by Staff Appraiser, for a parcel of submerged land in the Straits of Florida in Section 6, Township 62 South, Range 39 East, containing 0.93 acre at Key Largo in Monroe County.

Motion was made by Mr. Dickinson, seconded and adopted without objection, that the land in the above five applications be advertised for objections only.

DADE COUNTY - File No. 1909-13-253.12. The City of Miami Beach on behalf of twenty-five (25) abutting upland owners offered \$1,000.00 per acre, or \$100.00 minimum charge per deed, for twenty-five (25) parcels of submerged land in Indian Creek in Section 14, Township 53 South, Range 42 East, landward of the established bulkhead line in the City of Miami Beach, Dade County, comprising 5.19 acres, more or less. The application was a continuation of the project for widening Collins Avenue, and involved widening to a point opposite the north line of Tract 3 of The Bath Club.

On November 30, 1965, the Trustees approved the street-widening project in principle and the realignment of Collins Avenue as developed and submitted by the State Road Department and the City of Miami Beach. The Staff recommended advertisement of the parcels of submerged land in Indian Creek for objections only.

On motion by Mr. Dickinson, adopted without objection, the Trustees authorized advertisement of the land for objections only.

BREVARD COUNTY - File No. 1539-05-253.12. J. Lewis Hall, Jr., on behalf of Kenneth A. E. Albury, Bayview Development Corp., and Robert B. McGregor, as Trustee, requested the Trustees to cancel Contract No. 23829 (1539-05) covering the purchase of 17.94 acres of submerged land in the Banana River, and to issue deed for 7.77 acres of the whole. The remaining 10.17 acres would be the subject of a new purchase contract issued under the standard policy of the Trustees. Ample funds had been paid to cover consideration for deed of the 7.77 acres and to cover 85% of the down payment for the new

contract. Staff recommended approval.

The Director said that purchasers under contract terms paid 6% interest. He understood that the total amount would be paid in a few months in this case.

Upon motion by Mr. Dickinson, adopted without objection, the Trustees approved the requested procedure.

BREVARD COUNTY - File No. 1539-05-253.124. Upon motion by Mr. Dickinson, seconded and adopted without objection, the Trustees formally approved the fill permit issued by the City of Cocoa Beach on September 21, 1966, under the provisions of Section 253.124 Florida Statutes, to Bayview Development Corporation and Robert B. McGregor to fill the submerged lands being conveyed by the Trustees under the referenced file number.

GLADES COUNTY - On June 28, 1966, the Trustees authorized issuance of an agricultural lease, No. 2207, to U. S. Sugar Corporation covering a 96.65 acre tract of reclaimed lake bottom land in Lake Okeechobee in Section 22, Township 42 South, Range 33 East, Glades County. Lease dated August 5, 1966, was issued with annual rental of \$20.00 per acre (\$1,933.00 per year). The property was approximately 3½ miles southeast from Moore Haven on State Road 720.

U. S. Sugar could not go into possession due to the former lessee, James E. Wiggins, still residing on the tract in a mobile home and maintaining a large number of cattle and horses on the property. The former lease, No. 1843, was cancelled for nonpayment of rent, and letter directed by certified mail to Mr. Wiggins on September 14, 1966, was returned marked "unclaimed." The new lessee desired to enter the property to plant sugarcane, which could not be done with livestock, mobile home and other items owned by Mr. Wiggins remaining on the tract.

On motion by Mr. Dickinson, seconded and adopted without objection, the Trustees authorized the Attorney General to take necessary action to eject the former lessee and effect removal of his property from the premises.

HIGHLANDS AND OKEECHOBEE COUNTIES - In meetings of September 10, 1963, and July 7, 1964, the Trustees, at the request of the Central and Southern Florida Flood Control District, authorized temporary spoil easements necessary in connection with the construction of Canal C-32 (Kissimmee River) Section 3, over areas title to which was in the Trustees in Sections 5, 6 and 8, Township 36 South, Range 33 East, and Section 1, Township 36 South, Range 32 East, in Highlands and Okeechobee Counties. The easements would terminate December 31, 1966, but construction was behind schedule and the District requested extension of the easements to December 31, 1967.

Upon motion adopted without objection, the Trustees granted the request of Central and Southern Florida Flood Control District.

MARTIN COUNTY - File No. 21172-43-253.124. On motion by Mr. Dickinson, adopted without objection, the Trustees formally approved the fill permit issued to Calvin H. O'Brien by the Board of County

Commissioners of Martin County on September 27, 1966, under provisions of Section 253.124 Florida Statutes, to fill a part of the parcel of submerged land in Section 14, Township 37 South, Range 41 East, Martin County, conveyed by the Trustees under the referenced file number.

MARTIN COUNTY - Calvin H. O'Brien made application to purchase 28,600 cubic yards of fill material from the Indian River in Section 14, Township 37 South, Range 41 East, Martin County, to deposit on low uplands adjacent to submerged lands conveyed by the Trustees under File No. 21172-43-253.12. Remittance in the amount of \$1,158.00 was received to cover the cost of fill material at the standard yardage rates.

Motion was made by the Comptroller, seconded and adopted without objection, that the application be approved.

PALM BEACH COUNTY - File No. 1680-50-253.124. Upon motion adopted without objection, the Trustees formally approved the fill permit issued by the Town of Palm Beach under the provisions of Section 253.124 Florida Statutes to Palm Beach Inns, Inc., to fill the 0.17 acre parcel of submerged land in Lake Worth in Section 23, Township 44 South, Range 43 East, Palm Beach County, which was conveyed by the Trustees under the referenced file number.

PINELLAS COUNTY - Application was made by H. H. Baskin and Leo M. Butler on behalf of twenty upland owners in Mandalay Subdivision in Clearwater Beach in Section 32, Township 28 South, Range 15 East, Pinellas County, for ex parte disclaimer for approximately 16 acres of accretion attached to their upland property. In the early 1940's, the various lot owners bore the expense, individually and collectively, of the installation of groins necessary for the protection of their properties. Those groins were effective in naturally trapping materials that have created and restored the beach. Staff recommended ex parte disclaimer be authorized for \$10.00 handling charge.

The Director advised the Trustees that the matter was being discussed with the Division of Beaches and Shores of the Board of Conservation, which had expressed different views with respect to disposition of the 16 acres of accretion. A conference was being arranged for further explanation to the Division of Beaches and Shores staff.

Upon motion adopted without objection, the Trustees approved issuance of ex parte disclaimer subject to review and approval by the Division of Beaches and Shores and the office of the Attorney General.

POLK COUNTY - Sherwood L. Stokes, Attorney at Law, on behalf of Haines City Drainage District No. 1, submitted recommendation that the Trustees, as the Board of Drainage Commissioners of the State of Florida under provisions of Section 298.12, Florida Statutes, appoint Jess V. Smith to succeed himself as supervisor of the District for a three-year term. A meeting of landowners in the district, duly advertised and held on August 9, 1966, and continued

on August 12, 1966, for the purpose of electing officers, resulted in lack of sufficient representation of a majority of the acreage in the district and no legal election could be had. The landowners present instructed Mr. Stokes, attorney for the Board of Supervisors and the District, to recommend that Jess V. Smith be reappointed. Staff recommended approval.

Motion was made by Comptroller Dickinson, seconded and adopted without objection, that the Trustees, in their official capacity as the Board of Drainage Commissioners of the State of Florida, appoint Mr. Smith to succeed himself for a three-year term as Supervisor of Haines City Drainage District No. 1.

POLK COUNTY - G. W. Stewart submitted an application for a permit to dredge material in Lake Reedy to restore his beach lost by avulsion. His upland property in Section 28, Township 31 South, Range 28 East, in Polk County, was east of the Town of Frostproof. In 1958 he obtained a permit to fill the low upland, and he reported that Hurricane Donna had washed this area away. Since the land was lost by avulsion, the Staff recommended approval for restoration of the area to its previous state. The Game and Fresh Water Fish Commission recommended denial of the permit, reporting that the fill area was covered with aquatic vegetation.

Upon motion adopted without objection, the Trustees accepted the Staff recommendation and authorized issuance of permit to Mr. Stewart to dredge material to restore his upland lost by avulsion upon payment of the minimum amount, \$25.00, for 500 cubic yards.

ST. JOHNS COUNTY - Upon motion by Mr. Dickinson, seconded and adopted, the Trustees granted request of the State Road Department for dedication, for road right of way purposes, of submerged land in the San Sebastian River in Section 12, Township 7 South, Range 29 East, and Sections 44 and 57, Township 7 South, Range 30 East, necessary in the construction of State Road No. 16, Section 78060-2506, in St. Johns County.

SARASOTA COUNTY - The West Coast Inland Navigation District requested perpetual easement for additional right of way for the Intracoastal Waterway in Little Sarasota Bay in Section 18, Township 37 South, Range 18 East, Sarasota County, the 0.77 acre addition being required for the relocation of the channel as part of the Stickney Point Bridge project.

Motion was made by Mr. Dickinson, seconded and duly adopted, that the Trustees grant request of the District for perpetual easement for right of way over the parcel described.

VOLUSIA COUNTY - File No. 1903-64-253.12(1) David L. Black on behalf of Horace D. Riegle and wife, applied for conveyance under the provisions of Section 253.12(1) Florida Statutes, of a parcel of sovereignty land in the Halifax River in Section 23, Township 14 South, Range 32 East, containing 0.23 acre, filled subsequent to May 29, 1951, and prior to June 11, 1957. The applicant offered the appraised value of \$200.00 per acre, or \$46.00, being the value

of the submerged land as it existed prior to filling. The Staff recommended approval.

Motion was made by Mr. Dickinson, seconded and adopted without objection, that the Trustees authorize issuance of the instrument requested for \$46.00.

TRUSTEES FUNDS - Leon County. The State Board of Conservation was renting space in a warehouse in Tallahassee, owned by the 1125 Corporation, a Florida corporation, for which they had an option to purchase improvements and real property for the purchase price of \$12,500.00. Director Randolph Hodges advised the Staff that the Board of Conservation had no legislative authorization in their budget for this biennium with which to make such a capital outlay, and requested the Trustees to purchase the property and enter into a lease purchase contract between the Board of Conservation and the Trustees payable \$300.00 per month plus interest at 3% per annum on the unpaid balance, with a provision whereby the Board of Conservation could pay off the entire balance due at any time during the period of the contract without penalty.

Staff reviewed the request and recommended that the Trustees purchase the property in question and enter into the lease purchase contract with the Board of Conservation on the terms and conditions as outlined.

On motion by Mr. Dickinson, adopted without objection, the Trustees authorized purchase of the warehouse property for \$12,500.00, to be repaid by the Board of Conservation under the terms and conditions as outlined above for inclusion in a lease purchase contract between the Trustees and the Board of Conservation.

TRUSTEES FUNDS - Request was presented for expenditure of funds of the Trustees in the amount of \$19,820.00 for construction of a new greenhouse at the Governor's Mansion. The Director said that Terry Lee, Coordinator for the Board of Commissioners of State Institutions, could explain the project in detail.

Upon motion by Mr. Dickinson, seconded and adopted without objection, the Trustees authorized expenditure of \$19,820.00 from the Internal Improvement Fund for the purpose requested.

MINUTES OF THE TRUSTEES - Printing. Pursuant to authorization on September 13, 1966, the invitation for bids for printing the minutes of the Trustees for the period from July 1, 1964, through June, 1966, was duly advertised and the following bids were received for printing and binding 150 copies of Volume 35:

	<u>Per Page</u>	<u>Est.Total</u>
St. Petersburg Printing Co., Inc., St. Petersburg, Florida	\$6.75	\$4,050.00
Rose Printing Co., Tallahassee, Fla.	6.90	4,140.00
Precision Printing Co., Inc., Tallahassee, Fla.	7.35	4,410.00
Dixie Printing Co., Tallahassee, Fla.	10.15	

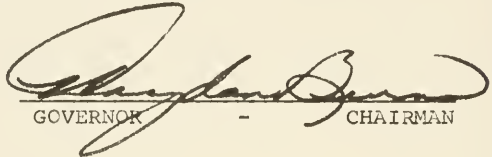
Motion was made by Mr. Dickinson, seconded and adopted without objection, that the Trustees award the bid to St. Petersburg Printing Co., Inc., the low bidder.

SUBJECTS UNDER CHAPTER 18296

SUMTER COUNTY - Florida Power Corporation, St. Petersburg, Florida, made application for a permit to erect, operate and maintain electric transmission lines across land which was certified to the State of Florida under tax sale certificate Nos. 347 of 1930 and 3678 of 1933 under Chapter 18296, Acts of 1937, the Murphy Act, described as the NE $\frac{1}{4}$ of NW $\frac{1}{4}$, less 7 $\frac{1}{2}$ acres to John Alibrandi, Section 24, Township 19 South, Range 23 East, Sumter County. Staff recommended approval for \$60.00 charge.

Motion was made by Mr. Dickinson, seconded and adopted without objection, that the Trustees authorize issuance of permit to Florida Power Corporation, St. Petersburg, Florida, for the purpose requested upon receipt of payment of \$60.00.

Upon motion duly adopted, the meeting was adjourned.


GOVERNOR - CHAIRMAN

ATTEST: 
DIRECTOR - SECRETARY

The Trustees of the Internal Improvement Fund met on this date in the Board Room of the office of the Governor, in the Capitol.

Present:	Haydon Burns	Governor
	Fred O. Dickinson, Jr.	Comptroller
	Broward Williams	Treasurer
	Earl Faircloth	Attorney General
	Doyle Conner	Commissioner of Agriculture

Robert C. Parker	Director
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On motion adopted without objection, the Trustees approved the minutes of the meetings of September 27 and October 4, 1966.

VOLUSIA COUNTY - File No. 1885-64-253.12. On September 6, 1966, the Trustees authorized advertisement for objections only of a parcel of submerged land containing 2.6 acres in the Halifax River in Section 13, Township 16 South, Range 33 East, for which \$200.00 per acre was offered by David L. Black on behalf of the Florida Bank and Trust Company as Trustee, abutting upland owner. Notice of sale was published in the News Journal, Daytona Beach, Florida, proof of publication filed. Notice by certified mail was furnished to five owners whose names were furnished by the Tax Assessor of Volusia County as being the riparian owners within 1000 feet of the application area.

The Board of County Commissioners authorized protest filed because "it is felt the contemplated sale would be adverse to public or private rights of other property owners within the immediate area." Pending further study by the County Commissioners, the Staff recommended deferment.

Motion was made by Mr. Conner, seconded by Mr. Dickinson and adopted unanimously, that action on the sale be deferred.

VOLUSIA COUNTY - File No. 1882-64-253.12. On August 30, 1966, the Trustees considered application from Harold J. Heilman and wife, abutting upland owners, who offered \$372.00 per acre or \$100.00 minimum, approved by the Staff Appraiser, for purchase of a parcel of submerged land containing 0.09 acre, more or less, in the Indian River North in Section 2, Township 18 South, Range 34 East, in the City of Edgewater, Volusia County, landward of the established bulkhead line. Notice of sale was published in the New Smyrna Beach News, proof of publication filed, and no protest received.

On motion by Mr. Dickinson, seconded and adopted without objection, the Trustees confirmed sale of the advertised parcel to the riparian owners for \$100.00, the minimum amount.

BROWARD COUNTY - File No. 1387-06-253.12. On September 27 and October 4, 1966, the Trustees deferred action on the application from W. D. Horvitz, President of Hollywood, Inc., abutting upland owner, for purchase of a parcel of submerged land in New River

Sound in Section 25, Township 50 South, Range 42 East, containing 44.1 acres, more or less, in Broward County. The applicant offered \$350.00 per acre, approved by Staff Appraiser.

The Director said that the Staff was in position to recommend that the land be advertised for objections only.

Motion was made by Mr. Dickinson, seconded and adopted without objection, that the land be advertised for objections only.

CHARLOTTE COUNTY - File No. 1806-08-253.12. Roberts, Watson, Taylor and Friday, on behalf of Harvey L. Hobbs, abutting upland owner, made application for a tract of submerged land in Charlotte Harbor in Sections 25 and 36, Township 42 South, Range 22 East, and in Section 30, Township 42 South, Range 23 East, containing 245.77 acres landward of the established bulkhead line in Charlotte County. Applicant offered \$151.22 per acre, the value reported by the Staff Appraiser.

The Board of Conservation reviewed the application and recognized the inaccuracy of the original government survey. The navigation channels that would be constructed to provide access to the areas to be developed would be reduced to 100 feet, the maximum width recommended by the Board of Conservation.

On motion by Mr. Dickinson, seconded and duly adopted, the Trustees authorized advertisement of the parcel for objections only.

MONROE COUNTY - File No. 1914-44-253.12. The District Engineer, Jacksonville District, on behalf of the United States of America, offered \$225.00 per acre, value approved by Staff Appraiser, or \$100.00 minimum, for two separate parcels of submerged land in the Bay of Florida in Section 22, Township 67 South, Range 26 East, comprising 0.40 acre, more or less, at Big Coppitt Key in Monroe County.

On motion by Mr. Dickinson, seconded and duly adopted, the Trustees authorized advertisement of the parcel for objections only.

DADE COUNTY - Lancelot Associates made application for a state permit for construction of a dock in Biscayne Bay at the applicant's upland property at 10350 West Bay Harbor Drive, Bay Harbor Islands, in Dade County. All required exhibits, including \$100.00 processing fee, were submitted and the Staff recommended approval.

Motion was made by Mr. Dickinson, seconded by Mr. Conner and adopted unanimously, that state dock permit be issued.

ESCAMBIA COUNTY - The Florida Board of Forestry, by State Forester C. H. Coulter, submitted a formal request that the Trustees and the Governor concur, in accordance with provisions of Chapter 589.10 Florida Statutes, in execution of a deed by the Florida Board of Forestry to Four Star Enterprises, Inc., purchaser of a fire tower site in Escambia County declared as surplus. After inquiry it was learned that no other county or state agency had indicated a need for the property, which was appraised, advertised for sale, and the Forestry Board approved the highest bid of \$12,036.60.

Motion was made by Mr. Dickinson, and adopted unanimously, that the Trustees and the Governor concur in execution of the deed which had been executed by the Florida Board of Forestry to Four Star Enterprises, Inc., the high bidder for the surplus fire tower site.

HILLSBOROUGH COUNTY - File No. 1600-29-253.124. Upon motion adopted without objection, the Trustees formally approved the fill permit issued by the Board of County Commissioners of Hillsborough County on September 21, 1966, under the provisions of Section 253.124 Florida Statutes, to Elsberry Development Corporation, to fill the 228.0 acre tract of submerged land in Tampa Bay in Sections 9 and 10, Township 31 South, Range 19 East, conveyed by the Trustees under the referenced file number.

LEE COUNTY - Motion was made by Mr. Conner, seconded and adopted without objection, that the Trustees grant the request of the State Road Department for dedication, for road right of way purposes, of submerged land in Matlacha Pass in Section 24, Township 44 South, Range 22 East, necessary for the construction of State Road No. 78, Section 12060-2504, in Lee County.

MONROE COUNTY - Alonzo Cothron applied for commercial sand lease permitting removal of fill material from 41.3 acres of submerged land southwest of Lower Matecumbe Key, and to permit re-establishment of a stockpile site adjacent to the right of way of State Road No. 5, being the same areas formerly leased to the applicant in Lease No. 1278, lying in Section 29, Township 64 South, Range 36 East, in Monroe County. The Board of Conservation waived objection to the proposed dredging area and the State Road Department had no objection to the stockpile area.

Staff recommended issuance of three-year lease with a fixed monthly rental of \$25.00 in lieu of a minimum royalty per month, and bond in the amount of \$2,000.00 and provision allowing cancellation after 90 days' notice. Payment of royalty at the rate of 15¢ per cubic yard would be due and payable following each dredging operation which would occur one or two times a year. The amount of material dredged would be ascertained by a professional engineer acceptable to the Trustees who was qualified to make such determination, and who shall be retained at the lessee's expense.

Upon motion duly adopted, the Trustees approved the recommendations as the action of the Board.

VOLUSIA COUNTY - File No. 1915-64-253.129. On motion by Mr. Dickinson, seconded and adopted without objection, the Trustees authorized issuance of a disclaimer for handling charge of \$10.00 to Robert C. Elston, et ux, under the provisions of Section 253.129 Florida Statutes, for a parcel of sovereignty land containing 1.09 acres in the Halifax River in Section 10, Township 14 South, Range 32 East, Volusia County, which was filled prior to May 29, 1951.

SUBJECTS UNDER CHAPTER 18296

On motion by Mr. Conner, adopted without objection, the Trustees

approved Bidding Report No. 894 listing one regular sale of land in Columbia County under provisions of Chapter 18296, the Murphy Act, and authorized execution of deed pertaining thereto.

INDIAN RIVER COUNTY - The City of Vero Beach offered \$1,375.00 for release of the public purpose clause and reverter in Deed No. 267 dated May 25, 1942, as to Lots 1 to 4 inclusive and 11 to 14 inclusive, Block 5, City of Vero Beach, Indian River County, in order for conveyance to be made to the Garden Club of Indian River County as a site for a permanent Garden Club facility. The State Road Department relinquished the road reservation in said deed, as to the eight lots in question.

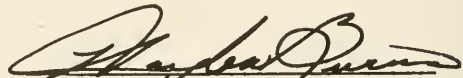
In recognition of the quasi-public nature of the use to be made of the property, the Director recommended conveyance of the above described lots to the City of Vero Beach under Chapter 21684, Acts of 1943, without public purpose clause and without reservations of state road right of way and oil and minerals for a consideration of \$1,375.00.

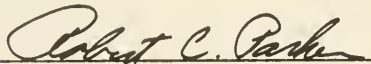
Motion was made by Mr. Dickinson, seconded and adopted without objection, that the recommendation be approved as the action of the Board.

SUMTER COUNTY - The State Road Department requested an easement for drainage purposes in connection with State Road No. 35 over a parcel of land certified under tax sale certificates Nos. 634 of August 1, 1932, and 1193 of August 7, 1933, described as a portion of Lot 8, Block 8, Bushnell Park Plat 22 in Section 17, Township 21 South, Range 22 East, Sumter County, as recorded in Plat Book 1, Page 134 of the Public Records, containing 600 square feet, more or less.

Motion was made by Mr. Dickinson, seconded by Mr. Williams and adopted unanimously, that the State Road Department be granted the easement requested.

On motion duly adopted, the meeting was adjourned.


GOVERNOR - CHAIRMAN

ATTEST: 
DIRECTOR - SECRETARY

* * * * *

The Trustees of the Internal Improvement Fund met on this date in the Board Room of the office of the Governor, in the Capitol.

Present:	Haydon Burns	Governor
	Broward Williams	Treasurer
	Earl Faircloth	Attorney General
	Doyle Conner	Commissioner of Agriculture

James T. Williams	Staff Member
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On motion adopted without objection, the Trustees approved the minutes of the meeting of October 11, 1966.

BREVARD COUNTY - File No. 1547-05-253.12. Spielvogel & Goldman, on behalf of N. A. Rossman, et al, the abutting upland owners, offered \$1,840.00 per acre, the value reported by Staff Appraiser, for purchase of a tract of submerged land in Newfound Harbor in Section 36, Township 24 South, Range 36 East, containing 23.8 acres, more or less, landward of the established bulkhead line in Brevard County.

Upon motion adopted without objection, the Trustees directed advertisement of the land for objections only.

MONROE COUNTY - File No. 1905-44-253.12. Holiday Travel Trailer Parks, Inc., the abutting upland owner, offered \$425.00 per acre, the value reported by the Staff Appraiser, for purchase of two separate parcels of submerged land in the Bay of Florida in Sections 26 and 27, Township 64 South, Range 35 East, containing a total of 26.10 acres, more or less, at Greyhound Key in Monroe County.

Based on report made by the Board of Conservation that the sale would have adverse effects on the marine resources in the area, the Staff recommended denial of the application without prejudice, and requested authority to issue refund of the \$50.00 application fee to A. J. Ryan, Jr., Dania, Florida, which was submitted with the referenced file.

Mr. Conner said he had information that the applicant planned to submit a revised application, and he suggested that the Trustees withhold action.

On motion, adopted without objection, the Trustees directed that the application be removed from the agenda pending further information.

DADE COUNTY - Approval was requested for assignment of Campsite Lease No. 2178 from Alan Wylie to Cape Florida Yacht Club, Inc., which club had filed in the Land Office executed assignment and acceptance of the terms and conditions of the lease.

Mr. J. Bruce Vining, on behalf of the club, asked the Trustees to approve a conditional lease for use by yacht club members, not restricted to private campsite only, which he said would give him the authority of the Trustees as owners of the land to request a variance from the Metropolitan Zoning Board regulations. The Trustees in the past had indicated that lease of offshore areas in Biscayne Bay would be confined to private campsites, and Mr. Vining felt that he needed approval by the Trustees before appearing before Metro with his proposal for use of the campsite by members of yacht clubs. Then he would come back for final action by the Trustees.

After discussion of the policy of allowing such sovereignty areas to be used as private camps and not for commercial use, with a provision for cancellation of leases after 120 days notice, the Attorney General and the Governor expressed unwillingness to vote for a departure from the established policy. Governor Burns said the applicant should present the matter to the Board of County Commissioners, and the Trustees would consider granting the lease for the club upon receipt of a resolution from the county approving the proposed yacht club project.

Without objection, the matter was taken off the agenda and no action taken on the lease assignment.

SHELL LEASES - The Trustees accepted as information for the minutes the following report of remittances received by the Florida Board of Conservation from holders of shell leases for the month of September, 1966:

<u>Lease No.</u>	<u>Name of Company</u>	<u>Amount</u>
1703	Bay Dredging & Constr. Co.	\$ 6,391.24
1718	Radcliff Materials, Inc.	10,234.93
1788	Benton & Company, Inc. (for July sales)	8,554.61
1917	Ft. Myers Shell & Dredging Co. (for July sales)	615.00
1917	Ft. Myers Shell & Dredging Co.	841.05

MONROE COUNTY - Fred Tittle, attorney for the present owner of the upland and the 0.92 acre parcel of submerged land in Hawk Channel in Section 28, Township 63 South, Range 37 East, Monroe County, conveyed by the Trustees in Deed No. 21629 dated August 28, 1957, William H. Campbell, et ux, made application for a corrective deed to revise the description to more definitely locate the point of beginning of the parcel conveyed.

Motion was made by Mr. Faircloth, seconded and adopted without objection, that corrective deed be issued for \$10.00 handling charge.

MANATEE COUNTY - File No. 307-41-253.124. Upon motion, seconded and adopted without objection, the Trustees formally approved fill permit issued by the City of Holmes Beach on October 4, 1966, under the provisions of Section 253.124 Florida Statutes, to Leo Mills & Associates on behalf of Edith L. Zewadski, to fill the 16.61 acre parcel of submerged land in Sarasota Bay in Section 33, Township 34 South, Range 16 East, conveyed by the Trustees under the referenced

file number.

PALM BEACH COUNTY - File No. 1828-50-253.124. Upon motion, seconded and adopted without objection, the Trustees formally approved the fill permit issued by the City of Riviera Beach on October 11, 1966, under the provisions of Section 253.124 Florida Statutes, to Hart Marine Constr. on behalf of Norman Ehinger, to fill the 0.358 acre parcel of submerged land in Lake Worth in Section 28, Township 42 South, Range 43 East, Palm Beach County, conveyed by the Trustees under the referenced file number.

PALM BEACH COUNTY - Bulkhead Line. Staff recommended approval of an amended bulkhead line fixed by the Town Council of the Town of Lantana, Florida, by Ordinance No. 0-8-66 adopted on August 22, 1966, being a segment of the existing bulkhead line along the west shore of Lake Worth in Government Lot 7, Section 34, Township 44 South, Range 43 East, Palm Beach County. All required exhibits were furnished and there were no objections at the local or state level. The Trustees examined the bulkhead map and Mr. Jim Williams stated that the line was offshore from the Lantana Boatyard property.

Motion was made by Mr. Faircloth, seconded and adopted without objection, that the amended bulkhead line as established by the Town of Lantana be formally approved.

PALM BEACH COUNTY - Ambassador West Development Corporation applied for a permit for construction of a dock in Lake Worth at applicant's upland property in Section 23, Township 44 South, Range 43 East, Town of Palm Beach in Palm Beach County. All required exhibits and \$100.00 processing fee were submitted.


Motion was made by Mr. Williams, seconded and adopted without objection, that state commercial dock permit be issued.

VOLUSIA COUNTY - Mrs. Joey Strong Shuler requested permission to dredge a navigational channel 600 feet long and 50 feet wide by 8 feet deep, in the Halifax River in front of her upland property at Lots 3 and 4 in Bellewood Subdivision, Volusia County. Inasmuch as the channel would be dredged deeper than the normal depth for a navigational channel, the applicant submitted payment in the amount of \$175.00 to cover the cost of 3,500 cubic yards of fill material which was considered "overdepth" and would be used to improve upland property. The Florida Board of Conservation had no objection to issuance of the permit. Staff recommended approval.

Motion was made by Treasurer Williams, seconded and adopted without objection, that permit be authorized for dredging the navigation channel and that the fill material obtained from the greater than normal depth dredging be sold for the amount of \$175.00.

Upon motion, duly adopted, the meeting was adjourned.


GOVERNOR - CHAIRMAN

ATTEST: 
STAFF MEMBER

* * * * *

Tallahassee, Florida
October 25, 1966

The Trustees of the Internal Improvement Fund met on this date in the Board Room of the office of the Governor in the Capitol.

Present:	Haydon Burns	Governor
	Fred O. Dickinson, Jr.	Comptroller
	Broward Williams	Treasurer
	Earl Faircloth	Attorney General
	Doyle Conner	Commissioner of Agriculture

James T. Williams Staff Member

Upon motion, duly adopted, the Trustees approved the minutes of the meeting of October 18, 1966, as submitted.

BREVARD COUNTY - File No. 1893-05-253.12. On September 13, 1966, the Trustees considered application of Louis D. Harris, the abutting upland owner, who offered \$1,500.00 per acre, value approved by Staff Appraiser, for purchase of a parcel of submerged land in the Indian River in Sections 14 and 15, Township 22 South, Range 35 East, in the City of Titusville, Brevard County, containing 0.61 acre, more or less, lying easterly of and abutting Water Lot 12, Block 13, less the South 5 feet thereof, of Delespine Courts Sub-division, Plat Book 4, Page 93, Public Records of Brevard County, landward of the established bulkhead line.

Notice of the sale was published in the Star-Advocate, and proof of publication was filed in the Trustees' office. Objection to the sale was filed by Kingsley Brown, adjacent owner to the north, who protested on the ground that it might reduce the value of his property. As other sales had been made to the bulkhead line established by the city, the Staff recommended that the objection be overruled.

Motion was made by Mr. Faircloth, seconded and adopted without objection, that sale of the advertised parcel be confirmed and the objection overruled.

MONROE COUNTY - File No. 1891-44-253.12. On September 13, 1966, the Trustees considered application of Courtney T. Thompson and wife, abutting upland owners, with offer of \$425.00 per acre or a minimum of \$100.00 in this instance, approved by the Staff Appraiser, for purchase of a parcel of submerged land in Florida Bay in Section 32, Township 63 South, Range 37 East, containing 0.20 acre,

more or less, at Upper Matecumbe Key in Monroe County. Notice of sale was published in the Key West Citizen, proof of publication filed, and no objection received.

On motion by Mr. Faircloth, adopted without objection, the Trustees confirmed sale of the advertised parcel to the riparian owners.

MONROE COUNTY - File No. 1892-44-253.12. On September 13, 1966, the Trustees considered application of Millard Roberts and wife, the abutting upland owners, with offer of \$425.00 per acre, approved by Staff Appraiser, for a parcel of submerged land in Florida Bay in Section 32, Township 63 South, Range 37 East, containing 0.5 acre at Upper Matecumbe Key in Monroe County. Notice of sale was published in the Key West Citizen, proof of publication filed and no objection to the sale received.

On motion by Mr. Faircloth, adopted without objection, the Trustees confirmed sale of the advertised parcel to the riparian owners at the appraised price.

BREVARD COUNTY - File No. 1748-05-253.12. Buckner Realty Surveying & Engineering, on behalf of Deane H. Stokes, the abutting upland owner, offered \$1,060.00 per acre, the price approved by Staff Appraiser, for a parcel of submerged land in the Indian River in Section 34, Township 27 South, Range 37 East, 1.07 acres in the City of Melbourne, Brevard County, landward of the established bulkhead line.

Motion was made by Mr. Dickinson, seconded and adopted without objection, that the parcel be advertised for objections only.

BROWARD COUNTY - Bulkhead Line. The City Commission of the City of Fort Lauderdale, in Broward County, Florida, referred to the Trustees for approval a bulkhead line established by Ordinance No. C-66-49 dated September 6, 1966, located along the west bank of Middle River, Government Lot 7, Section 36, Township 49 South, Range 42 East, Broward County. All required exhibits were furnished and no objections were received at the local or state level. The Staff recommended formal approval. The Board of Conservation reviewed the bulkhead line and reported no objections.

Motion was made by Mr. Dickinson, seconded and adopted without objection, that the Trustees formally approve the bulkhead line established by the City of Fort Lauderdale by Ordinance No. C-66-49 adopted on September 6, 1966.

CITRUS COUNTY - Bulkhead Line. The Town Council of the Town of Crystal River, Florida, by Resolution adopted on September 6, 1966, established a bulkhead line along the North Shore of the Crystal River in Section 21, Township 18 South, Range 17 East, in Citrus County. All required exhibits were submitted and there were no objections received at the local or state level. The Staff recommended formal approval of the bulkhead line.

Motion was made by Mr. Dickinson, seconded and adopted without

objection, that the bulkhead line established by the Town of Crystal River on September 6, 1966, be formally approved by the Trustees.

COLLIER COUNTY - The Naples Sailing Club, Inc., made application for a state permit authorizing construction of a dock in the Gordon River at the applicant's upland property known as Lot 9, Beumaris Replat, in Collier County. All required exhibits, including \$100.00 processing fee, were submitted. Staff recommended approval.

Motion was made by Mr. Faircloth, seconded by Mr. Williams, and adopted without objection, that the Trustees authorize issuance of a state commercial dock permit to the applicant.

GLADES COUNTY - Ray D. Chamberlain of Clewiston, Florida, holder of Grazing Lease No. 1820 covering 83.35 acres of reclaimed Lake Okeechobee bottom land in Section 17, Township 42 South, Range 33 East, Glades County, requested renewal of lease for three additional years. The lease, which expired September 26, 1966, was for grazing only, with annual rental of \$1.00 per acre, and subject to cancellation after 90 days' written notice.

Staff appraiser inspected the land and recommended that the rent be increased to \$3.00 per acre.

Motion was made by Mr. Dickinson, seconded by Mr. Williams and adopted without objection, that grazing lease be issued to Mr. Chamberlain at \$3.00 per acre annual rental, with other terms and conditions the same as in Lease No. 1820.

SUBJECTS UNDER CHAPTER 18296

HILLSBOROUGH COUNTY - Murphy Act Refunds. Motion was made by Attorney General Faircloth, seconded and adopted, without objection, that the Trustees authorize refunds in the amount of \$10.00 to each of the following applicants for release of the state road right of way reservations contained in the numbered Murphy Act deeds, for the reason that the State Road Department did not recommend that the reservations be released:

- Part Hillsborough County Deed No. 3923 - Refund to Real Estate Title Company;
- Part Hillsborough County Deed No. 3923 - Refund to Naomi D. Sedgwick.

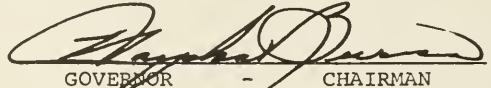
ST. JOHNS COUNTY - Frank D. Upchurch, Attorney, on behalf of Charles R. Usina, requested waiver of the usual regulations as to size limitation for release of the oil, mineral and fissionable material rights reserved in St. Johns County Murphy Act Deed No. 902 dated April 16, 1951, as to a five-acre parcel of land in Sections 6 and 7, Township 7 South, Range 29 East, St. Johns County, to be used as a site for a franchised Holiday Inn Motel of approximately 120 units, office, restaurant, swimming pool and parking area.

Under the statutory provisions, the whole five acres might not be considered a building site, but the Staff felt that for a considera-

tion of \$100.00, the State of Florida would be compensated for the oil, mineral and fissionable material interest in the land. Release was recommended, upon payment of \$100.00.

Motion was made by Mr. Faircloth, seconded and adopted unanimously, that upon payment of \$100.00, a release of the oil, mineral and fissionable material rights as to the five acres conveyed under the Murphy Act would be issued.

On motion duly adopted, the meeting was adjourned.


GOVERNOR - CHAIRMAN

ATTEST: 
STAFF MEMBER

* * * * *

Tallahassee, Florida
November 1, 1966

The Trustees of the Internal Improvement Fund met on this date in the Board Room of the office of the Governor, in the Capitol.

Present: Haydon Burns Governor
Fred O. Dickinson, Jr. Comptroller
Broward Williams Treasurer
Earl Faircloth Attorney General
Doyle Conner Commissioner of Agriculture

Robert C. Parker Director

Upon motion, duly adopted, the Trustees approved the minutes of the meeting of October 25, 1966.

The following four (4) applications were presented from riparian owners for purchase of submerged lands abutting their upland properties:

1. BREVARD COUNTY - File No. 1916-05-253.12. Grusenmeyer and Associates, for Edward M. Poe and wife, abutting upland owners, offered \$1,500.00 per acre, value approved by the Staff Appraiser, for purchase of a parcel of submerged land in the Indian River in Section 15, Township 22 South, Range 35 East, containing 0.92 acre in the City of Titusville, Brevard County, landward of the established bulkhead line.
2. MANATEE COUNTY - File No. 1913-41-253.12. Robertson, Robertson & Walker, for Leffel Brown and wife, abutting upland owners, offered \$700.00 per acre or \$100.00 minimum in this

11-1-66

instance, for purchase of a parcel of submerged land in Sarasota Bay in Section 31, Township 35 South, Range 17 East, containing 0.10 acre in the Town of Longboat Key, Manatee County, landward of the established bulkhead line.

3. MONROE COUNTY - File No. 1926-44-253.12. Bailey-Mooney-Post Associates, for Joseph A. Boyd and wife, abutting upland owners, offered \$300.00 per acre, value approved by the Staff Appraiser, for a parcel of submerged land in the Straits of Florida containing 2.02 acres in Section 28, Township 61 South, Range 39 East, Key Largo, in Monroe County.
4. PALM BEACH COUNTY - File No. 1922-50-253.12. Adair and Brady, Inc., on behalf of Lantana Boatyard, Inc., and Murrelle Marine, Inc., abutting upland owners, offered \$1,925.00 per acre, value approved by Staff Appraiser, for purchase of two (2) contiguous parcels of submerged land in Lake Worth in Section 34, Township 44 South, Range 43 East, containing a total of 0.511 acre landward of the established bulkhead line in Palm Beach County in the Town of Lantana.

Motion was made by Mr. Conner, seconded and unanimously adopted, that the land in the four above applications be advertised for objections only.

VOLUSIA COUNTY - File Nos. 1910-64-253.12 and 1910-64-253.129. Application was presented from M. Dean Nelson on behalf of Cooper Smith and wife, abutting upland owners, with offer of \$450.00 per acre or \$100.00 minimum in this instance, for a parcel of submerged land in the Halifax River in Section 28, Township 13 South, Range 32 East, containing 0.064 acre in the City of Ormond Beach, Volusia County, landward of the established bulkhead line.

Staff recommended advertisement of the parcel for objections only. Also, the Staff requested authority to issue disclaimer for handling charge of \$10.00 to Cooper Smith and wife, under the provisions of Section 253.129 Florida Statutes, for a parcel of sovereignty land containing 0.18 acre, more or less, landward of the parcel in the application described above. The 0.18-acre parcel was filled prior to May 29, 1951.

Motion was made by Mr. Conner, seconded and unanimously adopted, that the 0.064-acre parcel be advertised for objections only; and that disclaimer be issued for \$10.00 charge for the other parcel which was filled prior to May 29, 1951, pursuant to provisions of Section 253.129.

DADE COUNTY - Presented to the Trustees for approval was an amended bulkhead line established by the City Council of the City of Miami Beach, Florida, by Resolution No. 11923 adopted on August 24, 1966, which realigned the existing bulkhead line in Biscayne Bay west of Collins and Johns Islands and north of the Tuttle Causeway (State Road 25) in Township 53 South, Range 42 East, adjacent to Mount Sinai Hospital. All required exhibits were furnished and there were no objections. The Director said the city modified the bulkhead line to permit enlargement of the hospital area. The Board of Conservation offered no objection and the Staff recommended approval.

Motion was made by Mr. Faircloth, seconded and adopted without objection, that the Trustees formally approve the amended bulkhead

line established by the City Council of Miami Beach on August 24, 1966.

GLADES COUNTY - In Glades County a suit was instituted by Lois C. Wetherell to quiet title to a parcel of land located within Tract 44 according to a plat filed of record in Plat Book 1 at Page 31 in the Public Records of Okeechobee County, Florida, which tract was located in Township 38 South, Range 35 East, in Glades County, Florida. Certain allegations were made in the Bill of Complaint which affected other lands located within said Tract 44 and lands lying lakeward thereof, in which the Trustees of the Internal Improvement Fund asserted title interest.

In order to protect whatever interest the Trustees might have in the land, motion was made by Mr. Dickinson, seconded and adopted unanimously, that the Trustees authorize the office of the Attorney General to institute whatever proceedings were deemed appropriate to properly protect the interest of the Trustees as to the lands in question.

LEVY COUNTY - The State Road Department applied for dedication, for road and bridge right of way purposes, of submerged land in the Gulf of Mexico in Section 29, Township 15 South, Range 13 East, Levy County, identified as Parcel No. 124.1 needed for the construction of State Road No. 24, Section 34070-2505.

Motion was made by Mr. Williams, seconded and adopted without objection, that the parcel requested by the State Road Department be dedicated for road and bridge right of way purposes.

MONROE COUNTY - The State Road Department applied for dedication, for road right of way purposes, of a parcel of submerged land in Sugarloaf Creek in Sections 21 and 22, Township 67 South, Range 27 East, Monroe County, identified as Parcel 100.1 needed for the construction of State Road 939A, Section 90501-2602.

Motion was made by Mr. Faircloth, seconded and adopted without objection, that the parcel requested by the State Road Department be dedicated for road right of way purposes.

MONROE COUNTY - The State Road Department applied for dedication, for road right of way purposes, of submerged land in the Bay of Florida in Section 4, Township 67 South, Range 28 East, in Monroe County between Cudjoe and Gopher Keys, containing 5.33 acres, more or less, identified as Parcel 103.1 needed in the construction of Puerto Bella Drive Extension, Section 90600-2606.

Motion was made by Mr. Faircloth, seconded and adopted without objection, that the parcel requested by the State Road Department be dedicated for road right of way purposes.

MONROE COUNTY - The Board of County Commissioners of Monroe County by Resolution No. 47-1966 requested dedication of a strip of submerged land in the Bay of Florida in Sections 15 and 22, Township 67 South, Range 26 East, Monroe County, between Big Coppitt

and Half Moon Keys, containing 3.53 acres needed for access road construction purposes.

Motion was made by Mr. Faircloth, seconded and adopted without objection, that the parcel requested by the Board of County Commissioners of Monroe County be dedicated for road construction purposes.

MONROE COUNTY - Staff recommended approval of execution of corrective instruments requested by the United States to enable certain changes to be made in the right of way and temporary and permanent spoil areas in Township 61 South, Ranges 39 and 40 East, Key Largo in Monroe County, granted previously to the United States to provide better access to and from John Pennekamp Coral Reef State Park. On September 8, 1964, the Trustees authorized execution of appropriate instruments with the State Board of Parks and Historic Memorials to the United States, which instruments were executed and appeared in the records as Nos. 2055, 23847 and 23844.

On motion made by Mr. Faircloth, seconded and adopted without objection, the Trustees approved execution of the corrective instruments.

PALM BEACH COUNTY - By Resolution No. 232-65 passed and adopted by the Village Council of North Palm Beach, Palm Beach County, Florida, on March 9, 1965, application was made to the Trustees for dedication of a parcel of sovereignty land in Lake Worth in Section 16, Township 42 South, Range 43 East, containing 6.3 acres, for public park and recreation purposes. The United States of America had released this parcel, part of spoil area MSA-LW2 granted to the U. S. by the Trustees.

The Director said the land was in Lake Worth, and that the dedication would contain the usual reversion clause so that the land, if not used within a period of time or if used for other purposes, would revert to the Trustees.

Motion was made by Mr. Faircloth, seconded and adopted unanimously, that the 6.3 acres be dedicated to the Village of North Palm Beach for public park and recreation purposes.

PALM BEACH COUNTY - File No. 1929-50-253.129. Motion was made by Mr. Faircloth, seconded and adopted unanimously, that the Trustees authorize issuance of disclaimer for handling charge of \$10.00 to Regina W. Spence, as Trustee, under the provisions of Section 253.129 Florida Statutes, for a parcel of sovereignty land containing 0.395 acre, more or less, in Lake Boca Raton in Sections 28 and 29, Township 47 South, Range 43 East, Palm Beach County, Florida, which was filled prior to June 11, 1957.

PALM BEACH COUNTY - File No. 1928-50-253.129. Motion was made by Mr. Faircloth, seconded and adopted unanimously, that the Trustees authorize issuance of disclaimer for handling charge of \$10.00 to Dwight B. Misch and wife, under the provisions of Section 253.129 Florida Statutes, for a parcel of sovereignty land containing

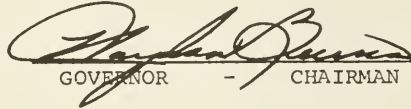
0.089 acre, more or less, in Lake Boca Raton in Section 29, Township 47 South, Range 43 East, Palm Beach County, Florida, which was filled prior to June 11, 1957.

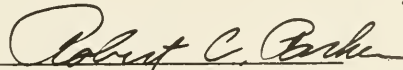
PALM BEACH COUNTY - File No. 1927-50-253.129. Motion was made by Mr. Faircloth, seconded and adopted unanimously, that the Trustees authorize issuance of disclaimer for handling charge of \$10.00 to Carl Stockholm and wife, under the provisions of Section 253.129 Florida Statutes, for two parcels of sovereignty land containing a total of 0.41 acre in Lake Boca Raton, Palm Beach County, Florida, in Section 28, Township 47 South, Range 43 East, which was filled prior to June 11, 1957.

PINELLAS COUNTY - Pinellas County Water and Navigation Control Authority on behalf of William F. and Elinor M. Carver made application for a state permit for construction of commercial docks in front of the applicants' upland property known as Tract D, Chesapeake Point No. 2, Tarpon Springs in Pinellas County. All required exhibits, including processing fee in the amount of \$100.00, were submitted and Staff recommended approval.

Motion was made by Mr. Williams, seconded and adopted without objection, that state commercial dock permit be issued.

Upon motion duly adopted, the meeting was adjourned.


GOVERNOR - CHAIRMAN

ATTEST: 
DIRECTOR - SECRETARY

* * * * *

Tallahassee, Florida
November 15, 1966

The Trustees of the Internal Improvement Fund met on this date in the Board Room of the office of the Governor, in the Capitol.

Present: Haydon Burns Governor
Fred O. Dickinson, Jr. Comptroller
Broward Williams Treasurer

Robert C. Parker Director

Upon motion duly adopted, the Trustees approved the minutes of the meeting of November 1, 1966.

11-15-66

DADE COUNTY - File No. 1909-13-253.12. On October 4, 1966, the Trustees considered the application made by the City of Miami Beach on behalf of a number of abutting upland owners, for twenty-five (25) parcels of submerged land in Indian Creek in Section 14, Township 53 South, Range 42 East, landward of the established bulkhead line in the City of Miami Beach, Dade County, for which offer was made of \$1,000.00 per acre or \$100.00 minimum charge per deed. The twenty-five contiguous parcels contained a total of 5.19 acres, more or less, necessary for continuation of the project for widening Collins Avenue to a point opposite the north line of Tract 3 of The Bath Club. The realignment of the street was developed and submitted by the State Road Department and the City of Miami Beach.

Notice of sale was published in the Miami Beach Times, proof of publication filed, and five protests were received from riparian owners on the westerly side of Indian Creek, opposite the area to be conveyed for the public project. The Director said that in view of the public necessity, the Staff recommended that the objections be overruled. He assured Governor Burns that navigation in Indian Creek would not be impeded.

Motion was made by Mr. Williams, seconded and unanimously adopted, that the objections be overruled and sale of the twenty-five contiguous parcels confirmed to the City of Miami Beach on behalf of the following upland owners:

Benjamin Meyers, et ux
Nathan Siegel and Melvin Fischer (2 parcels)
Julia L. Reynolds
Ansons Company, Inc. (6 parcels)
Reliance Merchandise Company, Inc.
Nathan Siegel, Melvin Fischer and Margaret Beatty
Florence B. Rafkin
Seacoast Towers West, Inc.
Samuel F. Hillman
The Estate of Walter L. Mead, deceased
The Estate of Robert P. Butts, deceased
William J. Kappell, et ux
Gertrude Turchin
Robert L. Turchin, et ux, et al
Milford S. Purcell, et ux
Nathan Cynamon
Ruth Mason, as Trustee
Willard F. Rockwell, Jr.
The Bath Club, Inc.

The following three sales (Citrus County 1888-09-253.12, Monroe County 1897-44-253.12, and Monroe County 1900-44-253.12) were advertised for November 8 but as there was no cabinet meeting on that date, the three sales were presented on the agenda of this date with Staff recommendation for confirmation.

CITRUS COUNTY - File No. 1888-09-253.12. On September 20, 1966, the Trustees considered application from Harbond, Inc., abutting upland owner, to purchase four (4) parcels of submerged land in the Gulf of Mexico between the established bulkhead line and the mean high water mark of Government Lots 4, 10 and 11 of Section 19 and Government Lot 3 of Section 30 in Township 17 South, Range 16 East, containing 145 acres, more or less, appraised at \$75.00 per acre; and those submerged lands in Crystal River lying between the

established bulkhead line and the mean high water mark of Government Lots 5, 10 and 11 of Section 10 of Township 18 South, Range 16 East, containing 10 acres, more or less, appraised at \$100.00 per acre. The applicant offered the appraised price for the Citrus County land totalling 155 acres, more or less.

Notice of sale was published in the Suncoast Sentinel, Crystal River, Florida, and proof of publication was filed. Objections to the sale were received from the Crystal River Guides Association and Mrs. Raymond O'Brien. As the Board of Conservation reviewed and offered no objection to the establishment of the bulkhead lines within which the application parcels were located, the Staff recommended that the objections be overruled and sale confirmed.

Motion was made by Mr. Dickinson, seconded and unanimously adopted, that the objections be overruled and sale of the advertised land to the riparian owner be confirmed.

MONROE COUNTY - File No. 1897-44-253.12. On September 20, 1966, the Trustees considered the application from Coral Rock Company, Inc., abutting upland owner, with offer of \$250.00 per acre, approved by the Staff Appraiser, for purchase of a parcel of submerged land in the Straits of Florida in Section 28, Township 60 South, Range 40 East, 5.47 acres, more or less, at Key Largo in Monroe County, Florida. Notice of sale was published in the Key West Citizen, proof of publication filed and no objection to the sale was received.

Motion was made by Mr. Dickinson, seconded and adopted unanimously, that sale of the advertised parcel be confirmed to the riparian owner.

MONROE COUNTY - File No. 1900-44-253.12. On September 20, 1966, the Trustees considered application from Whitney Bourne Atwood, abutting upland owner, with offer of the price approved by the Staff Appraiser, \$425.00 per acre, for purchase of a parcel of submerged land in the Straits of Florida in Section 5, Township 64 South, Range 37 East, containing 2.5 acres, more or less, at Upper Matecumbe Key in Monroe County, Florida. Notice of sale was published in the Key West Citizen, proof of publication filed and no objection to the sale was received.

Motion was made by Mr. Dickinson, seconded and adopted without objection, that the Trustees confirm sale of the advertised parcel to the riparian owner at the price offered.

DUVAL COUNTY - File No. 1923-16-253.12 and 1923-16-253.129. Application was made by A. M. Crabtree, Jr., on behalf of John T. Wood, the abutting upland owner, for purchase of a tract of submerged land in St. Johns River abutting uplands in Sections 29 and 53, Township 1 South, Range 27 East, containing 30.0 acres landward of the established bulkhead line in Duval County. The applicant offered \$250.00 per acre, the value approved by the Staff Appraiser.

The Staff recommended advertisement of the parcel for objections only. Also, authority was requested to issue disclaimer for handling charge of \$10.00 to John T. Wood under provisions of Section 253.129 Florida Statutes, for a tract of sovereignty land

containing 22.0 acres landward of the tract described above. The 22 acre tract was filled prior to May 29, 1951.

Motion was made by Mr. Dickinson, seconded and adopted without objection, that the 30 acres of submerged land be advertised for objections only, and that disclaimer be issued under the provisions of Section 253.129 Florida Statutes for the 22 acres filled prior to May 29, 1951, for the handling charge of \$10.00.

The following nine (9) applications were presented from riparian owners who made application to purchase submerged lands abutting their upland properties.

1. LEE COUNTY - File No. 1911-36-253.12. Henderson, Franklin, Starnes and Holt on behalf of Pine Island Shores, Inc., the abutting upland owner, offered \$200.00 per acre, value reported by the Staff Appraiser, for purchase of a parcel of submerged land in San Carlos Bay in Section 2, Township 46 South, Range 22 East, containing 2.5 acres landward of the bulkhead line at Pine Island, Lee County.
2. MONROE COUNTY - File No. 1908-44-253.12. Bailey, Mooney, Post Associates, on behalf of James H. King and wife, the abutting upland owners, offered \$425.00 per acre, value approved by the Staff Appraiser, for purchase of a parcel of submerged land in Black Water Sound in Section 14, Township 61 South, Range 39 East, containing 1.0 acre at Key Largo in Monroe County.
3. MONROE COUNTY - File No. 1924-44-253.12. Wynken, Blynken and Nod Estates, Inc., abutting upland owner, offered \$300.00 per acre, price approved by Staff Appraiser, for a parcel of submerged land in the Straits of Florida in Section 12, Township 62 South, Range 38 East, containing 0.49 acre at Key Largo in Monroe County.
4. MONROE COUNTY - File No. 1925-44-253.12. Jack M. Phillips on behalf of Martin N. Rosen and wife, abutting upland owners, offered \$200.00 per acre or a minimum of \$100.00 in this instance for purchase of a 0.38 acre parcel of submerged land in the Straits of Florida in Section 14, Township 67 South, Range 27 East, at Sugarloaf Key in Monroe County.
5. MONROE COUNTY - File No. 1930-44-253.12. Bailey, Mooney, Post Associates, Inc., on behalf of Boyd A. Burkhardt and wife, abutting upland owners, offered \$300.00 per acre, the price approved by the Staff Appraiser, for purchase of a parcel of submerged land in the Bay of Florida in Section 14, Township 62 South, Range 38 East, containing 0.60 acre at Key Largo in Monroe County.
6. MONROE COUNTY - File No. 1932-44-253.12. Bailey, Mooney, Post Associates, Inc., on behalf of Lena Moye, abutting upland owner, offered \$300.00 per acre, the price approved by the Staff Appraiser, for purchase of a parcel of submerged land in the Bay of Florida in Section 6, Township 62 South, Range 39 East, containing 0.57 acre at Key Largo in Monroe County.
7. MONROE COUNTY - File No. 1933-44-253.12. Bailey, Mooney, Post Associates, Inc., on behalf of Ruth L. Moss, the abutting upland owner, offered \$300.00 per acre, the price approved by the

Staff Appraiser, for purchase of a parcel of submerged land in the Bay of Florida in Section 18, Township 63 South, Range 38 East, 0.35 acre at Plantation Key in Monroe County.

8. PALM BEACH COUNTY - File No. 1919-50-253.12. Brockway, Owen and Anderson on behalf of James R. Brandon and wife, the abutting upland owners, offered \$1,209.13 per acre, value approved by the Staff Appraiser, for purchase of a parcel of submerged land in Lake Worth in Section 34, Township 43 South, Range 43 East, containing 0.37 acre in the City of West Palm Beach landward of the established bulkhead line.
9. PALM BEACH COUNTY - File No. 1921-50-253.12. Brockway, Owen and Anderson on behalf of Lena Wells and Annetta Wells, abutting upland owners, offered \$1,923.00 per acre, price approved by the Staff Appraiser, for purchase of two (2) contiguous parcels of submerged land in Lake Worth in Section 28, Township 42 South, Range 43 East, 0.145 acre in the City of Riviera Beach landward of the established bulkhead line in Palm Beach County.

Motion was made by Mr. Dickinson, seconded and adopted without objection, that the land in the nine above applications be advertised for objections only.

DADE COUNTY - File 1034-13-253.12 and 1034-13-253.129. Helliwell, Melrose and DeWolf on behalf of Paul L. E. Helliwell, Trustee, previously having offered \$1,000.00 per acre for purchase of a parcel of submerged land, did offer on this date to pay \$1,800.00 per acre for a tract of submerged land in Biscayne Bay lying westerly of and abutting Tracts D, E and F of Mashta Point Subdivision in Section 6, Township 55 South, Range 42 East, as recorded in Plat Book 60 Page 93 of the Public Records of Dade County, Florida, containing 25.8 acres landward of the established bulkhead line.

With respect to the value of the property in question, the Staff called attention to an appraisal made by E. D. Keefer, M. A. I. of Miami Beach, Florida, dated November 20, 1961, of this parcel now applied for together with additional acreage adjacent thereto, totalling 42.4 acres, in which appraisal he placed a value of \$2,886.00 per acre for the 42.2 acres. On September 2, 1964, the then Staff Appraiser, William R. Weigel, reviewed this Keefer appraisal and concurred in the value set. On July 23, 1965, Robert M. McKey, M. A. I. of Miami, Florida, at the request of the law firm of Helliwell, Melrose and DeWolf of Miami, prepared an appraisal of approximately the same parcel of submerged land that was appraised by Mr. Keefer and he set a fair market value appraisal of \$700.00 per acre.

The present Staff Appraiser reviewed and analyzed all three appraisals above mentioned and, based on his review and analysis, it is his considered judgment that the present fair market value of the submerged land now applied for, consisting of 25.8 acres, is \$1,800.00 per acre. On the basis of the applicant's offer of this price, Staff recommended advertisement for objections only.

Also, the Staff requested authority to issue disclaimer for handling charge of \$10.00 under the provisions of Section 253.129 Florida Statutes, to Paul L. E. Helliwell, as Trustee, for a parcel of sovereignty land containing 1.9 acres landward of the 25.8 acre tract applied for on this date. This parcel was filled prior to June 11, 1957.

Motion was made by Mr. Williams, seconded and adopted unanimously, that the 25.8 acres of submerged land be advertised for objections only, and that disclaimer be issued under the provisions of Section 253.129 for the 1.9 acres of filled land for \$10.00 handling charge.

SHELL LEASES - The Trustees accepted as information for the minutes the following report received November 3, 1966, of remittances received by the Florida Board of Conservation from holders of shell leases.

<u>Lease No.</u>	<u>Name of Company</u>	<u>Amount</u>
1703	Bay Dredging & Construction Co.	\$ 6,758.42
1718	Radcliff Materials, Inc.	12,990.49
1788	Benton and Company, Inc.	11,189.13
1917	Fort Myers Shell & Dredging Co.	732.30

DADE COUNTY - Contract No. 23809(521-13) was issued after the Trustees in meeting August 27, 1963, confirmed the sale of 84.9 acres of submerged land in Biscayne Bay in Sections 29, 30, 31 and 32, Township 56 South, Range 42 East, Dade County, at Ragged Key No. 5. The description submitted and used in said contract inadvertently included the 6.9 acres of riparian upland, being Government Lot 5 of said Section 29. Staff requested authority to issue corrective contract to S. W. O'Neal, Jr., and Wilbur C. Knox.

Motion was made by Mr. Dickinson, seconded and adopted without objection, that corrective contract be issued excluding Government Lot 5 and adjusting the amount of payments in the contract.

LAKE COUNTY - Donald J. Keirn applied for permit to remove 500 cubic yards of fill material from Lake Gertrude to improve the beach area of Lots 27 and 28, Lake Gertrude Manor in Section 24, Township 19 South, Range 26 East, Lake County. All required exhibits, including \$25.00 payment for the material, were received and the Florida Game and Fresh Water Fish Commission inspected and had no objections to the work with the standard stipulations included in the permit.

On motion by Mr. Dickinson, adopted without objection, the Trustees authorized issuance of permit as requested.

OKALOOSA COUNTY - The City of Valparaiso made application for a state permit for construction of a dock in Tom's Bayou at city-owned property known as Plat 1, City of Valparaiso, in Section 7, Township 1 South, Range 22 West, Okaloosa County. All required exhibits were furnished. Staff recommended approval without requirement of the processing fee as the dock would be used for public fishing only.

On motion by Mr. Dickinson, adopted without objection, the Trustees authorized issuance of state dock permit to the City of Valparaiso without charge inasmuch as it was a public project.

PALM BEACH COUNTY - Louis Pergament applied for a state commercial dock permit for construction of a dock in Lake Worth at applicant's

upland Lots 3 through 12 and Lots 224 through 230, Floral Park, Town of Palm Beach in Palm Beach County. All necessary exhibits, including \$100.00 processing fee, were received and Staff recommended approval.

On motion by Mr. Dickinson, adopted without objection, the Trustees authorized issuance of state commercial dock permit to the applicant.

PINELLAS COUNTY - The following applications were approved and referred by the Pinellas County Water and Navigation Control Authority to the Trustees for state commercial dock permits:

1. W. Lee Ward, to construct a marina in the Anclote River at Lots 4, 5, 6 and 7, Section 2, Township 27 South, Range 15 East, Tietz Allotment, Anclote Road, in Tarpon Springs, Florida.
2. Mrs. Maie Carson, to replace an existing dock in the Anclote River at Lot 4, Section 2, Township 27 South, Range 15 East.
3. Boca Ciega Yacht Club, to construct a dock in Boca Ciega Bay at Gulfport-by-the-Bay, Government Lots 1 and 2, Sections 33 and 34, Township 31 South, Range 16 East.
4. Thomas J. Cichowicz, for improvements to an existing marina (a seawall and docks for rental slips and improved docking) in Smith's Bayou at Tract "A" Witthoef's Replat at Ozona.

All required exhibits including \$100.00 processing fee for each application were submitted. Staff recommended approval.

On motion made by Mr. Dickinson, seconded by Mr. Williams and adopted without objection, the Trustees authorized issuance of state commercial dock permit to each of the above applicants.

OSCEOLA COUNTY - The Central and Southern Florida Flood Control District made application for

- (A) Right of way easements for canal construction purposes over several small parcels of the bottoms of lakes listed as (1) a 12.95 acre parcel in Lake East Tohopekaliga in Sections 7 and 18, Township 25 South, Range 31 East, and (2) a 2.20 acre parcel in Lake Lizzie and Alligator Lake in Section 11, Township 26 South, Range 31 East; and
- (B) Temporary easement for spoil disposal purposes on a 5.0 acre parcel of the bottoms of Lake East Tohopekaliga in Section 7, Township 25 South, Range 31 East, to expire March 1, 1969.

Motion was made by Mr. Williams, seconded by Mr. Dickinson, and adopted without objection, that the Trustees grant the right of way easements and temporary easement requested by Central and Southern Florida Flood Control District.

PALM BEACH COUNTY - Motion was made by Mr. Dickinson, and adopted

without objection, that the Trustees approve assignment of Purchase Contracts 23401 and 23424 from Okeelanta Sugar Refinery, Inc., to South Puerto Rico Sugar Company, Inc. Executed copy of assignment and acceptance by the assignee had been filed in the Land Office.

PALM BEACH COUNTY - File 843-50-253.124. On motion by Mr. Dickinson, seconded and adopted without objection, the Trustees formally approved the fill permit issued by the Town Council of the Town of Hypoluxo by notice dated April 18, 1966, under the provisions of Section 253.124 Florida Statutes, to Douglas H. Miller, the successor in title to the 1.40 acre parcel of submerged land in Lake Worth in Section 10, Township 45 South, Range 43 East, Palm Beach County, conveyed by the Trustees under the above referenced file number.

PINELLAS COUNTY - A bulkhead line reconfirmed on October 4, 1966, by Pinellas County Water and Navigation Control Authority for the Town of South Pasadena was listed on the agenda for consideration by the Trustees, however the Staff suggested deferment for one week in deference to requests from interested parties who would like to be heard but were attending a local hearing on this date.

Governor Burns, with the concurrence of the other members, ordered the matter deferred for one week.

REFUND - Motion was made by Mr. Dickinson, seconded and adopted without objection, authorizing issuance of refund of \$1,500.00 to Alonzo Cothron, who had posted surety bond for Sand Lease No. 2227 in the amount of \$2,000.00 replacing the cash bond of \$1,500.00 received on October 20, 1959, for former sand lease.

BREVARD COUNTY - File 1917-05-253.12. Refund. Motion was made by Mr. Dickinson, seconded by Mr. Williams and adopted, that the Board authorize issuance of refund of \$50.00 to Hall, Hartwell, Hall and Canada, attorneys for Laurens C. Hare, et ux, et al, which amount had been submitted and deposited as purchase application fee and the application was subsequently withdrawn.

TRUSTEES' FUNDS - The Florida Industrial Commission submitted a request through its General Counsel, Patrick H. Mears, for a loan of \$450,000.00 to be used to complete the new addition to their building in Tallahassee (Caldwell Building), now under construction. At the time the application was submitted it was with the understanding that if the loan was approved the Industrial Commission would pay the \$171,000 balance due to the Trustees on the outstanding loan approved on November 12, 1963, to enable the Commission to purchase property in Jacksonville for a new office site and parking area. That loan was to be amortized within a period of 20 years with interest at 3½%. Subsequently Trustees' funds were advanced to make that purchase in the amount of \$190,000, and repayment on the loan of \$19,000 was made, leaving a present balance of \$171,000.

Staff reviewed the application for loan of \$450,000, and in recognition of the need for additional facilities that was set forth in

the application from the Industrial Commission, Staff requested approval of the loan conditioned upon amortization within a period not to exceed 20 years at an interest rate to be approved by the Trustees which would be comparable to the yield being received on funds of the Trustees invested in short-term government securities. Further, Staff recommended that the loan be conditioned upon repayment of the \$171,000 above referred to, and review and approval by the office of the Attorney General of the loan and the agreement to be executed between the Trustees and the Industrial Commission. The Director said that representatives of the Trustees' office and the Industrial Commission were working with the office of the Attorney General on the matter.

Motion was made by Mr. Williams, seconded and adopted unanimously, that the Trustees approve a loan in an amount not to exceed \$450,000 to the Florida Industrial Commission for completion of the new addition to their building in Tallahassee, with interest at 4.5% and with the loan agreement to be in accordance with terms and conditions as approved by the office of the Attorney General.

TRUSTEES' FUNDS - Capitol Center. On September 13, 1966, the Trustees authorized acquisition of five parcels of property in the newly enlarged capitol center area which was made available for purchase. Subsequently, two additional owners offered their properties for sale, which were appraised by the Staff Appraiser. Staff reviewed the appraisal on the two parcels of land and determined that the purchase prices asked by the owners were within the framework of previously established policy with respect to acquisition of capitol center property, and recommended purchase of

Lot 46 in Block 4 of Capital Place Subdivision, and Lots 70, 71, 72 and 73 of Block 3 of Capital Place Subdivision, owned by J. W. Dawsey, Jr., and G. M. James, Sr., for purchase price of \$40,175.00; and

Lot 20 of Lots 243 and 244 Capital Place Subdivision 1, Old Plan of the City of Tallahassee, owned by Mrs. Reuben Vickers, for purchase price of \$12,000.00.

On motion by Mr. Dickinson, seconded and adopted unanimously, the Trustees authorized the acquisition of the property described above for the recommended purchase prices, for the capitol center.

TRUSTEES' FUNDS - At the Governor's request, the Staff Appraiser made an appraisal of the parcel of land at the northeast corner of the intersection of Duval and Georgia Streets, fronting 65 feet on Duval Street and 130 feet on Georgia Street, described as the South 65 feet of Lot 175 in North Addition City of Tallahassee, Township 1 North, Range 1 West, Leon County. The owner, Mrs. T. W. Strickland, had agreed to sell for the appraised value of \$15,000.

The Staff requested authority to expend Trustees' funds for the purchase of the parcel which is in the block south of the Governor's Mansion and contiguous to property already purchased by the Trustees.

Motion was made by Mr. Williams, seconded and adopted without objection, that the Trustees authorize purchase of the parcel for \$15,000 from funds of the Trustees of Internal Improvement Fund.

ELLIOT BUILDING - Trustees' Funds. Motion was made by Mr. Dickinson, seconded and adopted without objection, that the Staff invite bids for cleaning and painting the exterior of the Elliot Building, for which specifications were drafted with advice from the Construction Division, Board of Commissioners of State Institutions, and payment would be made from budgeted funds for the work.


SUBJECTS UNDER CHAPTER 18296

MURPHY ACT REPORT - Report No. 895 was presented, listing County of Volusia Quitclaim Deed No. 2032-Duplicate to W. R. McElroy and W. W. Sterling, to be issued in lieu of a quitclaim deed to the same grantees dated May 27, 1948, which was lost prior to recording in the Public Records of Volusia County.

Motion was made by Mr. Dickinson, seconded by Mr. Williams and duly adopted, that issuance of the duplicate quitclaim deed be approved.

REFUND - Upon motion adopted without objection, the Trustees authorized refund of the amount of \$10.00 to Thomas A. Horkan, Jr., who had withdrawn his application for release of state road right of way reservation contained in Dade County Murphy Act Deed No. 2110.

On motion duly adopted, the meeting was adjourned.


GOVERNOR - CHAIRMAN

ATTEST: 
DIRECTOR - SECRETARY

* * * * *

Tallahassee, Florida
November 22, 1966

The Trustees of the Internal Improvement Fund met on this date in the Board Room of the office of the Governor, in the Capitol.

Present: Haydon Burns Governor
Fred O. Dickinson, Jr. Comptroller
Broward Williams Treasurer

Robert C. Parker Director

BROWARD COUNTY - File No. 1387-06-253.12. The Trustees, after deferment on September 27 and October 4, authorized advertisement for objections only on October 11, 1966, of a tract of sovereignty land in New River Sound in Section 25, Township 50 South, Range 42 East, 44.1 acres, more or less, in the City of Hollywood in Broward County, lying easterly of Government Lots 2, 3 and 4 of said Section 25 and westerly of Government Lots 1 and 5 of said

Section 25, less those parcels in New River Sound formerly conveyed by the Trustees to the owners of all lots in Seabreeze Estates and Seabreeze Estates South Addition, being subdivisions of Government Lot 5. Application was made by W. D. Horvitz, President of Hollywood, Inc., the abutting upland owner, and offer of \$350.00 per acre was approved by the Staff Appraiser. Notice of sale was published in the Sun-Tattler, Hollywood, Florida, proof of publication filed, and several objections to the sale were received.

Mr. John U. Lloyd, Broward County Attorney, forwarded telegram dated November 18, 1966, which was received November 21, advising that the Board of County Commissioners had reaffirmed their Resolution of 1953 requesting the Trustees to convey for public beach and park purposes sovereignty land in New River Sound. A review of the Trustees' files showed that the Board on January 19, 1954, took note of such Resolution from the county and authorized conveyance of the area to Broward County for public purposes only; however, this action was rescinded on February 23, 1954, in order that rights of the adjacent riparian owners might be determined. Subsequently, the Trustees authorized sale to the adjacent riparian owners of the submerged bottoms of New River Sound out to the center of the stream along the eastern shore of the area which constitutes roughly one-half of the north and south area included in the subject application. Sales to said upland owners had been completed, and the subject application had reference to the remaining one-half of the submerged area adjacent to sales already made, and to all of the submerged bottoms of New River Sound in the N½ of Section 25.

In recognition of the policy heretofore established by the Trustees concerning the submerged bottoms of New River Sound, the Staff felt that it would be improper to adopt a new policy with respect to the submerged bottoms of New River Sound in the light of the history of the area. Staff recommended that the sale be confirmed.

Mr. Dickinson said that he and Mr. Williams had been advised by members of the County Commission and the Legislative group that the matter can be worked out locally if the Trustees would give them time to work out differences. The Director said the county had not expressed this to the Staff, that there is county-owned land northward from the application area, and in his opinion it would be impractical and in violation of riparian owners' rights to convey land to the county in the application area. Mr. Stanley M. Beckerman, attorney for the applicant, said they had not been contacted and he knew of no effort to work out any problem. He and Mr. Bart Cohen were present to be heard by the Trustees on behalf of Hollywood, Inc.

Governor Burns said that on two previous occasions the Board was contacted just before the cabinet meeting and asked to defer the matter, that on October 11 advertisement was authorized, and now the Board was again asked to defer action. With apology to the parties present on behalf of the applicant, he directed that the application be deferred for one week.

It was so ordered.

CHARLOTTE COUNTY - File No. 1806-08-253.12. On October 11, 1966, the Trustees considered application from Harvey L. Hobbs, abutting upland owner, who offered the appraised price of \$151.22 per acre for a tract of sovereignty land in Charlotte Harbor in Sections

25 and 36, Township 42 South, Range 22 East, and Section 30, Township 42 South, Range 23 East, lying westerly of and abutting the mean high water mark boundary of said Fractional Sections 30, 25 and 36, landward of the established bulkhead line. Notice of sale was published in the Charlotte Herald News, proof of publication filed, and several objections were received based on possible damage to natural resources.

The Board of Conservation report was not favorable, concluding that there should be a review of the bulkhead and meander lines, and that if the application was approved the navigation channels to provide access to areas to be developed should be reduced to 100 feet wide. Bulkhead lines were set by the county in 1957 to be "the official government survey line, ownership line, or the mangrove, beach or bank line of said property, whichever extends the farthest into said waters, plus 500 feet."

By letter of November 17, 1966, Honorable M. T. (Ted) Randell and Honorable J. Lorenzo Walker, State Representatives for the Charlotte, Collier, Glades, Hendry and Lee District, raised certain questions with respect to the damage that would be inflicted on marine values and suggested that the sale be postponed until the County Commissioners of Charlotte County could review this particular application as well as the location of bulkhead lines in this area and make a determination as to what official position they should take. Lee County Conservation Association and members of Greater Pine Island Civic Association expressed similar objections.

The Staff recommended deferment in view of the objections, and that the Chairman of the Board of County Commissioners of Charlotte County be notified and asked to review this application and the location of the bulkhead lines in the general area, and advise the Staff of the result of such a review.

Motion was made by Mr. Dickinson, seconded and adopted without objection, that the Trustees defer confirmation of sale for a period of three (3) weeks, and that the Board of County Commissioners be notified of this action and requested to review this particular application as well as the bulkhead lines heretofore established by the Commission in this general area, and requested to advise the Staff so that this application might be given further consideration by the Trustees in the light of the result of such a review.

MANATEE COUNTY - File No. 1902-41-253.12. On October 4, 1966, the Trustees considered application from Jerome V. Ansel, abutting upland owner, who offered \$700.00 per acre, reported by Staff Appraiser, for purchase of a parcel of submerged land in Sarasota Bay in Section 25, Township 35 South, Range 16 East, 6.4 acres in the Town of Longboat Key landward of the established bulkhead line. Notice of sale was published in the Bradenton Herald, proof of publication filed and no objection received.

On motion by Mr. Dickinson, seconded and adopted without objection, the Trustees confirmed the sale of Manatee County land.

MONROE COUNTY - File No. 1904-44-253.12. On October 4, 1966, the Trustees considered application from Arthur B. Lujan and wife, abutting upland owners, with offer of \$300.00 per acre, approved by the Staff Appraiser, for a parcel of submerged land in the Bay

of Florida in Section 26, Township 67 South, Range 25 East, containing 62.09 acres, more or less, lying northwesterly of Raccoon Key in Monroe County. Notice of sale was published in the Key West Citizen, proof of publication filed and no objection received.

On motion by Mr. Dickinson, seconded and adopted without objection, the Trustees confirmed the sale.

MONROE COUNTY - File No. 1906-44-253.12. On October 4, 1966, the Trustees considered application from Joseph B. Albury and wife, abutting upland owners, with offer of \$300.00 per acre, approved by the Staff Appraiser, for a parcel of submerged land in the Straits of Florida in Section 6, Township 62 South, Range 39 East, 0.93 acre, more or less, at Key Largo in Monroe County. Notice of sale was published in the Key West Citizen, proof of publication filed and no objection to the sale was received.

On motion by Mr. Dickinson, seconded and duly adopted, the Trustees confirmed the sale.

MONROE COUNTY - File No. 1907-44-253.12. On October 4, 1966, the Trustees considered application from Robert R. Soellner and wife, abutting upland owners, with offer of \$300.00 per acre, price approved by the Staff Appraiser, for purchase of a parcel of submerged land in the Bay of Florida in Section 6, Township 62 South, Range 39 East, 0.79 acre, more or less, at Key Largo in Monroe County. Notice of sale was published in the Key West Citizen, proof of publication filed and no objections received.

Motion was made by Mr. Dickinson, seconded and adopted without objection, that sale of the advertised parcel be confirmed.

MONROE COUNTY - File No. 1914-44-253.12. On October 11, 1966, the Trustees considered application from the United States of America for purchase of two (2) parcels of submerged land in Section 22, Township 67 South, Range 26 East, at Big Coppitt Key, containing a total of 0.40 acre, more or less, in Monroe County. Notice of sale was published in the Key West Citizen, proof of publication filed and no objections received.

Motion was made by Mr. Dickinson, seconded and adopted without objection, that sale of the advertised parcels be confirmed in favor of the United States of America at \$225.00 per acre or \$100.00 minimum in this instance.

MONROE COUNTY - File No. 1883-44-253.12. On October 4, 1966, the Trustees considered application from Jack M. Phillips on behalf of Rudolph M. Wylk and wife, abutting upland owners, with offer of \$425.00 per acre, approved by Staff Appraiser, for purchase of a parcel of submerged land in Cow Key Channel in Section 35, Township 67 South, Range 25 East, 0.50 acre at Stock Island lying southerly of and abutting Lots 25 and 26 of Sun Krest Subdivision as recorded in Plat Book 1, Page 107, Public Records of Monroe County, Florida. Notice of sale was published in the Key West Citizen, proof of publication filed.

K. A. West and G. T. DeLaporte filed objections based on drainage questions. In recommending former sales made in the area since 1955, the Staff anticipated leaving ample submerged land between the southerly limit of sales and a street right of way easement to take care of any drainage to the east. The subject sale would complete blocking up the parcels to the north. Staff recommended that the sale be confirmed.

On motion by Mr. Dickinson, seconded and adopted unanimously, the Trustees overruled the objections and confirmed sale of the advertised parcel to the riparian owners.

DADE COUNTY - File No. 1920-13-253.12. James M. Albert, Trustee for Mount Sinai Hospital of Greater Miami, Inc., a Florida corporation, agreed to a token payment of \$100.00 per acre for conveyance of a tract of submerged land in Biscayne Bay in Sections 21, 22, 27 and 28, Township 53 South, Range 42 East, in the City of Miami Beach within the established bulkhead line, containing 17.10 acres to be used for hospital purposes only. The tract abuts the two parcels of submerged land conveyed by the Trustees to the hospital on March 25, 1959. Applicant offered a token payment of \$100.00 per acre.

On motion by Mr. Dickinson, seconded and adopted, the Trustees authorized advertisement of the parcel for objections only.

DADE COUNTY - File No. 1034-13-253.12. On November 15, 1966, the Trustees authorized advertisement for objections only of a tract of 25.8 acres of submerged land in Biscayne Bay for which Helliwell, Melrose and DeWolf on behalf of Paul L. E. Helliwell, Trustee, offered the appraised price of \$1,800.00 per acre. The Trustees also approved the applicant's request for disclaimer of 1.9 acres of land which, because of technical difficulties, the applicant now desires to purchase at the appraised price. Staff recommended advertisement of the total area of 27.7 acres for objections only.

On motion by Mr. Dickinson, seconded and adopted, the Trustees authorized advertisement of 27.7 acres for objections only, amending the action at the previous meeting.

DADE COUNTY - Staff recommended approval of the following assignments of Oil and Gas Lease No. 1939-1939-S dated September 24, 1963, of 24,840 acres of land in Dade County: Re-assignment of lease from Barnett Serio to Wendell L. Roberts, original lessee; Assignment of lease from Wendell L. Roberts to R. W. Kuzmich; and Assignment of lease from R. W. Kuzmich to RK Petroleum Corporation. Executed copies of above assignment instruments and acceptance on the part of assignee have been filed in the Land Office.

Title to the land involved was in the Trustees of the Internal Improvement Fund and in the State Board of Education. Approval was granted by the latter Board on this date.

On motion by Mr. Dickinson, seconded and adopted, the Trustees approved the above mentioned assignments of Lease No. 1939-1939-S.

HARDEE COUNTY - John W. Burton, attorney, requested a disclaimer of the S $\frac{1}{2}$ of SE $\frac{1}{4}$ of Section 10, Township 33 South, Range 25 East, Hardee County, for the reason that Trustees Deed No. 11664 dated February 3, 1883, issued to Florida Land and Improvement Company was dated prior to the filing of the corporation's articles. Staff recommended issuance of an ex parte disclaimer for handling charge of \$10.00, disclaiming any interest of the Trustees in the subject property arising out of Deed No. 11664.

Motion was made by Mr. Dickinson, seconded and duly adopted, that ex parte disclaimer be issued as recommended.

LEE COUNTY - File No. 1832-36-253.124. Motion was made by Mr. Williams, seconded and adopted without objection, that the Trustees formally approve the fill permit issued by the Board of County Commissioners of Lee County in meeting November 9, 1966, under the provisions of Section 253.124 Florida Statutes, to Tringali Packing Co., the long-term lease holder of the two parcels of submerged land in Matanzas Pass in Section 19, Township 46 South, Range 24 East, conveyed by the Trustees under the above referenced file number, containing 0.95 acre.

LEE COUNTY - Protein Products Corporation submitted application for state permit to construct a dock for docking and unloading of commercial fishing vessels in Charlotte Harbor at applicant's upland property in Section 1, Township 43 South, Range 22 East, in Lee County. Also, applicant desired to dredge a navigation channel, which was approved by the Florida Board of Conservation. All required exhibits including \$100.00 processing fee were submitted, and Staff recommended approval.

On motion by Mr. Williams, adopted without objection, the Trustees approved the application.

PINELLAS COUNTY - Bulkhead Line. At the request of the Pinellas County Water and Navigation Control Authority, the Trustees removed from the agenda the item concerning a bulkhead line set in 1963 in Boca Ciega Bay for the Town of South Pasadena. By telephone call from Mr. Doug Carter, confirmed by telegram from Mr. J. Floyd Glisson, the Authority requested that the matter be referred back for further consideration in Pinellas County.

HENDRY COUNTY - Mr. John I. Jacobson of the law firm of McCune, Hiaasen, Crum and Ferris, as attorney for and on behalf of Gerber Groves Water Control District, requested approval by the Trustees, in their official capacity as the Board of Drainage Commissioners of the State of Florida, pursuant to Section 298.47 Florida Statutes, of an additional issue of \$80,000.00 in drainage bonds to effectuate the Plan of Reclamation to be known as Gerber Groves Section Two, including approximately 2,000 additional acres in the enlarged District. On November 2, 1965, the Trustees approved the issuance of bonds in the amount of \$88,000.00 by said District in Hendry County.

Motion was made by Mr. Williams, seconded and adopted unanimously, that the Trustees, sitting as the Board of Drainage Commissioners

of the State of Florida, pursuant to Section 298.47, grant approval of an additional issue of \$80,000.00 in drainage bonds to effectuate Gerber Groves Section Two Plan of Reclamation.

TRUSTEES' FUNDS - Motion was made by Mr. Williams, seconded and adopted unanimously, that funds of the Trustees of Internal Improvement Fund in the amount of \$20,880.00 be transferred to the State Board of Antiquities, to provide additional funds for the salvage patrol.

MONROE COUNTY - Refund. On December 28, 1953, the Trustees executed Purchase Contract No. 20575 to F. P. Sadowski Corp. covering a group of five mangrove islands known as the "Tarpon Belly Keys" in the Bay of Florida in Section 6, Township 66 South, Range 28 East, Monroe County, containing 13.0 acres. On July 20, 1955, Deed No. 20575 was issued conveying said islands. Subsequent to the date of the deed, the Bureau of Land Management of the United States Department of Interior completed a survey of a portion of one of the group of islands containing 4.63 acres and classified the area as Public Domain, title of which was in the United States of America. As this parcel was within the Great White Heron Refuge, it could not be conveyed by the United States.

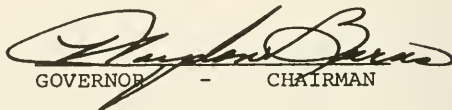
Staff requested authority to refund to F. P. Sadowski the amount of \$736.81, being the total amount of his investment in the 4.63 acre parcel.

On motion by Mr. Dickinson, unanimously adopted, the Trustees authorized refund of \$736.81 to F. P. Sadowski.

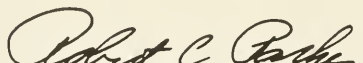
SUBJECTS UNDER CHAPTER 18296

On motion by Mr. Dickinson, unanimously adopted, the Trustees approved Report No. 896 listing County of Polk Deed No. 99-Corrective to A. C. Wright, Jr., to be issued in lieu of Polk County Deed No. 99 dated September 16, 1940, to T. C. Turner who was deceased on the date of the original Murphy Act deed, which deed is now reported to be lost and not recorded.

On motion duly adopted, the meeting was adjourned.


GOVERNOR - CHAIRMAN

ATTEST:


DIRECTOR - SECRETARY

* * * * *

The Trustees of the Internal Improvement Fund met on this date in the Board Room of the office of the Governor, in the Capitol.

Present:	Haydon Burns	Governor
	Fred O. Dickinson, Jr.	Comptroller
	Broward Williams	Treasurer
	Earl Faircloth	Attorney General
	Doyle Conner	Commissioner of Agriculture

Robert C. Parker	Director
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The minutes of the meetings of November 15 and 22, 1966, were approved as presented.

BROWARD COUNTY - File No. 1387-06-253.12. Deferred last week for hearing on this date was the confirmation of sale to W. D. Horvitz, President of Hollywood, Inc., abutting upland owner, who offered \$350.00 per acre, the value approved by the Trustees' Staff Appraiser, for purchase of a tract of sovereignty land in New River Sound in Section 25, Township 50 South, Range 42 East, 44.1 acres, more or less, in the City of Hollywood in Broward County lying easterly of Government Lots 2, 3 and 4 of said Section 25 and westerly of Government Lots 1 and 5 of said Section 25, less those parcels of New River Sound formerly conveyed by the Trustees to the owners of the Seabreeze subdivision lots in Government Lot 5.

The Director said that County Attorney John U. Lloyd, Mr. Horvitz and others were present. At a conference in the Trustees' office on this date, Mr. Lloyd on behalf of Broward County protested the sale as contrary to the public interest and contested the findings of the engineering drawings in the application file with respect to the existence of any upland property known as Government Lot 1, North one-half, on the East side of New River Sound. The Director said that in the early 1950's the Trustees gave recognition to a semblance of title in the area, processed approximately 30 applications and executed deeds to one-half of New River Sound now considered as the lower half, to the owners of all lots in Seabreeze Estates and Seabreeze Estates South Addition, subdivisions of Government Lot 5. He advised that the title report showed the applicant as owner of a remnant of Government Lot 1, and after careful study of the information and survey maps in the file the Staff had recommended the current application based on what was deemed to be survival of title.

However, in the light of the conference held this morning, which was attended by representatives of some of the Trustees, the Staff now recommended confirmation of sale of the Westerly half of the Sound and deferment of sale of the North one-half as to the Easterly half of New River Sound for 90 days to give the county an opportunity to have a survey made to determine the existence or non-existence of an upland remnant. There had been extensive erosion in the area in the 1950's.

Mr. Lloyd said that the map used for the application was not a certified, signed survey and no actual survey had been made since 1870, that the erosion noted twenty years ago had continued, that the drawing was inaccurate in showing the Atlantic Ocean East of

the property as the lots had completely eroded away and the ocean was West of Government Lot 1 and bordered the West half of New River Sound, that the Trustees would be selling ocean-front property. Without a survey which Broward County offered to have made at its own expense, Mr. Lloyd said the Board could not make a proper determination. Broward County had directed Mr. Lloyd to urge deferment for ninety days for the county to have the very difficult survey made and furnished to the Trustees. Mr. Lloyd said the county had not received notice of the sales and that the former Trustees might have made an error in selling the land.

Motion was made by Mr. Faircloth, and seconded by Mr. Williams, that the matter be postponed for ninety days.

During the discussion that followed, Governor Burns pointed out that five times the application had been on the agenda, that nothing was heard from Broward County to explain the requests for delay made from time to time to various members except the recent statement that the county took the same position it took thirteen years ago. Precedent was established by the sales approved and deeds issued by previous Trustees, who no doubt had the counsel of the county at the time. Trustees' office records showed that notice of the current application was sent to the county by certified mail. The Governor said that last week when the Board deferred action, a commitment was made to have a full and complete hearing on this date and to endeavor to make a decision. Therefore, he asked that the motion for deferment be voted down and the parties present be given a hearing.

Attorney General Faircloth said that whenever the Board could receive information from any source before action to dispose of land of the State, he felt it was not too late and technicalities should not stand in the way. He was concerned about transfer of State land without overall zoning and policies.

Commissioner Conner offered as an amendment to the motion that the Trustees defer action until a survey could be made by the county as quickly as possible, not to exceed ninety days. He said that he did not object to hearing those present at this time.

Since it was necessary for Mr. Dickinson and Mr. Williams to leave the meeting at three o'clock, and they would not want to leave before voting if a vote was to be taken, it appeared that final decision could not be made on this date. However, the Trustees granted to the applicant time to make a statement.

Mr. Horvitz said that the survey plat exhibited to the Board was prepared in 1963 and had been shown to representatives of the county, that the county had not objected to sale of the lots in Seabreeze, which was the same situation as the Hollywood, Inc., application. The county in 1962 withdrew objections to sale in the area, as shown by a letter in the Trustees' files. He said the information was clear, a survey would not show anything different, that the county had had sufficient time to study the application but time after time had caused delay for some reason, and that purely speculation and delay methods were presented.

Mr. Bart Cohen said he represented ninety per cent of the owners of Seabreeze Estates property which was useless and without access. He was present to indicate to the Board the acquiescence and consent of the Seabreeze owners. He called the Sound a little dribble blocked off by grade level bridges at both ends which boats could not get through. His clients saw nothing different today from the 1953 situation, when the county had resisted their applications but the

Trustees had issued some 29 deeds based on ownership of remnants of upland property.

Closing the discussion, the Governor asked for a vote on the amended motion that the Trustees defer action for a period of time, not to exceed ninety days, to give the county an opportunity to furnish a survey as quickly as possible.

Upon vote, the motion was adopted unanimously.

The following three (3) applications were presented from abutting upland owners who desired to purchase submerged lands:

1. BREVARD COUNTY - File No. 1899-05-253.12. C. R. McCotter, Sr., and wife, abutting upland owners, offered \$1,500.00 per acre, the value reported by the Staff Appraiser, for a parcel of submerged land in the Indian River in Section 3, Township 22 South, Range 35 East, containing 1.09 acres, more or less, in the City of Titusville landward of the established bulkhead line in Brevard County.
2. MANATEE COUNTY - File No. 1935-41-253.12. Leo Mills and Associates, for Hugo R. Greisen and wife, the abutting upland owners, offered \$800.00 per acre, value approved by the Staff Appraiser, for a parcel of submerged land in the Manatee River in Section 20, Township 34 South, Range 17 East, containing 0.50 acre, more or less, landward of the established bulkhead line in Manatee County.
3. MONROE COUNTY - File No. 1938-44-253.12. Phillips Surveying, on behalf of Timothy Charles and Company, the abutting upland owner, offered \$1,000.00 per acre, value approved by the Staff Appraiser, for a parcel of submerged land in Key West Bight abutting uplands on the Island of Key West containing 1.24 acres in Monroe County.

Motion was made by Mr. Faircloth, seconded and adopted without objection, that the land in the above three applications be advertised for objections only.

PALM BEACH COUNTY - The Staff recommended approval of a comprehensive bulkhead line along the Jupiter River, Loxahatchee River, Intracoastal Waterway, Jupiter Creek and Florida East Coast Canal within the corporate limits of the town, established by the Town Commission of the Town of Jupiter by Ordinance No. 9-66 adopted October 18, 1966. All required information and exhibits were filed and no local objections were reported. The Board of Conservation offered no objections, reported it to be a most conservative line.

Motion was made by Mr. Dickinson, seconded and adopted unanimously, that the Trustees formally approve the bulkhead line established by the Town of Jupiter on October 18, 1966.

LAKE COUNTY - Arthur Mercer applied for a permit for removal of 500 cubic yards of fill material from Lake Gertrude. All required exhibits were submitted, including \$25.00 payment for the fill material. The Florida Game and Fresh Water Fish Commission reviewed the application and waived objection, providing standard stipulations are included in the permit. Staff recommended approval.

On motion by Mr. Dickinson, seconded and adopted without objection, the Trustees authorized issuance of the permit.

HILLSBOROUGH COUNTY - File No. 1600-29-253.124. On October 11, 1966, the Trustees formally approved fill permit issued by the Board of County Commissioners of Hillsborough County under the provisions of Section 253.124 Florida Statutes, to Elsberry Development Corporation to fill the 228 acres of submerged land in Tampa Bay in Sections 9 and 10, Township 31 South, Range 19 East, conveyed by the Trustees under the above file number. Because of certain modifications and revisions in the layout of the area to be filled, the Board of Commissioners on November 16, 1966, issued a revised permit. Staff recommended approval of the revised permit.

On motion by Mr. Dickinson, seconded and adopted without objection, the Trustees approved the revised fill permit issued by Hillsborough County.

MONROE COUNTY - The Florida Keys Aqueduct Commission, a public agency of the State of Florida, by Resolution No. 66-23 adopted on November 15, 1966, made application for dedication of 7.95 acres of submerged land in the Straits of Florida in Section 35, Township 67 South, Range 25 East, Stock Island, to be used for public purposes only in connection with a desalination plant.

Motion was made by Mr. Dickinson, seconded and adopted unanimously, that the Trustees grant the request of the Florida Keys Aqueduct Commission for dedication of the parcel of submerged land for public purposes only, for the desalination plant.

ORANGE AND OSCEOLA COUNTIES - Upon motion by Mr. Dickinson, seconded and adopted unanimously, the Trustees granted request of the Central and Southern Florida Flood Control District for right of way easements for canal construction purposes over several small parcels of the bottoms of lakes listed as (1) a 4.53 acre parcel in Fells Cove in Section 5, Township 25 South, Range 31 East and (2) a 3.0 acre parcel in Lake Hart in Section 28, Township 24 South, Range 31 East, and (3) a 3.3 acre parcel in Lake Joel in Section 30, Township 25 South, Range 32 East, and (4) a 1.7 acre parcel in Trout Lake in Section 1, Township 26 South, Range 31 East, the parcels being in Orange and Osceola Counties.

TRUSTEES' OFFICE - Printing. On motion by Mr. Dickinson, duly adopted, the Trustees authorized the advertisement for sealed bids for printing 500 copies of bulkhead information booklet for the Trustees' office.

Also, the following bids were reported for printing stationery and notice forms for use in the office:

Storter Printing Company, Gainesville	\$209.00
Precision Printing Company, Inc., Tallahassee	222.50
Van Norren Printers, Jacksonville	225.50
The Drummond Press, Jacksonville	230.46
Capital Printing Company, Tallahassee	268.45
Rose Printing Company, Tallahassee	349.00

Motion was made by Mr. Dickinson, seconded and adopted without objection, that the low bid of \$209.00 by Storter Printing Company be accepted.

TRUSTEES' BUILDING - Staff recommended acceptance of the lowest of the following bids received for repairing and painting the exterior of the Elliot Building:

J. W. Gaskins	\$797.00
P. O. Riley	917.00
Richard E. Kausch	1,123.00
Frosty McVay	1,725.00

Motion was made by Mr. Dickinson, seconded and adopted without objection, that the low bid of \$797.00 by J. W. Gaskins be accepted.

SUBJECTS UNDER CHAPTER 18296

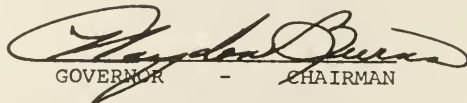
On motion by Mr. Dickinson, seconded and adopted without objection, the Trustees approved Report No. 897 listing 1 regular bid for sale of Murphy Act land in Baker County, and authorized execution of deed pertaining thereto.

BREVARD COUNTY - Thomas E. Thoburn, attorney, on behalf of Canaveral Steel Corporation, requested waiver of the usual regulations as to size limitation for release of the oil and mineral rights reserved in Brevard County Murphy Act Part Deed No. 762 dated September 6, 1944, affecting a two-acre parcel of land in Section 13, Township 23 South, Range 35 East, in Brevard County, for use as a site for an office building, other facilities, and parking area.

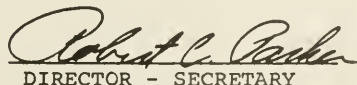
Under the statutory provisions, the whole area might not be considered to be a building site, but the Staff considered that for payment of \$40.00 the State of Florida would be compensated for the oil and mineral interest.

Motion was made by Mr. Dickinson, seconded and adopted, that the Trustees authorize release of the oil and mineral rights of the State of Florida in the parcel described, upon payment of \$40.00.

On motion duly adopted, the meeting was adjourned.


GOVERNOR - CHAIRMAN

ATTEST:


DIRECTOR - SECRETARY

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11-29-66

The Trustees of the Internal Improvement Fund met on this date in the Board Room of the office of the Governor, in the Capitol.

Present: Haydon Burns Governor
Fred O. Dickinson, Jr. Comptroller
Doyle Conner Commissioner of Agriculture

Robert C. Parker Director

The minutes of the meeting of November 29, 1966, were approved as submitted.

BREVARD AND PALM BEACH COUNTIES - The following three (3) applications were presented from abutting upland owners who desired to purchase submerged lands:

1. BREVARD COUNTY - File No. 1894-05-253.12. Grusenmeyer & Associates, for Poe Investment, Inc., the abutting upland owner, offered \$1,500.00 per acre, the value reported by the Staff Appraiser, for purchase of a parcel of submerged land in the Indian River in Section 34, Township 21 South, Range 35 East, and Section 3, Township 22 South, Range 35 East, in the City of Titusville landward of the established bulkhead line, containing 9.376 acres in Brevard County.
2. BREVARD COUNTY - File No. 1895-05-253.12. Grusenmeyer & Associates, for Edward G. Nelson, the abutting upland owner, offered \$1,500.00 per acre, the value reported by the Staff Appraiser, for purchase of a parcel of submerged land in the Indian River in Section 3, Township 22 South, Range 35 East, in the City of Titusville landward of the established bulkhead line containing 3.18 acres in Brevard County.
3. PALM BEACH COUNTY - File No. 1936-50-253.12. Brockway, Owen and Anderson Engineers, for Frank G. Richert, the abutting upland owner, offered \$1,401.00 per acre, the price approved by the Staff Appraiser, for purchase of a parcel of submerged land in Lake Worth in Sections 3 and 4, Township 43 South, Range 43 East, in the City of West Palm Beach landward of the established bulkhead line, containing 0.161 acre in Palm Beach County.

Motion was made by Mr. Conner, seconded and unanimously adopted, that the land in the above three applications be advertised for objections only.

COLLIER COUNTY - Presented to the Trustees with recommendation for approval was a bulkhead line established by the Board of County Commissioners of Collier County on November 12, 1963, located along the northerly and southerly banks of Henderson Creek in Section 9, Township 51 South, Range 26 East, Collier County. All required exhibits were furnished and there were no objections at the local level or filed in the Trustees' office.

On motion by Mr. Dickinson, seconded and unanimously adopted, the Trustees formally approved the bulkhead line.

MANATEE COUNTY - File No. 1941-41-253.12(1) William C. Grimes made application on behalf of Marina Villa, Inc., for conveyance under the provisions of Section 253.12(1) Florida Statutes, of a parcel of sovereignty land in Palma Sola Bay in Section 2, Township 35 South, Range 16 East, Manatee County, containing 1.3 acres which was filled subsequent to May 29, 1951, and prior to June 11, 1957. The applicant offered the appraised value of the submerged land as it existed prior to filling, \$200.00 per acre, Staff recommended approval.

Motion was made by Mr. Dickinson, seconded and adopted without objection, that the Trustees authorize issuance of appropriate instrument of conveyance.

PINELLAS COUNTY - Pinellas County Water and Navigation Control Authority made application on behalf of Sanford D. Averett, Jr., for a state commercial dock permit authorizing construction of covered boat slips and a dock in St. Josephs Sound at the applicant's upland property described as part of Block 6 in the Town of Ozona, formerly known as Yellow Bluffs, in Pinellas County. All required exhibits, including \$100.00 processing fee, were submitted and the Staff recommended approval.

On motion by Mr. Conner, seconded and adopted without objection, the Trustees authorized issuance of commercial dock permit to the applicant.

TRUSTEES' FUNDS - Capitol Center. The Staff was advised by the Director of Capitol Center Planning Committee that Tallahassee City Lot 250 Original Plan of the City of Tallahassee, owned by the heirs of John A. Clemons, was available for purchase. Negotiations had been under way by representatives of this agency and the office of the Attorney General to acquire the property, but without success. A recent appraisal in depth was made by the Staff Appraiser. The owners indicated a willingness to sell for \$224,000.00, which was not in excess of the appraisal value recently set, and on this date the Staff requested authority to expend Trustees' funds to acquire the Clemons property, subject to approval of the title by the Attorney General and the handling of any legal questions that might be involved in this transaction.

The Director said that only one parcel would remain in that block, after purchase of the Clemons property. Suggestions were made that parking space and buildings might be used by the State in this expanded capitol center area.

Motion was made by Mr. Dickinson, seconded and adopted without objection, that Trustees' funds in the amount of \$224,000.00 be made available for acquisition of the parcel, subject to approval of title and handling of any legal questions by the office of the Attorney General.

TRUSTEES' FUNDS - On October 4, 1966, the Trustees approved the expenditure of Trustees' funds in the amount of \$19,820.00 for construction of a new greenhouse at the Governor's Mansion, to be built in the block immediately south of the mansion property. Subsequently, Mr. Terry C. Lee, Coordinator for the Board of Commissioners of State Institutions, advised the Trustees' office that after the award of the original contract in the amount of \$19,820.00, it was determined that a more substantial foundation would be required. A contract for construction of the greenhouse was let for the sum of \$18,840.00, and request was made for an additional sum of \$4,250.20 from the Trustees to be used for a more substantial

foundation and for extending piping for gas, water and electricity for the greenhouse.

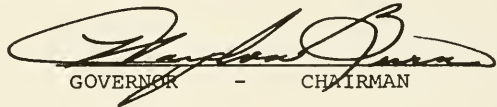
Motion was made by Governor Burns, seconded by Mr. Dickinson and adopted without objection, that Trustees' funds be granted in the additional amount requested, which would make a total amount of \$23,090.20 for the greenhouse project for the Governor's Mansion.

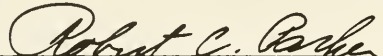
SUBJECTS UNDER CHAPTER 18296

INDIAN RIVER COUNTY - John R. Gould, Attorney, on behalf of D. Victor Knight and Lloyd S. Knight, as Executors of the Last Will and Testament of John M. Knight, deceased, requested that the Trustees waive the usual regulations as to size limitation for release of oil, mineral and fissionable material rights reserved in Indian River County Murphy Act Deed No. 919 dated April 15, 1952, for approximately six (6) acres of land in Tract 11, Section 3, Township 33 South, Range 38 East, Indian River County, for the parcel to be used as a site for a motel, office, restaurant and parking area. Under the statutory provisions the whole area might not be considered a building site, but the Staff felt that for a consideration of \$120.00 the State of Florida would be compensated for the oil, mineral and fissionable material interest.

Motion was made by Mr. Dickinson, seconded and adopted without objection, that the oil, mineral and fissionable material interest be released by appropriate instrument upon payment of \$120.00.

On motion duly adopted, the meeting was adjourned.


GOVERNOR - CHAIRMAN

ATTEST: 
DIRECTOR - SECRETARY

* * * * *

The Trustees of the Internal Improvement Fund met on this date in the Board Room of the office of the Governor, in the Capitol.

Present:	Haydon Burns	Governor
	Fred O. Dickinson, Jr.	Comptroller
	Broward Williams	Treasurer
	Earl Faircloth	Attorney General
	Doyle Conner	Commissioner of Agriculture

James T. Williams Staff Member

Upon motion duly adopted, the Trustees approved the minutes of the meeting of December 6, 1966.

BREVARD COUNTY - File No. 1547-05-253.12. On October 18, 1966, the Trustees considered application from Spielvogel and Goldman, on behalf of N. A. Rossman, et al, the abutting upland owners, with offer of the appraised price, \$1,840.00 per acre, for a parcel of submerged land in Newfound Harbor in Section 36, Township 24 South, Range 36 East, lying easterly of and abutting Government Lot 1 and all that part of Government Lot 2, lying north of State Road No. 520, in said Section 36, landward of the established bulkhead line in Brevard County, originally described as 23.8 acres, more or less.

The Board of County Commissioners of Brevard County adopted a resolution on October 20, 1966, requesting dedication, with the consent of the upland owners, of right of way for public road purposes, running northerly and southerly across the parcel sought for purchase. The right of way area contained 5.20 acres, thereby reducing the acreage in the application parcel from 23.8 to 18.60 acres, more or less.

The submerged land was advertised for objections only in the Cocoa Tribune, proof of publication filed, and no objection received.

Motion was made by Mr. Dickinson, seconded by Mr. Williams and adopted unanimously, that the Trustees grant the request of the Board of County Commissioners for dedication of the 5.20 acre parcel to Brevard County for public road right of way use, and confirm sale of 18.60 acres to the applicant at the price offered.

BREVARD COUNTY - File No. 1748-05-253.12. On October 25, 1966, the Trustees considered application from Buckner Realty Surveying & Engineering, on behalf of Deane H. Stokes, abutting upland owner, with offer of the price approved by the Staff Appraiser, \$1,060.00 per acre, for purchase of a parcel of submerged land in the Indian River in Section 34, Township 27 South, Range 37 East, containing 1.07 acres, more or less, in the City of Melbourne, Brevard County, landward of the established bulkhead line. Notice of sale was published in the Melbourne Times, proof of publication filed, and no objection was received.

Motion was made by Mr. Dickinson, seconded and adopted without objection, that sale of the advertised parcel be confirmed in favor of the riparian owner.

BREVARD COUNTY - File No. 1916-05-253.12. On November 1, 1966, the Trustees considered application from Grusenmeyer and Associates, on behalf of Edward M. Poe and wife, abutting upland owners, for purchase of a parcel of submerged land in the Indian River in Section 15, Township 22 South, Range 35 East, landward of the established bulkhead line in the City of Titusville, Brevard County, containing 0.92 acre, more or less. Notice of sale was published in the Titusville Star-Advocate, proof of publication filed, and no objection to the sale was received.

On motion made by Mr. Williams, seconded and adopted without objection, the Trustees confirmed sale of the advertised parcel to the riparian owners at the price offered, \$1,500.00 per acre, the value approved by the Staff Appraiser.

CHARLOTTE COUNTY - File No. 1806-08-253.12. The Trustees gave further consideration to the application of Harvey L. Hobbs, abutting upland owner, who offered \$151.22 per acre, the value reported by the Staff Appraiser, for purchase of a tract of sovereignty land in Charlotte Harbor in Sections 25 and 36, Township 42 South, Range 22 East, and Section 30, Township 42 South, Range 23 East, containing 245.77 acres, more or less, lying westerly of and abutting the mean high water mark boundary of said Fractional Sections 25, 30 and 36, landward of the established bulkhead line. On the advertised sale date of November 22 the Trustees deferred action for three weeks in response to request for deferment made by State Representatives M. T. (Ted) Randell and J. Lorenzo Walker. In response to letter the Staff on November 23 directed to Charlotte County, a letter was received on November 28 from County Attorney Leroy Hill advising that he was instructed by the Board of County Commissioners to advise the Trustees' Staff that the County Board had no objection to the proposed sale as set forth, and a copy of this letter was forwarded to Senator Elmer Friday, Representative Randell, and Honorable T. I. Kennedy, Chairman of the County Commissioners.

On December 2 Representative Walker advised that since the County Commissioners of Charlotte County had no objection to the sale which appeared to be in accord with the law to the upland riparian owner, he had no further objections. Counsel for the applicant on December 6 by telephone advised the Staff that Representative Randell, in view of the action taken by Charlotte County, did not intend to take any further action concerning the proposed sale.

Mr. William H. Mellor, President of Lee County Conservation Association, by letter of December 11 restated opposition to the sale of sovereignty lands. Commissioner Conner called attention to this letter but noted that the Staff recommendation was for confirmation of the sale, which he would accept.

Staff had re-examined the application, and in the light of the developments set forth above and the position of the Board of County Commissioners, and it appearing that the area sought for purchase was located considerably landward of the established bulkhead line, recommended confirmation of the sale. Also, when the dredge and fill application to develop the land was submitted, the Staff recommended that the proposed channel around Crow Key and along the shoreline southerly to Lee County be reduced in width to 100 feet and the depth to minus 8 feet m.l.w. as recommended by the Board of Conservation Marine Biologist, Mr. Ken Woodburn, which reduction would minimize any adverse effects on marine values in the area.

Motion was made by Mr. Dickinson, seconded by Mr. Conner and adopted without objection, that the objections be overruled and sale of the advertised land confirmed in favor of the abutting upland owner at the appraised price of \$151.22 per acre.

MANATEE COUNTY - File No. 1913-41-253.12. On November 1, 1966, the Trustees considered application from Leffel Brown and wife, abutting upland owners, with offer of \$700.00 per acre, or \$100.00 minimum in this instance, for purchase of a parcel of submerged land in Sarasota Bay in Section 31, Township 35 South, Range 17 East, containing 0.10 acre, more or less, in the Town of Longboat Key, Manatee County, landward of the established bulkhead line. Notice of sale was published in the Bradenton Herald, proof of publication filed.

One objection filed by Miss Dorothy Julien, riparian owner of upland 300 feet distant from the application parcel, was based on deterioration of her seawall. In view of the information in the file, Staff recommended that the objection be overruled for the reason that such damage appeared in no way connected with nor could it be affected by the improvement of the small subject parcel.

Motion was made by Mr. Williams, seconded and adopted unanimously, that the objection be overruled and sale of the advertised parcel confirmed.

MONROE COUNTY - File No. 1926-44-253.12. On November 1, 1966, the Trustees considered offer of \$300.00 per acre, value approved by the Staff Appraiser, from Joseph A. Boyd and wife, abutting upland owners, for purchase of a parcel of submerged land in the Straits of Florida in Section 28, Township 61 South, Range 39 East, 2.02 acres, more or less, at Key Largo in Monroe County. Notice of sale was published in the Key West Citizen, proof of publication filed and no objection received.

Motion was made by Mr. Williams, seconded and adopted unanimously, that the sale be confirmed to the riparian owners at the price offered.

PALM BEACH COUNTY - File No. 1922-50-253.12. On November 1, 1966, the Trustees considered the application from Adair and Brady, Inc., on behalf of Lantana Boatyard, Inc., and Murrelle Marine, Inc., abutting upland owners, with offer of \$1,925.00 per acre, approved by the Staff Appraiser, for purchase of two (2) contiguous parcels of submerged land in Lake Worth in Section 34, Township 44 South, Range 43 East, containing a total of 0.511 acre, more or less, landward of the established bulkhead line in the Town of Lantana, Palm Beach County. Notice of sale was published in the Palm Beach Post, proof of publication filed and no objection received.

On motion made by Mr. Williams, seconded by Mr. Dickinson, and adopted without objection, the Trustees confirmed sale of the advertised parcels to the riparian owners at the price offered.

VOLUSIA COUNTY - File No. 1910-64-253.12. On November 1, 1966, the Trustees considered the application from Cooper Smith and wife, abutting upland owners, who offered \$450.00 per acre or \$100.00 minimum in this instance, for purchase of a parcel of

submerged land in the Halifax River in Section 28, Township 13 South, Range 32 East, containing 0.064 acre, more or less, in the City of Ormond Beach landward of the established bulkhead line, in Volusia County. Notice of sale was published in the Daytona Beach News, proof of publication filed and no objection received.

On motion made by Mr. Dickinson, seconded by Mr. Williams and adopted unanimously, the Trustees confirmed sale of the advertised parcel to the riparian owners at the price offered.

PALM BEACH COUNTY - File No. 1478-50-253.12; 1478-50-253.129. Wallis Associates, on behalf of Lucille deTar Colyer, the abutting upland owner, made application for a parcel of submerged land in Lake Worth in Sections 15 and 22, Township 42 South, Range 43 East, in the Village of North Palm Beach, Palm Beach County, landward of the established bulkhead line, containing 15.114 acres for which the Staff Appraiser reported a value of \$1,453.75 per acre.

Request was also made for a disclaimer under the provisions of Section 253.129 Florida Statutes, for a parcel of sovereignty land filled prior to June 11, 1957, containing 2.072 acres landward of the parcel sought for purchase.

Motion was made by Mr. Williams, seconded and adopted unanimously, that the 15.114 acres of submerged land be advertised for objections only, and that disclaimer under the provisions of Section 253.129 be issued to Lucille deTar Colyer for handling charge of \$10.00 for the 2.072 acres of filled land.

SHELL LEASES - The Trustees accepted as information the following report of remittances received by the Florida Board of Conservation from holders of shell leases for the month of November:

<u>Lease No.</u>	<u>Name of Company</u>	<u>Amount</u>
		\$
1703	Bay Dredging & Construction Co.	6,559.67
1718	Radcliff Materials, Inc.	10,263.00
1788	Benton & Company, Inc. (for September sales)	9,233.36
1917	Fort Myers Shell & Dredging Co.	550.50

CHARLOTTE COUNTY - The City of Punta Gorda by Resolution No. 350 adopted on December 6, 1966, requested dedication by the Trustees of 2.50 acres of submerged land in Charlotte Harbor in Section 6, Township 41 South, Range 23 East, lying bayward of upland owned by said city. The parcel was to be used for public purposes only.

Motion was made by Mr. Dickinson, seconded and approved without objection, that the Trustees dedicate the parcel of submerged land for public purposes only to the City of Punta Gorda.

HIGHLANDS COUNTY - Frank Souder Enterprises, Inc., made application for a commercial dock permit for construction of a 225-foot dock in Lake Jackson at applicant's upland property described as Lot 2, Block 94, Original Town of Sebring as recorded in Plat Book 3, Page 1, Public Records of DeSoto (now Highlands) County. The City Council agreed to adopt an ordinance allowing the construction of

the dock which would be for the use of residents of the Fountainhead Condominium. All required exhibits, including \$100.00 processing fee, were submitted and Staff recommended approval.

On motion made by Mr. Dickinson, seconded and adopted unanimously, the Trustees approved issuance of the commercial dock permit.

LEE COUNTY - In meeting October 11, 1966, the Trustees granted request of the State Road Department for dedication of a 0.75 acre parcel of submerged land in Matlacha Pass in Section 24, Township 44 South, Range 22 East, Lee County, for road right of way purposes in connection with construction of State Road 78, Section 12060-2504. Subsequently, requirements for the road were changed and the Road Department requested a corrective instrument amending the original description to an area of 0.98 acre.

On motion made by Mr. Dickinson, seconded and adopted unanimously, the Trustees authorized issuance of the amended dedication with corrected description.

OSCEOLA COUNTY - The Central and Southern Florida Flood Control District applied for right of way easement for canal construction purposes over a small parcel of the sovereignty bottoms of Lake Lizzie in Section 2, Township 26 South, Range 31 East, containing 1.3 acres in Osceola County.

Motion was made by Mr. Dickinson, seconded and adopted without objection, that the request of the District for right of way easement be granted.

PALM BEACH COUNTY - By Resolution No. 186-66 dated December 7, 1966, the City of Riviera Beach requested dedication for public purposes only of the submerged land in Lake Worth in Sections 28 and 33, Township 42 South, Range 43 East, lying within the lakeward extensions of the platted boundaries of 22nd Court, 21st Street, Old Slip Road and the city's public park at the foot of 13th Street, all out to the established bulkhead line, containing 2.041 acres.

Motion was made by Mr. Williams seconded by Mr. Dickinson and adopted without objection, that the Trustees approve issuance of dedication instrument to the City of Riviera Beach covering the land requested for public purposes only.

PALM BEACH COUNTY - File No. 1042-50-253.124. Staff recommended formal approval of the fill permit issued by the City of Boynton Beach on December 5, 1966, under the provisions of Section 253.124 Florida Statutes, to Frank E. Roush to fill the 1.205 acres of submerged land in Lake Worth in Section 22, Township 45 South, Range 43 East, Palm Beach County, conveyed by the Trustees.

On motion by Mr. Dickinson, seconded and adopted without objection, the Trustees formally approved the fill permit issued by the City of Boynton Beach to Mr. Roush.

SUBJECTS UNDER CHAPTER 18296

Report No. 898 was presented, listing 1 regular bid for sale of

land in Hamilton County under provisions of Chapter 18296, Acts of 1937, the Murphy Act.

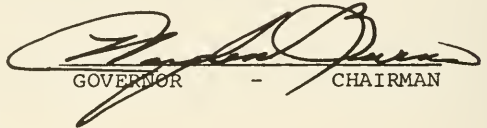
On motion by Mr. Dickinson, seconded and adopted without objection, the Trustees approved Report No. 898 and authorized execution of deed pertaining thereto.


LEVY COUNTY - The Board of County Commissioners of Levy County offered \$50.00 for two parcels of land which were certified to the State of Florida under tax sale certificates 873 of 1930 and 1816 of 1933, described as the W½ of Lots 1 and 2, Block 14, Montbrook, in Levy County. The purpose stated for acquisition of the land was for construction of a polling place.

The Staff recommended conveyance under the provisions of Chapter 21684, Acts of 1943, without advertisement and public sale, for the price offered by the county.

Motion was made by Mr. Dickinson, seconded and adopted unanimously, that the two parcels of land be conveyed under Chapter 21684 to the Board of County Commissioners of Levy County for \$50.00.

On motion duly adopted, the meeting was adjourned.


GOVERNOR - CHAIRMAN

ATTEST: 
STAFF MEMBER

* * * * *

Tallahassee, Florida
December 20, 1966

The Trustees of the Internal Improvement Fund met on this date in the Board Room of the office of the Governor, in the Capitol.

Present: Haydon Burns Governor
Broward Williams Treasurer
Earl Faircloth Attorney General
Doyle Conner Commissioner of Agriculture

Robert C. Parker Director

MONROE COUNTY - File No. 1942-44-253.12. The abutting upland owner, Edwin E. Crusoe, IV, made application to purchase a parcel of submerged land in Niles Channel in Section 19, Township 66 South, Range 29 East, containing 1.0 acre at Middle Torch Key in Monroe County. A value of \$300.00 per acre for the parcel was approved by the Staff Appraiser.

Motion was made by Mr. Conner, seconded and adopted, that the parcel be advertised for objections only.

INDIAN RIVER COUNTY - File No. 21550-31-253.124. On motion by Mr. Faircloth, seconded and adopted without objection, the Trustees formally approved the fill permit issued by the Board of County Commissioners of Indian River County in meeting on December 7, 1966, under the provisions of Section 253.124 Florida Statutes, to Vero Beach Shores, Inc., to fill the small parcel of submerged land in the Indian River in Section 29, Township 33 South, Range 40 East, which was previously conveyed by the Trustees under the referenced file number.

MONROE COUNTY - On motion made by Mr. Conner, unanimously adopted, the Trustees granted request of the State Road Department for dedication for road right of way purposes of a parcel of sovereignty land at Ramrod Key in Section 32, Township 66 South, Range 29 East, Monroe County, necessary for the construction of streets on Ramrod Key under State Road project numbered Section 90503-2603.

OSCEOLA COUNTY - Motion was made by Mr. Faircloth, seconded by Mr. Conner and adopted unanimously, that the Trustees grant request of Central and Southern Florida Flood Control District for right of way easement for canal construction purposes over a small parcel of sovereignty bottom land in Lake Joel in Section 19, Township 25 South, Range 32 East, containing 10.0 acres in Osceola County.

OSCEOLA COUNTY - On May 25, 1965, the Trustees considered request from the City of Kissimmee for dedication of a portion of the submerged bottoms of Lake Tohopekaliga adjacent to a site to be used for construction of a steam generating plant, and grant of an easement for installation of a T-shaped diversion structure extending into the lake, and dredging for fill material. The Board approved the application in principle subject to submission of plans and legal descriptions of the parcels required by the city, which was the upland owner.

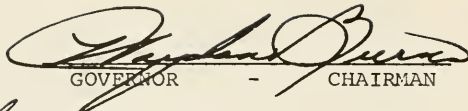
The City of Kissimmee submitted survey showing the specific bottom lands to be dedicated, containing approximately 19 acres in Sections 22, 27 and 28, Township 25 South, Range 29 East, Osceola County. The Director recommended approval in recognition of the benefit from the power plant project and also some park development in the area.

Motion was made by Mr. Conner, seconded and adopted unanimously, that the Trustees authorize dedication of the land required by the City of Kissimmee for the plant and easement for the diversion structure and dredging necessary for the project.

SUBJECTS UNDER CHAPTER 18296

On motion by Mr. Faircloth, seconded and adopted without objection, the Trustees approved Report No. 899 listing three (3) regular bids for sale of Murphy Act land in Hillsborough and Volusia Counties, and authorized execution of deeds pertaining thereto.

On motion duly adopted, the meeting was adjourned.


GOVERNOR - CHAIRMAN

ATTEST: 
DIRECTOR - SECRETARY

* * * * *

Tallahassee, Florida
December 27, 1966

The Trustees of the Internal Improvement Fund met on this date in the Board Room of the office of the Governor in the Capitol.

Present: Haydon Burns Governor
Broward Williams Treasurer
Earl Faircloth Attorney General
Doyle Conner Commissioner of Agriculture

Robert C. Parker Director

The Trustees formally approved minutes of the meetings held on December 13 and 20, 1966, which had been approved by the Attorney General.

DADE COUNTY - File No. 1034-13-253.12. Advertised for consideration of sale on this date and listed on the agenda was the application of Paul L. E. Helliwell, Trustee, abutting upland owner, to purchase a tract of submerged land in Biscayne Bay in Section 6, Township 55 South, Range 42 East, containing 27.7 acres lying westerly of and abutting Tracts D, E and F of Mashta Island Subdivision, Dade County.

Governor Burns called attention to the fact that Metro-Dade County had asked that action be withheld pending reconsideration by the county of the bulkhead line. By the adoption of Resolution No. R-1286-66 on December 6, 1966, Metro-Dade County Commissioners scheduled a public hearing on February 21, 1967, at which time consideration would be given to modification of the bulkhead line in the area where this parcel was located by amending the existing line so that it would be at the line of mean low water. The Governor said he would like to recognize the request of Dade County.

Motion was made by Attorney General Faircloth, seconded by Mr. Williams and adopted unanimously, that no action be taken in recognition of the resolution adopted by Metro-Dade County Commissioners and the request that the Trustees defer the hearing until after February 21, 1967.

DUVAL COUNTY - File No. 1923-16-253.12. On November 15, 1966, the Trustees considered application from A. M. Crabtree, Jr., on behalf of John T. Wood, the abutting upland owner, with offer of \$250.00 per acre for a tract of submerged land in the St. Johns River containing 30.0 acres, more or less, lying northerly of Lots 3 and 4, Bennett Park, as recorded in Deed Book "AI", page 396, and also

lying northwesterly of part of those filled and reclaimed lands lying northwesterly of Lots 1 and 2 of said Bennett Park and also lying northwesterly of the original shore line of a part of the F. Richard Grant, Section 53, Township 1 South, Range 27 East, Duval County, landward of the established bulkhead line. Notice of sale was published in the Florida Times Union, proof of publication filed, and no objections were received.

The Trustees took action to approve this sale, which action was rescinded upon consideration of the following application.

DUVAL COUNTY - File No. 1617-16-253.12. On May 11, 1965, due to objections filed by George Ferber, Howard L. Field and George Fish, and at the request of the applicant, the Trustees deferred action for consideration at a later date of the application by Lonnie Wurn, for The Leitman Company, abutting upland owners, with offer of \$250.00 per acre, the appraised price, for purchase of a parcel of submerged land in the St. Johns River in Section 29, Township 1 South, Range 27 East, landward of the established bulkhead line in Duval County. Due to refinement of the survey, the area was reduced from 10.08 to 9.68 acres.

When the John T. Wood application for land in the immediate area was advertised, Mr. Wurn requested that the application of The Leitman Company be presented to the Trustees on December 27 and he sent a copy of his letter to all the original riparian owners within 1000 feet, which included those objecting in 1965. The Staff agreed to reschedule the application, also notifying those riparian owners.

Mr. Field withdrew his objection. The Trustees' office received no word from Mr. Ferber. Mr. Fish, owner of property 600 feet East of the subject application, renewed his objection on the grounds that filling might cause debris to accumulate.

As the entire area included in the bulkhead line consisted of very shallow mud flats, some parts exposed at low tides, with a depth approximating 2.4 feet, according to information and the engineer's survey in the file, the Staff was of the opinion that development would be desirable and recommended that the objection be overruled and sale confirmed.

The objector, Mr. Ferber, was present on this date represented by counsel, Mr. Martin Sack, Jr. Mr. Sack said that the proposed extension into the river between 600 and 700 feet would create an irregular shoreline, cause problems of erosion, flooding, swirling eddies of currents, would trap debris deposits, and that the adverse effects on the property owners easterly of the application area would in fact coerce each successive land owner to the east to acquire submerged land in order to correct the problems caused by the proposed purchase and filling. Mr. Ferber said that the water depth was 10 feet to his knowledge, as he lived there.

Mr. Conner asked whether the local authorities had been requested to reconsider the bulkhead line. He pointed out to the objector that the Trustees took the position that the local governmental agency had set the bulkhead line where they considered it proper.

With reference to File No. 1617 and File No. 1923, motion was made by Governor Burns, seconded by Mr. Faircloth, and adopted unanimously that the Trustees withhold any action for ninety (90) days to afford the objectors opportunity to appeal to the Board of County Commissioners of Duval County for readjustment of the bulkhead line, for the reason that an extension of 700 feet from the shore into waters approximating 10 feet in depth appeared to be excessive.

LEE COUNTY - File No. 1911-36-253.12. On November 15, 1966, the Trustees considered application from Pine Island Shores, Inc., abutting upland owner, with offer of \$200.00 per acre, reported by the Staff Appraiser, for purchase of a parcel of submerged land in San Carlos Bay in Section 2, Township 46 South, Range 22 East, containing 2.5 acres, more or less, Pine Island, lying southerly of and abutting undivided Block A of Pine Island Shores Unit 5, landward of the established bulkhead line in Lee County. Notice of sale was published in the Fort Myers News-Press, proof of publication filed and no objection received.

On motion made by Mr. Conner, seconded and adopted unanimously, the Trustees confirmed sale of the advertised parcel to the riparian owner at the appraised price.

MONROE COUNTY - File No. 1908-44-253.12. On November 15, 1966, the Trustees considered application from James H. King and wife, abutting upland owners, with offer of \$425.00 per acre, value approved by the Staff Appraiser, for purchase of a parcel of submerged land in Blackwater Sound in Section 14, Township 61 South, Range 39 East, containing 1.0 acre at Key Largo in Monroe County. Notice of sale was published in the Key West Citizen, proof of publication filed and no objection received.

On motion made by Mr. Williams, seconded and adopted unanimously, the Trustees confirmed sale of the advertised parcel to the riparian owners at the appraised price.

MONROE COUNTY - File No. 1924-44-253.12. On November 15, 1966, the Trustees considered application from Wynken, Blynken and Nod Estates, Inc., abutting upland owner, with offer of \$300.00 per acre, value approved by the Staff Appraiser, for purchase of a parcel of submerged land in the Straits of Florida southeasterly of and adjacent to a part of Gov't Lot 2 in Section 12, Township 62 South, Range 38 East, 0.49 acre, more or less, at Key Largo in Monroe County. Notice of sale was published in the Key West Citizen, proof of publication filed and no objection received.

On motion made by Mr. Williams, seconded and adopted unanimously, the Trustees confirmed sale of the advertised parcel to the riparian owner at the appraised price.

MONROE COUNTY - File No. 1925-44-253.12. On November 15, 1966, the Trustees considered application from Martin N. Rosen and wife, abutting upland owners, with offer of \$200.00 per acre or \$100.00 minimum in this instance, for a parcel of submerged land in the Straits of Florida in Section 14, Township 67 South, Range 27 East, containing 0.38 acre, more or less, at Sugarloaf Key in Monroe County. Notice of sale was published in the Key West Citizen, proof of publication filed and no objection received.

On motion by Mr. Williams, seconded and adopted unanimously, the Trustees confirmed sale of the advertised parcel to the riparian owners at the price offered.

MONROE COUNTY - File No. 1930-44-253.12. On November 15, 1966, the Trustees considered application from Boyd A. Burkhardt and wife, abutting upland owners, with offer of \$300.00 per acre, price approved by the Staff Appraiser, for purchase of a parcel of sub-

merged land in the Bay of Florida in Section 14, Township 62 South, Range 38 East, containing 0.6 acre, more or less, at Key Largo, Monroe County. Notice of sale was published in the Key West Citizen, proof of publication filed and no objection received.

On motion by Mr. Williams, seconded by Mr. Conner and adopted unanimously, the Trustees confirmed sale of the advertised parcel to the riparian owners at the price offered.

MONROE COUNTY - File No. 1932-44-253.12. On November 15, 1966, the Trustees considered application from Lena Moye, abutting upland owner, with offer of \$300.00 per acre, price approved by the Staff Appraiser, for purchase of a parcel of submerged land in the Bay of Florida in Section 6, Township 62 South, Range 39 East, 0.57 acre, more or less, at Key Largo in Monroe County. Notice of sale was published in the Key West Citizen, proof of publication filed and no objection received.

On motion by Mr. Williams, seconded and adopted unanimously, the Trustees confirmed sale of the advertised parcel to the riparian owner, at the price offered.

MONROE COUNTY - File No. 1933-44-253.12. On November 15, 1966, the Trustees considered application from Ruth L. Moss, abutting upland owner, with offer of \$300.00 per acre, approved by Staff Appraiser, for purchase of a parcel of submerged land in the Bay of Florida in Section 18, Township 63 South, Range 38 East, 0.35 acre, more or less, at Plantation Key in Monroe County. Notice of sale was published in the Key West Citizen, proof of publication filed and no objection received.

On motion by Mr. Williams, seconded and adopted unanimously, the Trustees confirmed sale of the advertised parcel to the riparian owner at the price offered.

PALM BEACH COUNTY - File No. 1919-50-253.12. On November 15, 1966, the Trustees considered application from James R. Brandon and wife, abutting upland owners, with offer of \$1209.13 per acre, value approved by Staff Appraiser, for a parcel of submerged land in Lake Worth in Section 34, Township 43 South, Range 43 East, in the City of West Palm Beach landward of the established bulkhead line, containing 0.37 acre, more or less, in Palm Beach County. Notice of sale was published in the Palm Beach Post, proof of publication filed in the Trustees' office.

An objection from the City of West Palm Beach was later withdrawn. An objection filed by James R. Stewart, Jr., on behalf of Jack R. Tyng, owner of riparian property 800 feet southerly of the application parcel, was based mainly on conservation of natural resources. In the opinion of the Staff, based on non-adverse report filed by the Board of Conservation as to the effects of filling in Lake Worth, the objection was not valid. There had been five other sales adjacent to the application for filling in Lake Worth, all landward of an amended bulkhead line reviewed by the City of West Palm Beach.

Motion was made by Mr. Williams, seconded and adopted without objection, that the protest be overruled and sale of the advertised parcel be confirmed in favor of the riparian owners at the price offered, \$1,209.13 per acre.

PALM BEACH COUNTY - File No. 1921-50-253.12. On November 15, 1966, the Trustees considered application from Lena Wells and Annetta Wells, abutting upland owners, with offer of \$1,923.00 per acre, approved by the Staff Appraiser, for purchase of two contiguous parcels of submerged land in Lake Worth in Section 28, Township 42 South, Range 43 East, containing 0.145 acre, more or less, in the City of Riviera Beach landward of the established bulkhead line in Palm Beach County. Notice of sale was published in the Palm Beach Post, proof of publication filed and no objection received.

On motion by Mr. Conner, seconded and adopted without objection, the Trustees confirmed sale of the advertised parcels to the riparian owners at the price offered.

BREVARD COUNTY - File No. 1948-05-253.12. Grusenmeyer and Associates, on behalf of Titusville Causeway Land Corporation, abutting upland owner, offered \$1,500.00 per acre, value approved by the Staff Appraiser, for a parcel of submerged land in the Indian River in Section 3, Township 22 South, Range 35 East, containing 0.57 acre in the City of Titusville landward of the established bulkhead line in Brevard County.

On motion by Mr. Conner, seconded and adopted unanimously, the Trustees authorized advertisement of the parcel for objections only.

DADE COUNTY - File No. 1887-13-253.12. James H. Sweeny, III, on behalf of Louis J. Hector, et al, abutting upland owners, offered \$3,888.00 per acre, value approved by the Staff Appraiser, for a parcel of submerged land in Biscayne Bay in Section 28, Township 54 South, Range 41 East, 0.462 acre in the City of Miami landward of the established bulkhead line in Dade County.

On motion by Mr. Conner, duly adopted, the Trustees authorized the parcel to be advertised for objections only.

INDIAN RIVER COUNTY - File No. 1946-31-253.12. R. D. Carter Engineering Firm, on behalf of Ralph D. Hostetler et ux, abutting upland owners, offered \$200.00 per acre, the value approved by the Staff Appraiser, for a parcel of submerged land in the Indian River in Section 33, Township 30 South, Range 39 East, 1.93 acres in the Ambersand Beach area landward of the established bulkhead line in Indian River County.

On motion by Mr. Conner, duly adopted, the Trustees authorized the parcel advertised for objections only.

DADE COUNTY - File No. 714-13-253.124; SAKSP Permits (62-278) The Staff submitted the following information so that the Board might be fully advised with respect to the developments in the matter of the dredge and fill permit issued by Dade County to Malcolm B. Wiseheart and Marshall C. Wiseheart, which the Trustees denied approval of on August 23, 1966.

On December 29, 1964, the Trustees, based on an unfavorable conservation report, refused to grant formal approval of said dredge and fill permit. In 1966 the applicants instituted litigation in Circuit Court of Leon County against the Trustees which resulted in declaratory decree in which the Court declared it was the duty of the Trustees

to give formal approval, which decree was dated June 7, 1966. On June 28, 1966, the Trustees considered the matter but deferred action to give the Attorney General an opportunity to ascertain whether or not grounds for appeal existed. On August 23 the Trustees denied approval of the dredge and fill permit, after a thorough review of the case.

Supplemental proceedings were instituted by counsel for the applicants requesting an order for coercive relief against the Trustees, and on December 15, 1966, Judge Hugh M. Taylor issued an order requiring the Trustees to give formal approval to the permit to dredge and fill as covered by Resolution No. 7896 of Dade County Board of County Commissioners dated September 25, 1962, in accordance with the duty adjudged by the Court in its declaratory decree of June 7, 1966. The order further required that the Trustees complete all action necessary to give and record the formal approval as therein ordered within 20 days from and after December 15, 1966, and the order contained a provision whereby notice of appeal in this litigation shall act as and constitute a supersedeas of this order pending disposition of this appeal.

The Staff suggested that the Trustees might wish to authorize the Attorney General to take whatever steps were necessary in his opinion to afford adequate protection to the interest of the Trustees of the Internal Improvement Fund.

Mr. Faircloth said it would be in conformity with the previous decision of the Trustees to take the necessary steps to file an appeal.

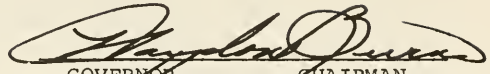
Motion was made by Mr. Williams, seconded by Mr. Faircloth and adopted unanimously, that the Trustees authorize the Attorney General to proceed with the necessary action to protect the Trustees' interest.

PINELLAS COUNTY - File No. 641-52-253.124. Motion was made by Mr. Williams, seconded and adopted unanimously, that the Trustees grant formal approval of Fill Permit DF-113 issued to Waterways Development Corp., Arthur, Inc., and Van Jim, Inc., by Pinellas County Water and Navigation Control Authority in meeting November 22, 1966, under the provisions of Section 253.124 Florida Statutes, to fill 67.2 acres of submerged land in Boca Ciega Bay in Section 3, Township 32 South, Range 16 East, conveyed to the applicants by the Trustees under the referenced file number.

BREVARD COUNTY - Upon motion by Mr. Conner, seconded and adopted without objection, the Trustees approved assignment of Purchase Contract No. 24269(1749-05) from Florida-Ozier Enterprises, Inc., to The Oakland Consolidated Corporation, copy of assignment and acceptance of assignment by assignee having been filed in the Land Office.

BREVARD COUNTY - At the request of City Attorney T. David Burns and Mayor Richard Thurm of the City of Cape Canaveral, the Trustees took no action and ordered withdrawn from the agenda the consideration of Resolution No. 66-25 adopted June 14, 1966, and Resolution No. 66-36 adopted August 11, 1966, by the City Council for the purpose of amending certain bulkhead lines in the Banana River in Brevard County.

Upon motion duly adopted, the meeting was adjourned.


GOVERNOR - CHAIRMAN

ATTEST: 
DIRECTOR - SECRETARY

* * * * *

Tallahassee, Florida
January 10, 1967

The Trustees of the Internal Improvement Fund met on this date in the Board Room of the office of the Governor in the Capitol.

Present: Claude R. Kirk, Jr. Governor
Fred O. Dickinson, Jr. Comptroller
Broward Williams Treasurer
Earl Faircloth Attorney General
Doyle Conner Commissioner of Agriculture

Robert C. Parker Director

Upon motion by Mr. Conner, seconded by Mr. Dickinson, unanimously adopted, the following resolution was adopted:

RESOLUTION

WHEREAS, it has been the custom of the Trustees of the Internal Improvement Fund to organize by designating the incoming Governor as Chairman of the Trustees;

NOW, THEREFORE, BE IT RESOLVED that the Trustees of the Internal Improvement Fund designate the Honorable Claude R. Kirk, Jr., Governor of Florida, as Chairman of the Trustees of the Internal Improvement Fund, and, pursuant to custom, in his absence the next member of the Trustees, according to the order in which their names appear designated in the Act creating the Internal Improvement Fund, shall preside as Chairman.

On this date at the request of the Governor, the Cabinet directed that the regular weekly meetings of the boards should begin at 10:00 A.M. on Tuesdays.

Motion was made by Mr. Williams, seconded by Mr. Faircloth, and adopted without objection, that the minutes of the meeting held on December 27, 1966, be approved as submitted.

CHARLOTTE AND MONROE COUNTIES - Five applications from abutting upland owners were presented with request for authority to advertise the submerged land in the local newspapers for objections only, in compliance with the requirement of the law. Attorney General Faircloth commented that although no objections to a sale may be received, from time to time some member of the Trustees might object and the Trustees reserved the right to decline to make any land sale.

Motion was made by Mr. Dickinson, seconded by Mr. Williams, and unanimously adopted, that the land in the following applications be advertised for objections only.

1. CHARLOTTE COUNTY - File No. 715-08-253.12. General Development Corporation, abutting upland owner, offered the appraised value of \$500.00 per acre for two (2) parcels of submerged land in the Peace River containing a total of 1.91 acres, more or less, in Sections 27 and 28, Township 40 South, Range 22 East, abutting uplands in Port Charlotte, Charlotte County, landward of the established bulkhead line.
2. CHARLOTTE COUNTY - File No. 716-08-253.12. General Development Corporation, abutting upland owner, offered the appraised value of \$500.00 per acre for twelve (12) parcels of submerged land in the Peace River containing a total of 6.90 acres, more or less, in Sections 26 and 27, Township 40 South, Range 22 East, abutting uplands in Port Charlotte, landward of the established bulkhead line in Charlotte County.
3. CHARLOTTE COUNTY - File No. 717-08-253.12. General Development Corporation, abutting upland owner, offered the appraised value of \$500.00 per acre for thirty (30) parcels of submerged land in the Myakka River containing a total of 20.80 acres, more or less, in Sections 18, 19, 30, 32 and 33, Township 40 South, Range 21 East, abutting uplands northerly and southerly of Myakka City, Charlotte County, landward of the established bulkhead line.
4. MONROE COUNTY- File No. 1947-44-253.12. Phillips Surveying Company, for Jarub Investments, Inc., the abutting upland owner, offered \$1,045.00 per acre, the value approved by the Staff Appraiser, for a parcel of submerged land in the Bay of Florida containing 0.69 acre, more or less, abutting uplands of the Island of Key West, Florida, in Township 67 South, Range 25 East, Monroe County.
5. MONROE COUNTY - File No. 1952-44-253.12. Bailey, Mooney, Post Associates, Inc., for Ralph W. Killian and wife, the abutting upland owners, offered the appraised price of \$425.00 per acre for a parcel of submerged land containing 2.18 acres, more or less, in Blackwater Sound in Sections 11 and 14, Township 61 South, Range 39 East, Key Largo, in Monroe County.

BREVARD, DADE AND MONROE COUNTIES - The following three land applications were advertised for consideration of sale on this date.

BREVARD COUNTY - File No. 1899-05-253.12. On November 29, 1966, the Trustees considered application from C. R. McCotter, Sr., and wife, abutting upland owners, with offer of \$1,500.00 per acre,

the value reported by the Staff Appraiser, for purchase of a parcel of submerged land in the Indian River containing 1.09 acres, more or less, in Section 3, Township 22 South, Range 35 East, in the City of Titusville, Brevard County, landward of the established bulkhead line.

Notice of sale was published in the Titusville Star-Advocate on December 9, 16, 23 and 30, 1966, proof of publication was filed and no objection to the sale was received.

Motion was made by Mr. Dickinson, seconded by Mr. Faircloth, and unanimously adopted, that the Trustees confirm sale of the advertised land to the riparian owners at the appraised price.

DADE COUNTY - File No. 1920-13-253.12. On November 22, 1966, the Trustees considered application from James M. Albert, Trustee for Mount Sinai Hospital of Greater Miami, Inc., a Florida corporation, the abutting upland owner, for purchase for a token payment amount of \$100.00 per acre of a tract of submerged land in Biscayne Bay in Sections 21, 22, 27 and 28 in Township 53 South, Range 42 East, containing 17.1 acres, more or less, at Miami Beach, Dade County, within the established bulkhead line, to be used for hospital purposes only. The tract abutted the two parcels of submerged land conveyed on March 25, 1959 by the Trustees to the hospital.

Notice of sale was published in the Miami Beach Sun on December 2, 9, 16 and 23, 1966, proof of publication filed and no protest to sale of the submerged land was received.

Motion was made by Mr. Dickinson, seconded by Mr. Williams and unanimously adopted, that the Trustees confirm sale of the advertised tract of land for a token payment of \$100.00 per acre to Mount Sinai Hospital of Greater Miami, Inc., for hospital purposes only, to accommodate enlargement of the hospital facilities.

MONROE COUNTY - File No. 1938-44-253.12. On November 29, 1966, the Trustees considered the application from Timothy Charles and Company, abutting upland owner, with offer of \$1,000.00 per acre, the value approved by the Staff Appraiser, for a parcel of submerged land in Key West Bight containing 1.24 acres, more or less, abutting uplands on the Island of Key West in Monroe County, being more particularly described in notice of sale which was published in the Key West Citizen on December 9, 16, 23 and 30, 1966. Proof of publication was filed in the Trustees' office and no objection to the sale was received.

Motion was made by Mr. Dickinson, seconded by Mr. Williams and unanimously adopted, that the Trustees confirm sale of the advertised land to the riparian owner at the appraised price offered.

SHELL LEASES - Motion was made by Mr. Dickinson, seconded by Mr. Williams, and adopted without objection, that the Trustees receive as information for the minutes the following report received of remittances to the Florida Board of Conservation from holders of shell leases:

<u>LEASE NO.</u>	<u>NAME OF COMPANY</u>	<u>AMOUNT</u>
1703	Bay Dredging & Construction Co.	\$ 6,723.88
1718	Radcliff Materials, Incorporated	10,064.60
1917	Fort Myers Shell and Dredging Co.	254.40

BROWARD COUNTY - Bulkhead Line. The City of Fort Lauderdale adopted Ordinance No. C-1900 on April 16, 1963, establishing a bulkhead line for Island "B" in Fort Lauderdale, Broward County. On March 31, 1964, the Trustees approved the bulkhead line with the exception of a small portion encompassing a point at the southeast corner of Island "B". It was felt by the Trustees that the line at that point as set by the city extended into the open waters too close to the adjacent upland property across the channel. In addition, it was recently discovered by the city that as a result of a ministerial or clerical error, the bulkhead line was incomplete in that it did not close mathematically.

Therefore, the City of Fort Lauderdale on December 20, 1966, adopted Ordinance No. C-66-81 amending by correcting the legal description in Section 1 of Ordinance No. C-1900, which new description withdrew the bulkhead line a distance of some 25 feet at that southeast corner, making a curve rather than an abrupt corner. The city requested formal approval by the Trustees of the amended portion of the bulkhead line as adopted by Ordinance No. C-66-81. Staff recommended approval.

Motion was made by Mr. Dickinson, seconded by Mr. Williams and adopted unanimously, that the Trustees grant formal approval of the bulkhead line in Section 12, Township 50 South, Range 42 East, as established by the City of Fort Lauderdale by Ordinance No. C-66-81 adopted on December 20, 1966.

BROWARD COUNTY - The City of Fort Lauderdale, Broward County, Florida, submitted Resolution No. 66-378 adopted by the City Commission on December 30, 1966, requesting dedication by the Trustees of a parcel of submerged land in Davock Bay in Section 12, Township 50 South, Range 42 East, Broward County, containing 0.26 acre, more or less, to be used for access road purposes to connect Island "B" to Isla Bahia in said city. Staff recommended dedication of the parcel subject to acceptable bridge specifications being agreed upon by the City of Fort Lauderdale in coordination with the United States Corps of Engineers.

On motion by Mr. Dickinson, seconded by Mr. Williams and adopted without objection, the Trustees authorized dedication of the parcel to the City of Fort Lauderdale for access road purposes subject to bridge specifications being acceptable to the appropriate authorities.

DUVAL COUNTY - In 1962 the United States of America instituted action against the Trustees for the purpose of acquiring by eminent domain the fee simple title to a strip of sovereignty land consisting of the foreshore of the beach bounded on the west by lands of the U. S. occupied by the Naval Station, Mayport, Duval County, and bounded on the east by the waters of the Atlantic Ocean, and extending southerly from the south jetty at the mouth of the St. Johns River for a distance of some 5,500 feet, for a total acreage of 29.04 acres. A declaration of taking vested the fee simple title to this parcel in the United States on October 6, 1962.

The Staff and the office of the Attorney General had been negotiating with the attorneys for the U. S. Government in an effort to re-vest title to the land in the Trustees, and to grant in lieu thereof an easement as to the same lands for governmental purposes for maintenance, operation and security of the U. S. Naval Station, Mayport, Florida, including the right to prohibit the public from

using the land for highway, bathing, recreation or any other purpose so long as needed for those U. S. purposes.

The Assistant United States Attorney handling the matter for the government submitted stipulation to accomplish that objective, and the office of the Attorney General examined the stipulation and approved the terms. The Staff, being of the opinion that it would be desirable to have the title re-vested in the Trustees subject to the easement granted to the United States as set forth above, recommended approval and authorization for the Attorney General to stipulate for and in behalf of the Trustees for this procedure.

Governor Kirk said he was sure that Duval County did not anticipate the moving of Mayport. The Staff felt that under the procedure outlined, the government would have the use of the land and the right to enforce security requirements.

Motion was made by Mr. Dickinson, seconded by Mr. Faircloth and unanimously adopted, that the Trustees approve the recommendation and authorize the Attorney General to stipulate for and in behalf of the Trustees for this procedure.

LEE COUNTY - Staff recommended formal approval of fill permit issued by the City of Fort Myers on October 16, 1966, to George Swetnick under the provisions of Section 253.124 Florida Statutes, to fill a parcel of submerged land in the Caloosahatchee River in Section 13, Township 44 South, Range 24 East, containing 2.81 acres in Lee County.

Chapter 6932, Laws of Florida, Acts of 1915, vested title in the City of Fort Myers to all submerged land in the Caloosahatchee River within the city limits as of the date of the Act. The city had deeded the parcel of submerged land in question to Mr. Swetnick. The Attorney General advised that the Trustees should formally approve the bulkhead line established by the city under provisions of Section 253.122, Florida Statutes, and should approve all permits issued by the city under the purview of Section 253.124.

On motion by Mr. Faircloth, seconded by Mr. Dickinson, and adopted without objection, the Trustees formally approved the fill permit issued by the City of Fort Myers on October 16, 1966, to Mr. Swetnick.

ORANGE COUNTY - The Central and Southern Florida Flood Control District made application for right of way easement for Canal 29 construction purposes over a parcel of sovereignty bottom land of Lake Hart in Sections 22 and 23, Township 24 South, Range 31 East, containing 9.6 acres, more or less, in Orange County. Staff recommended approval.

Motion was made by Mr. Dickinson, seconded by Mr. Faircloth, and adopted unanimously, that the parcel requested for canal construction purposes be made available by easement to the District.

VOLUSIA COUNTY - Bulkhead Lines. The City of Port Orange, in Volusia County, Florida, adopted Ordinance No. 41.06 on October 11, 1966, which described and re-approved all bulkhead lines located within the city limits theretofore adopted by the city. Also a new bulkhead map showing the location of all bulkhead lines

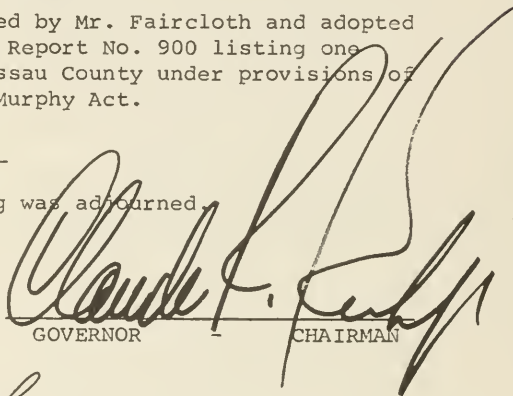
theretofore established within the city limits was prepared and forwarded to the Trustees of the Internal Improvement Fund. The City of Port Orange requested that the Trustees approve the action taken in consolidating into one ordinance and showing on one map the location of all bulkhead lines previously established in the city limits. Staff recommended approval.

On motion by Mr. Faircloth, seconded by Mr. Dickinson and adopted unanimously, the Trustees approved the request of the City of Port Orange for formal approval of all bulkhead lines formerly established within the city as consolidated into one city ordinance and shown on one map.

SUBJECTS UNDER CHAPTER 18296

On motion by Mr. Dickinson, seconded by Mr. Faircloth and adopted unanimously, the Trustees approved Report No. 900 listing one regular bid for sale of land in Nassau County under provisions of Chapter 18296, Acts of 1937 - the Murphy Act.

On motion duly adopted, the meeting was adjourned.



ATTEST: Robert C. Parker
DIRECTOR - SECRETARY

* * * * *

Tallahassee, Florida
January 17, 1967

The Trustees of the Internal Improvement Fund met on this date in the Board Room of the office of the Governor, in the Capitol.

Present: Claude R. Kirk, Jr. Governor
Fred O. Dickinson, Jr. Comptroller
Broward Williams Treasurer
Earl Faircloth Attorney General
Doyle Conner Commissioner of Agriculture

Robert C. Parker Director

On motion by Mr. Dickinson, seconded by Mr. Faircloth and adopted, the Trustees approved the minutes of the meeting of January 10, 1967.

BREVARD, CHARLOTTE, MONROE COUNTIES - The following three applications from abutting upland owners were presented with request for authority to advertise the submerged land for objections only.

1. BREVARD COUNTY - File No. 1957-05-253.12. Grusenmeyer & Associates, for Whitney A. Brown and wife, abutting upland owners, offered \$1,500.00 per acre, approved by Staff Appraiser, for purchase of a parcel of submerged land in the Indian River in Section 26, Township 22 South, Range 35 East, 1.265 acres, more or less, landward of the established bulkhead line in Brevard County.
2. CHARLOTTE COUNTY - File No. 1951-08-253.12. Farr, Farr & Haymans on behalf of Isap Realty Corporation, the abutting upland owner, offered \$500.00 per acre, or \$100.00 minimum in this instance, for purchase of a parcel of submerged land in Stump Pass Channel in Section 18, Township 41 South, Range 20 East, 0.06 acre, more or less, landward of the established bulkhead line in Charlotte County.
3. MONROE COUNTY - File No. 1956-44-253.12. Bailey, Mooney, Post Associates, for Kenneth W. Martin, abutting upland owner, offered \$425.00 per acre, price approved by Staff Appraiser, for purchase of a parcel of submerged land in the Straits of Florida in Section 29, Township 64 South, Range 36 East, 0.69 acre in Lower Matecumbe Key, Monroe County.

Motion was made by Mr. Conner, seconded by Mr. Dickinson and adopted unanimously, that the submerged land in the above three applications be advertised for objections only.

PALM BEACH COUNTY - File No. 1953-50-253.36. R. Bruce Jones on behalf of James A. Ball, Jr., and wife, abutting upland owners, made application for a parcel of reclaimed Lake Okeechobee bottom land in Sections 13 and 24, Township 43 South, Range 36 East, 1.894 acres in Palm Beach County. Offer of \$1,500.00 per acre, value approved by Staff Appraiser, was made for the 30-foot wide strip of land which was set aside by the Trustees in the original platting of the area as access road right of way. The County Commissioners of Palm Beach County in meeting on November 29, 1966, disclaimed all use rights in the parcel of reclaimed land.

Staff recommended conveyance without advertising in accordance with the usual policy of the Trustees for sale of such reclaimed lake bottom land to the abutting owner.

Motion was made by Mr. Dickinson, seconded by Mr. Williams and adopted unanimously, that the reclaimed land applied for by the abutting owner be sold at the appraised price.

GLADES COUNTY - Lykes Bros., Inc., applied for one-year extension of its Grazing Lease No. 2160 expiring on January 21, 1967, covering State Lot 4 in Section 34, Township 40 South, Range 32 East, containing 50.87 acres, more or less, lakeward of the levee. The lease provides for cancellation by the Trustees after 90-day written notice, with annual rental of \$3.00 per acre. Staff Appraiser reviewed and approved the current rental.

On motion by Mr. Conner, seconded by Mr. Williams, and adopted unanimously, the Trustees authorized one-year extension of the lease on the same terms and conditions.

SHELL LEASES - The State Board of Conservation on this date approved issuance of new shell lease between the Trustees of Internal Improvement Fund and Tampa Port Authority, as lessors, and Bay Dredging and Construction Company of Hillsborough County, as lessee, covering that part of the submerged land located in Tampa Bay within the statutory boundaries of Hillsborough and Pinellas Counties.

Shell leases are administered by the State Board of Conservation. The Trustees who are vested with title to submerged lands have the authority to execute the leases by virtue of the title being vested in them. Some of the area covered in the subject lease was granted to the Tampa Port Authority by Legislative Act, which accounts for that agency being named as a lessor.

Upon motion by Mr. Williams, seconded by Mr. Faircloth and adopted unanimously, the Trustees concurred with the State Board of Conservation in approving issuance of the new shell lease on the terms and conditions as outlined in a copy of the lease forwarded to the Trustees' office by the State Board of Conservation Staff.

MANATEE COUNTY - File No. 1913-41-253.124. Staff recommended formal approval of the fill permit issued by the Town of Longboat Key Commission in meeting September 13, 1966, under the provisions of Section 253.124 Florida Statutes, to Leffel Brown to fill the 0.10 acre parcel of submerged land in Section 31, Township 35 South, Range 17 East, Manatee County, which was conveyed by the Trustees under the referenced file number.

Motion was made by Mr. Dickinson, seconded by Mr. Faircloth and adopted without objection, that the Trustees formally approve the fill permit issued by the Town of Longboat Key to Mr. Brown.

MONROE COUNTY - The State Road Department requested dedication of a parcel of submerged land in Bogie Channel in Sections 13 and 14, Township 66 South, Range 29 East, for road right of way purposes. The parcel was needed for construction of a bridge between Big Pine Key and No Name Key, for SRD project identified as Section 90530-2617.

Motion was made by Mr. Conner, seconded by Mr. Dickinson and adopted without objection, that the parcel be dedicated to the State Road Department as requested.

PINELLAS COUNTY - Pinellas County Water and Navigation Control Authority submitted application on behalf of Dr. Joseph C. Rush for state permit for removal of 1,300 cubic yards of fill material from Boca Ciega Bay for improvement of the applicant's upland at Lot 10 and northerly 12 feet of Lot 11, Block E, Jungle Shores, south of Bay Pines in Pinellas County. Pinellas County Permit No. DO-148 was issued to the applicant, all necessary exhibits and payment for the fill material in the amount of \$65.00 were submitted. Staff recommended approval.

On motion by Mr. Dickinson, seconded by Mr. Williams, and adopted unanimously, the Trustees authorized issuance of state permit to Dr. Rush for removal of the requested amount of material to improve his upland property.

DUVAL AND PINELLAS COUNTIES - The following applications were presented for state commercial dock permits:

1. DUVAL COUNTY - Atlantic Dry Dock Corporation, to construct a marine railway into the St. Johns River on the northeast shore of the intersection of Sisters Creek near Fort George Island.
2. DUVAL COUNTY - Houdaille-Duval-Wright Company, to construct a pier for loading barges by use of Travelift gantry-type cranes on the north bank of the Trout River between the Seaboard Air Line Railroad bridge and the Atlantic Coast Line Railroad bridge just outside the corporate limits of Jacksonville.

Approved by Pinellas County Water and Navigation Control Authority and referred to Trustees for issuance of state permits:

3. PINELLAS COUNTY - Charles H. Kirk, to construct an addition to an existing dock in Clearwater Harbor at Lots 5 and 6, Unit 5, Bay Esplanade.
4. PINELLAS COUNTY - Otto H. Gerken, to construct a "T-head" dock in Boca Ciega Bay at Lot 6, Block 9, Treasure Island.
5. PINELLAS COUNTY - Warner S. McCall, to construct a dock in Boca Ciega Bay at Lots 11 and 12, Block 9, Treasure Island.

All required exhibits including \$100.00 processing fee were submitted for each, and the Staff recommended approval.

Motion was made by Mr. Dickinson, seconded by Mr. Conner and adopted unanimously, that state commercial dock permits be issued to each of the five above applicants.

POLK COUNTY - The City of Winter Haven, Florida, requested permission to dredge 7,000 cubic yards of material from Lake Lulu to improve the upland lakefront area for recreation in connection with the adjacent city baseball stadium complex and citrus exposition area. The Florida Game and Fresh Water Fish Commission inspected the site and approved the project. The city requested waiver of the required fee.

Motion was made by Mr. Conner, seconded by Mr. Williams and adopted unanimously, that permission be granted to the City of Winter Haven to dredge the requested amount of material from Lake Lulu for the municipal project, without charge.

SARASOTA COUNTY - Bulkhead Line. Sarasota County Water and Navigation Control Authority by Resolution No. 67-1-M adopted on December 27, 1966, amended an existing bulkhead line in Little Sarasota Bay south of Stickney Point Bridge in Section 20, Township 37 South, Range 18 East, Sarasota County. The marine biologist with the State Board of Conservation investigated the site and waived objection, as the area was not grassy nor a sport or commercial fishing ground. There were objection at the local public hearing based on conservation of water areas and opposition to any filling. Sarasota County advertised the bulkhead line, purchase of submerged land and proposed filling.

The Director explained that a former owner had built a dike in preparation for filling, which was stopped, that relocation of the

waterway would require removal of dredged material and finding a place for the material to be deposited, and that the objections to dredging and filling in the open waters of the Bay were not well founded.

Motion was made by Mr. Dickinson, seconded by Mr. Faircloth and adopted without objection, that the Trustees formally approve the amended bulkhead line adopted by Sarasota County Water and Navigation Control Authority on December 27, 1966.

VOLUSIA COUNTY - File No. 1939-64-253.129. Upon motion made by Mr. Dickinson, seconded by Mr. Faircloth and adopted without objection, the Trustees authorized issuance of a disclaimer for handling charge of \$10.00 to The Wedge, Inc., under the provisions of Section 253.129 Florida Statutes, covering a parcel of sovereignty land in the Halifax River in Section 5, Township 15 South, Range 33 East, Volusia County, which was filled prior to May 29, 1951.

COLLIER COUNTY - Refund. Request was made for issuance of refund in the amount of \$1,680.00 to T. E. Curcie, representing overpayment for fill material. The Trustees on June 14, 1966, approved a dredge and fill permit for Mr. Curcie to improve upland property in the unincorporated area of Collier County near Goodland, Florida. He forwarded a deposit in the amount of \$3,600.00 covering the cost of 200,000 cubic yards of fill material. On January 4, 1967, Tri-County Engineering, Inc., the firm in charge of the dredging operation, certified that the actual amount of fill material dredged was 66,000 cubic yards (\$1,920.00) instead of the 200,000 cubic yards purchased, and requested refund of the overpayment.

The Director said that after investigating the area to be dredged with the marine biologist of the State Board of Conservation, the Trustees' Staff in the public interest restricted the dredging operation so that the applicant was not able to get as much material as he had paid for. Staff recommended that refund be made.

Motion was made by Mr. Dickinson, seconded by Mr. Faircloth and adopted unanimously, that the recommendation be approved and refund of \$1,680.00 be made to T. E. Curcie.

TRUSTEES' FUNDS - On December 13, 1960, the Trustees authorized use of funds in the amount of \$57,873.00 to renovate a portion of the sub-basement in the south wing of the capitol building to provide accommodations for the Capitol Press Corps. Subsequent change orders made it necessary to advance additional funds to a total amount of \$61,786.00, which is being repaid, without interest, from rental received from occupants of the facilities. The balance as of January 1, 1967, was \$27,305.00.

Secretary of State Tom Adams, as custodian of the capitol building and chairman of the Capitol Center Planning Committee, forwarded a request that Trustees' funds be made available in an amount not to exceed \$5,000.00 for the purpose of remodeling the area so that it would accommodate more newsmen. This loan would be added to the balance due and would be repaid from additional rent to be received.

Mr. Parker said the Trustees were already committed in the facili-

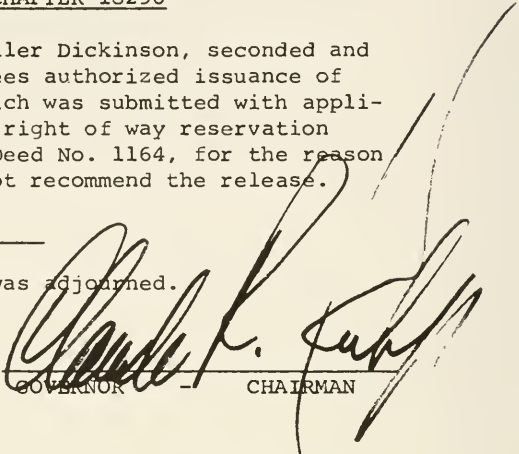
ties by reason of the loan made in 1960. He added that this loan was made without interest, but normally the Board required interest on advances of Trustees' funds.

Motion was made by Mr. Dickinson, seconded and adopted unanimously, that an amount not to exceed \$5,000.00 be advanced from Trustees' funds for accommodations for the Capitol Press Corps, said amount to be added to the balance due and to be repaid from rent receipts from occupants of the facilities in the capitol building.

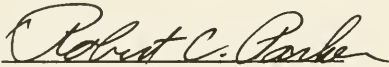
SUBJECTS UNDER CHAPTER 18296

DADE COUNTY - Upon motion by Comptroller Dickinson, seconded and adopted without objection, the Trustees authorized issuance of \$10.00 refund to Burton B. Loebl, which was submitted with application for release of the state road right of way reservation contained in Dade County Murphy Act Deed No. 1164, for the reason that the State Road Department did not recommend the release.

On motion duly adopted, the meeting was adjourned.



GOVERNOR - CHAIRMAN

ATTEST: 

DIRECTOR - SECRETARY

* * * * *

Tallahassee, Florida
January 24, 1967

The Trustees of the Internal Improvement Fund met on this date in the Board Room of the office of the Governor, in the Capitol.

Present: Claude R. Kirk, Jr. Governor
Fred O. Dickinson, Jr. Comptroller
Broward Williams Treasurer

Robert C. Parker Director

On motion duly adopted, the Trustees approved minutes of the meeting held on January 17, 1967.

The following five (5) applications were considered by the Trustees at their meeting held at 10:00 A.M. on this date although advertised for sales to be held at 2:00 P.M. The action taken by the Trustees was conditioned upon there being a staff member present in the Board Room at the hour of 2:00 P.M. (former regular scheduled time for meetings) to hear objections, if any, that might be submitted on this date in opposition to confirmation of subject sales. There were no persons present at the afternoon hour to register objections to any of the following five (5) sales.

BREVARD COUNTY - File No. 1894-05-253.12. On December 6, 1966, the Trustees considered application from Poe Investment, Inc., abutting upland owner, with offer of \$1,500.00 per acre, the value reported by Staff Appraiser, for purchase of a parcel of submerged land in the Indian River in Section 34, Township 21 South, Range 35 East, and Section 3, Township 22 South, Range 35 East, containing 9.376 acres, more or less, in the City of Titusville landward of the established bulkhead line in Brevard County. Notice of sale was published in the Titusville Star-Advocate, proof of publication filed, and no objection to the sale was received.

On motion by Mr. Dickinson, seconded by Mr. Williams, and adopted unanimously, the Trustees confirmed sale of the advertised parcel to the riparian owner at the appraised price.

BREVARD COUNTY - File No. 1895-05-253.12. On December 6, 1966, the Trustees considered application from Edward G. Nelson, the abutting upland owner, with offer of \$1,500.00 per acre, approved by the Staff Appraiser, to purchase a parcel of submerged land in the Indian River in Section 3, Township 22 South, Range 35 East, containing 3.18 acres, more or less, in the City of Titusville landward of the established bulkhead line in Brevard County. Notice of sale was published in the Titusville Star-Advocate, proof of publication filed, and no objection to the sale was received.

On motion by Mr. Dickinson, seconded by Mr. Williams, and adopted unanimously, the Trustees confirmed sale of the advertised parcel to the riparian owner.

MANATEE COUNTY - File No. 1935-41-253.12. On November 29, 1966, the Trustees considered application from Hugo R. Greisen and wife, abutting upland owners, with offer of \$800.00 per acre, the value approved by the Staff Appraiser, for purchase of a parcel of submerged land in the Manatee River in Section 20, Township 34 South, Range 17 East, containing 0.5 acre, more or less, landward of the established bulkhead line in Manatee County. Notice of sale was published in the Bradenton Herald, proof of publication filed and no objection received.

On motion by Mr. Dickinson, seconded by Mr. Williams, and adopted unanimously, the Trustees confirmed sale of the advertised parcel to the riparian owners.

PALM BEACH COUNTY - File No. 1936-50-253.12. On December 6, 1966, the Trustees considered application from Frank G. Richert, abutting upland owner, with offer of \$1,401.00 per acre, the value approved by the Staff Appraiser, for purchase of a parcel of submerged land in Lake Worth in Sections 3 and 4, Township 43 South, Range 43 East, containing 0.161 acre, more or less, in the City of West Palm Beach landward of the established bulkhead line in Palm Beach County. Notice of sale was published in the Palm Beach Post, proof of publication filed and no objection received.

On motion by Mr. Dickinson, seconded by Mr. Williams, and adopted unanimously, the Trustees confirmed sale of the advertised parcel to the riparian owner.

PALM BEACH COUNTY - File No. 1478-50-253.12. On December 13, 1966, the Trustees considered application from Lucille deTar Colyer, abutting upland owner, with offer of \$1,453.75 per acre, appraised price, for purchase of a tract of submerged land in Lake Worth in Sections 15 and 22, Township 42 South, Range 43 East, in the Village of North Palm Beach, abutting and surrounding Island No. Two in said Section 22, sometimes known as Little Munyon Island, containing 15.114 acres, more or less, within an established bulkhead line in Palm Beach County. Notice of sale was published in the Palm Beach Post, proof of publication filed.

Letter from the Mayor of the Town of Palm Beach Shores, located nearly two miles south of the proposed sale, reaffirmed opposition, set out in Town Resolution No. 56, to any sale of bottom land in Lake Worth and any dredging of state-owned land to be used as fill.

In view of the fact that the dredging operation would be largely within the right of way of the intercoastal waterway, and the parcel was in an area where previous dredging activities for navigation and reclamation had substantially destroyed the prime spawning and feeding grounds, the Staff felt that the objection should be overruled and the sale confirmed. The Florida Board of Conservation previously reported on the siltation in Lake Worth.

On motion by Mr. Dickinson, seconded by Mr. Williams, and adopted unanimously, the Trustees confirmed sale of the advertised parcel to the riparian owner.

MANATEE COUNTY - File No. 1955-41-253.12. Clyde H. Wilson on behalf of Edward J. O'Donoghue and wife, abutting upland owners, made application to purchase a parcel of submerged land in Sarasota Bay in Section 25, Township 35 South, Range 16 East, 0.195 acre in the Town of Longboat Key landward of the established bulkhead line in Manatee County. A value of \$700.00 per acre for the land was approved by the Staff Appraiser.

On motion by Mr. Dickinson, seconded by Mr. Williams and adopted unanimously, the Trustees authorized the parcel advertised for objections only.

CHARLOTTE COUNTY - Drilling Lease No. 224-B as Modified. Mobil Oil Company, the owner of an interest in Drilling Lease No. 224-B, as Modified, by assignment approved by the Trustees, had assumed the drilling requirements set forth in said lease and had applied for a drilling permit; but for reason beyond the control of the company the issuance of the drilling permit for a well located some five (5) miles offshore from Charlotte County upland was delayed until it was issued on December 13, 1966, by the State Board of Conservation conditioned upon the company furnishing a bond in the amount of \$500,000.00 to save the State of Florida harmless from any damage that might occur by reason of the drilling operations.

Subject lease had a balance of 1,379 feet to be drilled on or before March 27, 1966, to comply with the drilling requirements. On February 15, 1966, the Trustees extended the time within which to comply with the drilling requirements, and on August 30, 1966, an additional six months' extension was approved for the reason set forth in the minutes of those meetings.

On November 22, 1966, the Board of County Commissioners of Charlotte County adopted Resolution No. 66-54 which expressly prohibited the drilling operations authorized and contemplated by the drilling permit issued to Mobil Oil Company by the State Board of Conservation on December 13, 1966. In response to a request from the Staff, the Attorney General advised that in his opinion the county resolution was invalid and unless the Board of County Commissioners acted to repeal the resolution, he would recommend that the Trustees authorize institution of legal proceedings to have a court of competent jurisdiction pass on the validity of the resolution. Discussions with the Charlotte County Attorney indicated that the County Commission would be reluctant to take action to repeal the resolution.

The Director said that in his opinion the county was trying to invade the jurisdiction of the Trustees, that the county would prevent the drilling which was required by the state lease terms, that he thought the local concern regarding possible hazards from drilling operations had been magnified out of proportion. He advised that the county attorney indicated a desire to cooperate in event of legal action to test the validity of the county's action.

Mr. Williams expressed great concern at the situation and doubt as to how the litigation should proceed. He suggested that the lessee might take legal action, and that the situation called for study by an appropriate legislative committee as the county resolution was in conflict with the Trustees' statutory authority to regulate submerged land.

Governor Kirk said the county was in the position of contesting the jurisdiction of the state, that the Attorney General felt that the county resolution was invalid, and the Trustees should protect the state's interest. Mr. Dickinson said the Board would be on sound ground to proceed with litigation pending some action by the legislature.

Motion was made by Mr. Williams, seconded by Mr. Dickinson and adopted unanimously, that the Trustees authorize the Attorney General to institute proper legal proceedings to have the validity of the resolution of the Board of County Commissioners of Charlotte County tested.

Mr. Williams also made a motion, which was adopted without objection, that the Director be authorized to bring to the attention of the appropriate legislative committee the need for a review of this entire field with respect to the authority of the Trustees to execute and administer leases of these offshore submerged lands without unreasonable interference by reason of local zoning or other types of ordinances or resolutions which attempt to negate and nullify the authority of this state agency in this field.

In recognition of the delay contemplated by litigation, the Staff requested the Trustees to approve an extension for a period of six (6) months from and after March 27, 1967, within which Mobil Oil Company should be required to commence drilling operations required under terms of Drilling Lease No. 224-B, as Modified.

On motion by Mr. Dickinson, seconded by Mr. Williams and approved unanimously, the Trustees did approve such extension as recommended by the Staff.

DADE COUNTY - Application was presented from Oceancoast Corporation for a state commercial dock permit authorizing construction of a wharf and finger piers in Indian Creek at applicant's upland described as the S $\frac{1}{2}$ of Lot 12 and Lots 13 through 18, First Ocean Front Subdivision, Miami Beach, Dade County. All required exhibits, including \$100.00 processing fee, were submitted.

The Director said that the difficulty the Trustees had with Oceancoast in the matter of the building constructed on the outlot which had been conveyed with restrictive clause prohibiting a building, had been terminated by removal of the building as set forth in the Stipulation dated September 23, 1966, in Chancery No. 66C 359.

Motion was made by Mr. Dickinson, seconded by Mr. Williams and adopted without objection, that state commercial dock permit be issued to the applicant.

ESCAMBIA COUNTY - File No. 1960-17-253.129. Staff requested authority to issue (1) a disclaimer to the United States of America for handling charge of \$10.00 under the provisions of Section 253.129 Florida Statutes, for 5 separate parcels of sovereignty land in Perdido Bay in Section 4, Township 2 South, Range 32 West, which were filled prior to May 29, 1951, containing a total of 1.10 acres in Escambia County, and (2) dedication to the United States authorizing exclusive use of 5.68 acres in said Section 4 lying between the mean high water line and the mean low water line of the Perdido Bay adjacent to Outlying Landing Field Bronson, for security purposes.

In response to question by Mr. Dickinson, the Director said the Trustees' office had no knowledge of any objections, and it was for the defense establishment.

Motion was made by Mr. Dickinson, seconded by Mr. Williams and unanimously adopted, that the Trustees authorize issuance of the disclaimer and the dedication to the United States as requested.

GLADES COUNTY - T. M. Beck, holder of Grazing Lease No. 1077 which expired on November 14, 1966, requested a three-year extension on the same terms. The lease covered 100 acres of reclaimed Lake Okeechobee bottom land in the SE $\frac{1}{4}$ of Section 28, Township 40 South, Range 32 East, Glades County, and had required annual rent of \$1.00 per acre with provision for cancellation after 60-day written notice.

Staff Appraiser inspected the parcel and recommended annual rent of \$3.00 per year.

On motion by Mr. Williams, seconded by Mr. Dickinson, unanimously adopted, the Trustees authorized issuance of new lease to T. M. Beck for three years with annual rent of \$3.00 per acre, with other terms and conditions the same as in previous lease.

LEE COUNTY - File No. 1799-36-253.124. Motion was made by Mr. Dickinson, seconded by Mr. Williams, and unanimously adopted, that the Trustees formally approve fill permit issued by the Board of County Commissioners of Lee County in meeting September 7, 1966,

under the provisions of Section 253.124 Florida Statutes, to Palm Acres, Inc., to fill the 2.603 acres of submerged land in Section 34, Township 45 South, Range 23 East, Lee County, previously conveyed by the Trustees under the referenced file number.

PALM BEACH COUNTY - Florida Power and Light Company requested a 30-foot easement for the construction, operation and maintenance of an electric transmission and distribution line across three (3) parcels of land of the Trustees between Belle Glade and Pahokee in Palm Beach County, to be an additional source of supply and tie between the South Bay switching station direct to the Pahokee substation. The 13-mile route lay adjacent to roads, canals and railroads on the perimeter of the farming area, rather than through and across Trustees' lands. One tract of land that would be required was 10 acres in Agricultural Lease No. 1436 from the Trustees to Pahokee Farms, Inc., a second parcel of 1.3 acres was under Land Use Agreement No. 1433 to Belle Glade High School for agricultural education projects, and a third parcel of 1.5 acres was used by the City of Belle Glade under Permit No. 1144 for borrow pit purposes.

Each of the above lessees or permittees of the Trustees had submitted written approval consenting to the easement, and it was understood that the 10-acre parcel under lease to Pahokee Farms, Inc., would be deducted from the acreage under lease.

Florida Power and Light Company normally paid land owners fifty per cent of the land value for easement rights. However, due to the type of land involved and urgent need for the line, the company offered the full appraised fee value of \$1,500.00 per acre for the 12.8 acres, amounting to \$19,200.00.

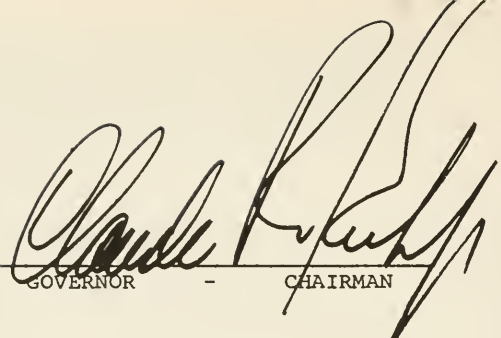
The easement would not destroy use of the land, but would impair it. Mr. Dickinson said the new lines were urgently needed for additional power in an area where the state owned land.

On motion by Mr. Williams, seconded by Mr. Dickinson, and adopted unanimously, the Trustees approved issuance of a 30-foot easement to the Florida Power and Light Company covering the three parcels of land for the charge of \$19,200.00.

VOLUSIA COUNTY - File No. 1958-64-253.12(1) Gautier and Chisholm on behalf of Holiday Harbors of America, Inc., applied for conveyance under the provisions of Section 253.12(1) Florida Statutes, of a parcel of sovereignty land in the Halifax River in Section 2, Township 16 South, Range 33 East, Volusia County, which was filled subsequent to May 29, 1951, and prior to June 11, 1957, containing 0.13 acre. Applicant offered the appraised value of \$300.00 per acre or \$39.00 for the parcel, being the value of the submerged land as it existed prior to filling, in accordance with the law.

On motion by Mr. Dickinson, seconded by Mr. Williams, and adopted unanimously, the Trustees approved the application for conveyance under the provisions of Section 253.12(1).

On motion duly adopted, the meeting was adjourned.


GOVERNOR - CHAIRMAN

ATTEST: 
DIRECTOR - SECRETARY

* * * * *

Tallahassee, Florida
January 31, 1967

The Trustees of the Internal Improvement Fund met on this date in the Board Room of the office of the Governor, in the Capitol.

Present: Claude R. Kirk, Jr. Governor
Fred O. Dickinson, Jr. Comptroller
Broward Williams Treasurer
Earl Faircloth Attorney General
Doyle Conner Commissioner of Agriculture

Robert C. Parker Director

Upon motion duly adopted, the minutes of the meeting of January 24, 1967, were approved as submitted.

MORATORIUM ON SUBMERGED LAND SALES - Attorney General Faircloth by memorandum dated January 20, 1967, to the other members proposed that the Trustees place a moratorium into effect on further sales of submerged land and reclaimed lake bottoms from this date until the adjournment of the 1967 regular session of the Legislature, except in cases where undue hardship or injustice would be caused, or the public interest thwarted, by such postponement. The purpose was to give the Legislature an opportunity to establish sound, clear, consistent and comprehensive policies in the administration of state-owned lands to assure the highest and best use, in the public interest. On this date, Mr. Faircloth made a motion that the Trustees put such a moratorium into effect.

Mr. Faircloth said that two legislative committees were working toward overall policies regarding disposition of the state's very valuable remaining land, especially the submerged land, that the Governmental Reorganization Committee was concerned with distribution of the lands now among various agencies, but that there was now an inventory of state-owned land. He said the Director had certain suggestions for legislation, and that the Board should take cognizance of the importance of having clear and comprehensive policies set by the Legislature. He pointed out a Circuit Court ruling that the Trustees had only ministerial and not discretionary duties, which should be clarified by legislation. He felt that the Board might be committed to sell land in certain circumstances but that the applicant should make a presentation of hardship or injustice such as, for example, that he had relied on what he thought the policy was, made commitments and expenditures of money.

He might vote on such an application that was pending, but would vote against any new application to purchase submerged land. In his opinion the public had rights to the waterfronts and public interest might not reside with a local municipality.

Only for the purpose of discussion, Mr. Conner seconded the motion, expressing doubt that he was in accord.

Mr. Williams said he and all the members were very much concerned with tightening up sales of state lands and preserving land for parks and recreation, which was being done now. Each application coming before the Board was checked, the Staff pointed out land with value for parks, each week they considered and made decisions as to whether land should be sold. He did not think he needed additional guidelines and would be very much concerned about denying the public the right to be heard. He asked the Attorney General to withdraw his motion for a week to give him an opportunity to be satisfied that the public would not be denied the right to have his application considered.

Governor Kirk said that this cabinet and prior ones had administered the policy with all due diligence, but since new policies might be needed, he suggested a reasonable time for the Trustees, who were probably more cognizant of the total planning picture, to review policies and mechanics and reach a consensus as to recommendations to present to the Legislature.

Mr. Dickinson understood what the Attorney General desired to accomplish but was concerned that there be some leeway where action was merited and applications were pending. He felt that geographic differences made completely different circumstances requiring individual consideration, which might cause confusion and problems if rules were inflexible. All were concerned, he thought, with any improvements needed, with conservation and prevention of exploitation of state land for private profit - but there were some meritorious private applications. He believed the Trustees carried out the intent of the Legislature as the policy now stood and they had no right to deny consideration, but he would support the motion if it did not prevent any citizen from coming before the Board.

Mr. Conner did not agree with placing a moratorium but said he had always concurred in retaining any land that had potential use for recreation or other public purpose. He pointed out that it was the legislative intent that the upland owner should have the use of land out to the bulkhead line, that it appeared that the proposal would be changing the law which he was not sure he wanted to do. The Trustees had the responsibility to recommend amendments to the law, but should not be premature. If an application was determined to offer no harm to conservation, an individual should not have to assume the burden of proving it was a hardship case. He thought an applicant would go along with a brief postponement, however.

Mr. Conner said it would be a big responsibility for the Staff to decide what was a hardship. The Director had already received calls regarding that. Mr. Dickinson said the Board would make that decision when considering applications which in the discretion of the Staff should be presented. Mr. Conner said his vote would be based on the Staff recommendation.

Senator Beth Johnson of Cocoa Beach, speaking in favor of the Attorney General's motion, said it did not indicate to her any criticism of past action of the cabinet but that a delay of eight weeks would not be long to allow time to review just what was

happening to the state-owned lands and set clear and concise policy on overall sales, and simple guidelines. She felt that agreeing to consider hardship applications would cover any eventuality, and while there were serious problems in Brevard County, for instance, she would strongly support the motion.

Governor Kirk offered as an amendment to the motion that the moratorium be limited to a period of 45 days within which time the Board would review the present policy, decide whether it was within the purview of propriety, and make recommendations for any needed legislation, allowing consideration in the meantime of pending applications with the hardship provisions as stated in the Attorney General's motion.

The amended motion was that the Trustees place a moratorium into effect on further sales of submerged land and reclaimed lake bottoms from this date for a period of 45 days, except in cases where undue hardship or injustice would be caused or the public interest thwarted by such postponement, and that the Trustees study the current policies with a view of formulating recommendations to be presented to the Legislature. The vote was as follows: Aye, Governor Kirk, Messrs. Faircloth, Dickinson and Conner; Nay, Mr. Williams.

The Trustees directed Mr. Parker to meet with the members for study of policies, need for improvements in procedures or policy, and to present the consensus of the Board to the appropriate legislative committees.

BREVARD COUNTY - Bulkhead Line; File Nos. 1943-05-253.12 and 1944-05-253.12.

The Board of County Commissioners of Brevard County by Resolution adopted October 20, 1966, amended the bulkhead line along the east shore of Merritt Island in Newfound Harbor in Section 36, Township 24 South, Range 36 East, and in Section 1, Township 25 South, Range 36 East, in Brevard County. There were no local objections. Plans for development within the line included a much-needed north-south highway, for which the County Commission by resolution requested the Trustees to dedicate the right of way. Riparian owners had submitted their written consent to this dedication. County Commissioner George King, Jr., advised that the right of way from State Road 520 north to State Road 528 had been acquired, that NASA had indicated an interest in constructing a road through their property north of State Road 528 to facilitate moving employees to their jobs in MILA. This route would reduce the traffic load using the main gate to the Cape.

In recognition of the public benefits by reason of construction of the road, the Staff felt justified in recommending approval of the bulkhead line. However, the Board of Conservation reported that the area was a productive nursery and feeding ground for marine animals important to commercial and sport fishing.

File No. 1943-05-253.12. Moore & Amari on behalf of Merritt Square Corporation, the abutting upland owner, applied to purchase a parcel of submerged land in Newfound Harbor in Section 36, Township 24 South, Range 36 East, landward of the above described bulkhead line. Mr. Frank Glussman was present to speak in behalf of this application, the development of which had been in progress for approximately two years and was now in the stage of closing negotiations with tenants for the shopping center and closing a loan. They had changed surveys to tie in with the county road plans, and would fill the road in the overall development. Mr. Glussman pointed

out that only 11.31 acres was applied for, and it was a hardship because a delay might jeopardize their financial arrangements. \$1,840.00 per acre was offered for the land.

File No. 1944-05-253.12. Coming within the same bulkhead line and adjacent to the above mentioned application was a parcel of submerged land in Newfound Harbor in Section 36, Township 24 South, Range 36 East, 12.44 acres, applied for by John M. Starling for General Canaveral, Inc., abutting upland owner. Offer of \$1,840.00 per acre was made for the land. The Staff recommended advertisement for objections only, considering that these two applications would come within the classification of hardship under the moratorium approved on this date.

The conservation report was read and discussed, the problem of the need for highway access recognized. Mr. deFrancisco, on behalf of Commissioner King, explained the urgency of the traffic problem, the time and work that had gone into planning, the saving in money, and that there would be a fine parkway with a considerable amount more of grassy bottoms and fish areas spared by the proposed road. He said the local legislative delegation was in favor and no objections were presented to the Board of County Commissioners.

At this point, the need for pumping of fill material for the road right of way and the two above applications was discussed. Mr. Faircloth asked whether the conservation report contemplated the damage that would be done by pumping, and the Director said that pumping would be from deep water areas and this did not cause the same damage as grassy bottoms.

In order to allow more investigation of possible damage to the conservation values, the Trustees, on the motion by Mr. Faircloth, seconded by Mr. Williams, and adopted unanimously, deferred for one week decision on the bulkhead line and two applications for purchase of submerged land.

HILLSBOROUGH COUNTY - File No. 1931-19-253.12. Also presented as a hardship case was the application of Lawrence J. O'Neill for Francis J. Corr, et ux, et al, abutting upland owners, for purchase of 3 separate tracts of submerged land in Tampa Bay in Sections 16, 17, 19, 20 and 30, Township 31 South, Range 19 East, totalling 350 acres, more or less, landward of part of the Apollo Beach development area. The land was appraised at \$125.00 per acre.

Adrian S. Bacon, an attorney of St. Petersburg, representing the applicants on this date, said the application did indeed fall within the undue hardship classification, that the Apollo Beach project began with wild swampy land, the bulkhead line was approved and part of the land in the master plan was purchased, development commenced, homes built, and several million dollars invested. Difficulties led to litigation, delay by reason of Federal Court restraining order affecting the whole project through no fault of his clients who were now trying to rehabilitate the project and complete the development. The application was for areas along the shoreline, inside areas already sold and filled; therefore, there appeared to be no basis for conservation problems.

Motion was made by Mr. Conner, seconded by Mr. Williams, and adopted unanimously, that the land be advertised for objections only.

SARASOTA COUNTY - File No. 1968-58-253.12. Another application presented as a hardship case on this date was that of Morris Trading Co., abutting upland owner, for which firm Butler & Weber filed offer of \$1,250.00 per acre, more than the appraised value, for a parcel of submerged land in Sarasota Bay in Section 20, Township 37 South, Range 18 East, 2.7 acres landward of established bulkhead line. The Director said that West Coast Inland Navigation District had been required to realign the waterway and the area applied for would be used for deposit of spoil material.

Gilbert Smith, representing the District, said realignment was required because of construction plans for a new bridge, and if the owner's offer to accept the spoil on upland as well as the submerged land in the application was not accepted, the only alternative would be to put spoil on areas of the open water. The Director pointed out that this will not constitute further encroachment into the bay but would be within the dike in place.

Motion was made by Mr. Conner, seconded by Mr. Faircloth and adopted, that the land be advertised for objections only.

CLAY COUNTY - Bulkhead Line. The Commission of the Town of Orange Park, Florida, by Resolution of December 6, 1966, established a bulkhead line in the St. Johns River offshore from Blocks 12 and 13, in Section 2, Town of Orange Park, located in Section 41, Township 4 South, Range 26 East, Clay County. All the required exhibits were furnished, there were no objections at the local hearing, and the Board of Conservation reviewed and offered no objection to the bulkhead line. Staff recommended formal approval of the bulkhead line.

Motion was made by Mr. Conner, seconded by Mr. Faircloth, and adopted unanimously, that the bulkhead line be formally approved.

MANATEE COUNTY - Bulkhead Line. By Resolution of January 10, 1967, the Board of County Commissioners of Manatee County vacated and deleted a portion of the bulkhead line established July 24, 1961, which, through error, extended inside the City Limits of the City of Palmetto. The intent of the Board of County Commissioners was to terminate the bulkhead line at the easterly city limits.

On motion by Mr. Faircloth, seconded by Mr. Williams and adopted unanimously, the Trustees approved the action taken by the Board of County Commissioners of Manatee County on January 10, 1967, to terminate the bulkhead line at the city limits by vacating and deleting from the established bulkhead line the portion which through error extended inside the city limits.

Volusia County - Bulkhead Line. The Board of County Commissioners of Volusia County by Resolution No. 67-12 dated January 19, 1967, established a bulkhead line along the west shore of Rose Bay in Section 23, Township 16 South, Range 33 East, Volusia County. All required exhibits were furnished, there were no local objections, and the Staff recommended approval. The Board of Conservation reviewed the line and offered no objections.

Motion was made by Mr. Williams, seconded by Mr. Conner and adopted, unanimously, that the Trustees formally approve the bulkhead line established by the Board of County Commissioners of Volusia County.

SHELL LEASE - LEE COUNTY - The Florida Board of Conservation approved issuance of a new dead shell lease between the Trustees and Fort Myers Shell and Dredging Company, Inc., covering six areas in the Caloosahatchee River mouth and in Charlotte Harbor. The new lease would supersede former Shell Lease No. 1917 held by Ft. Myers Shell Company, now a defunct company.

Staff recommended concurrent approval by the Trustees, and execution of a new lease on the terms and conditions as outlined in a copy of the instrument forwarded to the Trustees' office by the Board of Conservation.

Upon motion adopted unanimously, the Trustees, in concurrence with action taken on this date by the Board of Conservation, approved issuance of the new dead shell lease.

BREVARD COUNTY - File No. 1536-05-253.12. On November 16, 1965, the Trustees confirmed sale of 323.93 acres of submerged land in the City of Cocoa Beach in Sections 3, 4, 9 and 10 in Township 25 South, Range 37 East, Brevard County, to F. Burton Smith, et al, the upland owners. Approximately 82 acres of the whole was included in a deed, and the balance was in four separate purchase contracts. The tract conveyed by deed, including the 32.25 acres dedicated to the City of Cocoa Beach for municipal golf course extension, was filled and platted. In completing this operation, one part of the platted tract containing 1.28 acres, overlapped into the area under Purchase Contract No. 24177. One other part containing 2.655 acres overlapped into the parcel included in Purchase Contract No. 24178.

Before the plat could be accepted for record, the developer needed fee title to the two small parcels of 1.28 and 2.655 acres. The Staff requested authority to issue the two deeds and to adjust the two contracts accordingly. The Director said that the purchaser had made payments which more than covered the two parcels to be deeded.

On motion by Mr. Faircloth, seconded by Mr. Williams, and adopted without objection, the Trustees approved the request.

BREVARD COUNTY - File No. 1821-05-253.124. Staff recommended approval of fill permit issued by the County Engineering Department for the Board of County Commissioners of Brevard County under the provisions of Section 253.124 Florida Statutes, to Whyland, Inc., to fill the 5.50 acres of submerged land in Section 30, Township 24 South, Range 37 East, Brevard County, previously conveyed by the Trustees under the referenced file number.

Motion was made by Mr. Williams, seconded by Mr. Conner and duly adopted, that the Trustees formally approve the fill permit issued by Brevard County to Whyland, Inc.

PALM BEACH COUNTY - File No. 1922-50-253.124. Staff recommended formal approval of the fill permit issued by the Town of Lantana, in Palm Beach County, on December 21, 1966, under the provisions of Section 253.124 Florida Statutes, to Lantana Boatyard, Inc., and Murrelle Marine, Inc., to fill the two contiguous parcels of submerged land in Section 34, Township 44 South, Range 43 East,

containing a total of 0.511 acre, more or less, conveyed by the Trustees under the referenced file number.

Motion was made by Mr. Williams, seconded by Mr. Conner and duly adopted, that the Trustees formally approve the fill permit issued by the Town of Lantana.

PINELLAS COUNTY - Pinellas County Water and Navigation Control Authority submitted an application on behalf of Fred A. Wegner for a state permit authorizing removal of 500 cubic yards of fill material from Tampa Bay to improve his upland property at Lot 3, Gibbs Pinellas Subdivision in Section 14, Township 32 South, Range 16 East, Pinellas County. All required exhibits were received, \$25.00 payment for the material tendered. The Director advised that a marine biologist of the Board of Conservation worked with Pinellas Authority in such matters.

Motion was made by Mr. Conner, seconded by Mr. Williams, and adopted without objection, that the Trustees approve issuance of permit for removal of the amount of material requested by Mr. Wegner to be deposited on his upland property.

MARTIN COUNTY - File No. 342-43-253.12. Upon motion by Mr. Faircloth, seconded by Mr. Williams, and unanimously adopted, the Trustees authorized issuance of corrective deed for \$10.00 handling charge, to correct an error in Trustees' Deed No. 22126(342-43) dated May 20, 1959, to John S. Michaelson, wherein reference was made to the "North" line of Government Lot 1, which should have been the "South" line.

PINELLAS COUNTY - Deed No. 17650. Staff requested authority to issue corrective deed for \$10.00 handling charge, to correct the description in Deed No. 17650 dated May 17, 1926, issued to H. J. Ferris, wherein the description was referenced to the government meander line instead of the line of mean high water, thereby creating a hiatus between said line of mean high water and the point of beginning of the described parcel. The applicant, Frederick G. McFall, successor in title, submitted the \$10.00 fee.

On motion by Mr. Faircloth, seconded by Mr. Conner and adopted unanimously, the Trustees authorized issuance of the corrective deed.

WAKULLA COUNTY - C. C. C. Fishing Company, Inc., applied for a state commercial dock permit for construction of a 300-foot dock in Dickerson Bay at Lots 6, 7 and 8 of Block "I North" of Panacea Mineral Springs, in Wakulla County. All required exhibits were submitted, including \$100.00 processing fee. Staff recommended approval.

On motion by Mr. Williams, seconded by Mr. Conner and adopted unanimously, the Trustees authorized issuance of the permit.

SUBJECTS UNDER CHAPTER 10296

Motion was made by Mr. Conner, seconded by Mr. Faircloth, and

adopted unanimously, that Report No. 901 listing four (4) regular bids for sale of land in Alachua, Okaloosa and Washington Counties under Chapter 18296, Acts of 1937, be approved and execution of deeds pertaining thereto be authorized.

On motion duly adopted, the meeting was adjourned.

Claude R. Kirk, Jr.
GOVERNOR - CHAIRMAN

ATTEST: *Robert C. Parker*
DIRECTOR - SECRETARY

* * * * *

Tallahassee, Florida
February 7, 1967

The Trustees of the Internal Improvement Fund met on this date in the Board Room of the office of the Governor in the Capitol.

Present: Claude R. Kirk, Jr. Governor
Fred O. Dickinson, Jr. Comptroller
Broward Williams Treasurer
Earl Faircloth Attorney General
Doyle Conner Commissioner of Agriculture

Robert C. Parker Director

Upon motion duly adopted, the minutes of the meeting of January 31, 1967, were approved as submitted.

BREVARD COUNTY - Bulkhead Line; File Nos. 1943-05-253.12 and 1944-05-253.12.

On January 31, 1967, the Trustees postponed for one week their consideration of the amended bulkhead line along the east shore of Merritt Island in Newfound Harbor in Section 36, Township 24 South, Range 36 East, and in Section 1, Township 25 South, Range 36 East, Brevard County, which line was adopted on October 20, 1966, by the Board of County Commissioners. Plans for development inside the bulkhead line included a north-south highway for which the county requested dedication of right of way. The riparian owners had submitted written consent to the right of way. Applications to purchase submerged land within the amended bulkhead line were made by Merritt Square Corporation and General Canaveral, Inc., abutting upland owners.

The Florida Board of Conservation report was adverse, and subsequent to the last meeting objections were received from aviation interests that the bulkhead line extension jeopardized the existence of the county Central Brevard Airport. Staff suggested that only the northern portion of the bulkhead line be approved - about one-half

mile, to the section line, or that the county might revise the plan for the southern end so that the road would turn inland or would swing out around the runway. The latter appeared to involve a very large area of submerged land.

County Commissioner George King, Jr., in whose district the area was located, discussed plans made in 1965 by Merritt Island Planning Department, the tremendous traffic problem and need for the road south of Road No. 520 causeway. He said the county would agree to the Trustees approving the northern portion of the bulkhead line today. He said the plan was their best effort to meet the traffic need, that final engineering studies were incomplete as to the southern end of the road but rather than to delete the south portion the engineers drew the line down to the runway, and some future exchange of county-owned land might be made. The upland owners would fill at their expense the 150-foot right of way which the county has requested the Trustees to dedicate to Brevard County for road right of way purposes. He said a certain Banana River proposal would require a much larger fill than this.

Mr. Conner said that the best action appeared to be approval of the northern portion of the bulkhead line, and that the lower part of the road should turn inland if it would take care of the traffic. He said the county should bring another plan to the Trustees for the southern part of the bulkhead line and highway.

Mr. Faircloth called attention to the amount of submerged land for which dredging and filling would be the next step. He recognized the traffic problem but in view of adverse conservation reports he was not sure the applications could be justified as hardship cases under the recent moratorium of land sales.

Governor Kirk questioned whether the road would depend on the success or failure of the private development and whether the public would be protected by bond. Questions coming to light on this date regarding the airport indicated that a comprehensive plan was needed. The Board was concerned about the traffic problem but not the land development, he said.

Motion was made by Mr. Williams and seconded by Mr. Faircloth that the three Brevard County matters be withdrawn for the Director to secure more information. No vote was taken on the motion.

Mr. Lee Wenner, Chairman of the Brevard County Commissioners, also expressed the great need for the north-south highway. He stated that the county approved the applications and that a security bond would be required. Mr. Wenner advised that the County Commissioners, too, were not particularly interested in land developments and had asked him to request the Trustees to place a moratorium on all sales in Brevard County for a year.

At Mr. Dickinson's suggestion the Trustees received and took under consideration the request for a year's moratorium of submerged land sales in Brevard County.

At this point in the discussion Mr. Frank Glussman, who had represented the Merritt Square Corporation last week, urged approval at least of the northern portion of the bulkhead line as delay might jeopardize the pending leases and the shopping center venture which had already been delayed for six months when the county requested right of way for the highway and all engineering plans were changed. They owned enough land for their particular project but if they went back to the original plan and developed to their waterfront, he said it would be impossible to give right of way for the road.

After further discussion it was evident that the absence of a total, comprehensive plan for the southern portion of the area prevented approval by a majority of the Trustees.

On motion by Mr. Williams, seconded by Mr. Faircloth, and adopted, with Mr. Dickinson voting "No", the Trustees declined to approve the amended bulkhead line set by Brevard County on October 20, 1966.

On the same vote, the Trustees denied the applications to purchase from (1) Merritt Square Corporation (File 1943-05-253.12) and (2) General Canaveral, Inc. (File 1944-05-253.12).

DADE COUNTY - Bulkhead Line. Presented for approval was an amended bulkhead line adopted by the City of Miami Beach by Ordinance No. 1597 on September 21, 1966, located on the east shore of Biscayne Bay in Section 33, Township 53 South, Range 42 East, Dade County. A hospital was proposed to be constructed inside the bulkhead line. All required exhibits were furnished and transcript of the local hearing showed that five proponents appeared and that seven people opposed the change of bulkhead line. Mr. Jack Courshon objected for himself and as attorney on behalf of Sunset Islands 3 and 4 Property Owners Association, Inc., citing traffic bottlenecks now which would be increased by the proposed hospital plan.

Florida Board of Conservation had no objection to, or recommendation for, the bulkhead line along the heavily dredged and filled bayside of Miami Beach. Staff recommended approval of the amended bulkhead line.

Mr. Daniel Burach, president of the above mentioned association, was present on this date to present objections.

Mr. Williams said he understood that the extension was not essential to the building of the hospital, would damage the area where many expensive residences had been built with the thought in mind that there would be open water access to the bay there and not the proposed fill.

The Director said Mr. Burach had expressed the concern of owners that the bulkhead line extension might be a precedent, that the boatworks might also wish to extend its area.

Mr. Faircloth made a motion that the recommendation for approval not be accepted for several reasons: first, the extension would lead to some undesirable things; second, that the hospital could be built anyway; and also for conservation reasons.

Mr. Conner recommended that the Staff look into the matter of possibly making a suggestion to the city for modifying the proposed bulkhead line.

On motion by Mr. Faircloth, seconded by Mr. Williams, and adopted unanimously, the Trustees denied approval of the bulkhead line.

BREVARD COUNTY - Staff recommended approval of application from Gloria Dei Episcopal Church to remove 15,000 cubic yards of fill material from the Indian River to improve upland property in Section 8, Township 24 South, Range 36 East, Brevard County, provided that the dredging would be accomplished in the area

designated by the Board of Conservation marine biologist. All required exhibits were submitted, including \$700.00 payment for the fill material. Motion was made by Mr. Dickinson, seconded by Mr. Conner and adopted unanimously, that the Trustees authorize issuance of permit for taking the requested amount of material from the designated area for \$700.00 charge.

BROWARD COUNTY - Request was made by Mr. J. Easthope, attorney for and on behalf of Dixie Drainage District (formed in 1963 under the General Drainage Law), that the Trustees as the State Board of Drainage Commissioners appoint Mr. James Nall as Supervisor, a position which he had occupied for approximately a year while filling the vacancy created by the resignation of Supervisor David Russell. At a duly advertised landowners' meeting on December 28, 1966, no legal election could be had because of lack of representation of a majority of the acreage in the District. Therefore, under provision of Sections 298.11 and 298.12 Florida Statutes, those present at the meeting instructed the attorney to request the appointment of James E. Nall for three years.

Motion was made by Mr. Dickinson, seconded by Mr. Faircloth, and adopted unanimously, that the Trustees, in their official capacity as the State Board of Drainage Commissioners, appoint James E. Nall as Supervisor of Dixie Drainage District for a period of three years from this date.

ESCAMBIA COUNTY - Florida Board of Forestry requested concurrence by the Trustees and the Governor, in accordance with provisions of Section 589.10 Florida Statutes, in execution of a quitclaim deed to Thomas Ward covering 0.5 acre parcel which was part of a surplus fire tower site reported to have been sold by the Board. It was discovered that title to the 0.5 acre parcel had not passed to the Board when the tower site was purchased in 1946, and the quitclaim would remove the cloud on title of the parcel.

On motion made by Mr. Conner, seconded by Mr. Dickinson, and adopted unanimously, the Trustees approved concurrence in execution of the quitclaim deed as requested by the Florida Board of Forestry.

INDIAN RIVER COUNTY - On March 15, 1966, the Trustees approved the application of Dickerson, Inc., to dredge an estimated 50,000 to 80,000 cubic yards of fill material from the Indian River at Wabasso in Indian River County. Applicant submitted a deposit of \$7,500.00 to cover cost of 50,000 cubic yards, additional payment to be made upon completion of the project when the amount taken could be determined. However, the nature of the material required a dredge capable of cutting rock, applicant was unsuccessful in obtaining a dredge to remove the material, and application was made for refund of the amount deposited. Staff recommended that the deposit be returned.

On motion by Mr. Dickinson, seconded by Mr. Williams and adopted without objection, the Trustees authorized refund of the amount of \$7,500.00 to the applicant.

LEON COUNTY - Capitol Center. On September 13, 1966, the Trustees authorized purchase of five specific parcels of land in the capitol center provided acquisition could be consummated on the basis of

the appraised price or an agreed-upon price to be approved by the Trustees. On account of failure to effect purchase on a negotiated basis of Lots 308, 309, 310, and 311 of Old Plan of the City of Tallahassee, as recorded in Plat Book 1 at Page 10 of the Public Records of Leon County, the executive director of the Capitol Center Planning Committee by letter to the Staff advised that the Committee requests the Board of Commissioners of State Institutions to adopt a resolution authorizing condemnation of said lots. Condemnation procedure will require expenditure of state funds and request was made that the Trustees authorize use of funds to effect acquisition by condemnation.

Staff reviewed the request and since the four lots were within the newly expanded capitol center area, it appeared appropriate and in line with established policy to utilize Trustees' funds for the purpose. Therefore, Staff recommended approval.

Motion was made by Mr. Williams, seconded by Mr. Dickinson, and adopted unanimously, that the Trustees authorize expenditure from the Internal Improvement Fund of the amount necessary to effect acquisition of the four lots by condemnation.

MONROE COUNTY - The City of Key West by Resolution No. 67-5 on January 25, 1967, requested a parcel of submerged land in the city, in Township 67 South, Range 25 East, abutting Lot 1, Square 2, Island of Key West, according to Wm. A. Whitehead's Map of 1829, to be used for boat slips, docking, parking and allied recreational uses. Staff recommended dedication of the 0.64 acre parcel to the city for public purposes only.

Motion was made by Mr. Williams, seconded by Mr. Conner and adopted unanimously, that the parcel requested by the City of Key West be dedicated for public purposes only.

PINELLAS COUNTY - On motion by Mr. Dickinson, seconded by Mr. Williams and adopted unanimously, the Trustees approved the application from Pinellas County Water and Navigation Control Authority on behalf of Bayview Gardens Housing, Inc., for a state commercial dock permit for construction of a dock in Tampa Bay in Section 17, Township 29 South, Range 16 East, Clearwater, for which all required exhibits and \$100.00 fee were submitted.

SUBJECTS UNDER CHAPTER 18296

On motion by Mr. Dickinson, seconded by Mr. Conner, and adopted without objection, the Trustees approved Report No. 902 listing Volusia County Quitclaim Deed Nos. 1567, 1680 and 2764-Duplicate (1 instrument) to McElroy Loan Company, to be issued in lieu of a quitclaim dated May 27, 1948, to the same grantee, reported to be lost before recording; and Volusia County Quitclaim Deed Nos. 2949 and 2987-Duplicate (1 instrument) to Bellemead Development corporation, to be issued in lieu of a quitclaim dated May 27, 1948, to the same grantee, reported to be lost before recording.

On motion duly adopted, the meeting was adjourned.

Claude R. Kirk, Jr.
GOVERNOR - CHAIRMAN

ATTEST: *Robert C. Parker*
DIRECTOR - SECRETARY

* * * * *

Tallahassee, Florida
February 21, 1967

The Trustees of the Internal Improvement Fund met on this date in the Board Room of the office of the Governor in the Capitol.

Present: Claude R. Kirk, Jr.	Governor
Fred O. Dickinson, Jr.	Comptroller
Broward Williams	Treasurer
Earl Faircloth	Attorney General
Doyle Conner	Commissioner of Agriculture

Robert C. Parker Director

On motion by Mr. Conner, seconded by Mr. Dickinson and adopted unanimously, the Trustees approved the minutes of the previous meeting held on February 7.

The following three land sales, scheduled for consideration on February 14 on which date there was no meeting of the Trustees, were presented on this date with recommendation for confirmation of the sales.

DADE COUNTY - File No. 1887-13-253.12. On December 27, 1966, the Trustees authorized advertisement for objections only of a parcel of submerged land in Biscayne Bay in Section 28, Township 54 South, Range 41 East, containing 0.462 acre, more or less, in the City of Miami landward of the established bulkhead line, in Dade County. Louis J. Hector, et al, abutting upland owners, offered \$3,888.00 per acre, the value approved by the Staff Appraiser.

The submerged parcel was advertised in the Miami Review, proof of publication filed and no objection to the sale received.

Motion was made by Mr. Dickinson, seconded by Mr. Conner and adopted unanimously, that the Trustees confirm sale of the advertised land to the riparian owners at the price offered.

INDIAN RIVER COUNTY - File No. 1946-31-253.12. On December 27, 1966, the Trustees considered application from Ralph D. Hostetler

et ux, abutting upland owners, with offer of \$200.00 per acre, price approved by the Staff Appraiser, for purchase of a parcel of submerged land in the Indian River in Section 33, Township 30 South, Range 39 East, containing 1.93 acres, more or less, landward of the established bulkhead line in the Ambersand Beach Subdivision area in Indian River County. Notice of sale was published in the Vero Beach Press Journal, proof of publication filed and no objection to the sale received.

Motion was made by Mr. Dickinson, seconded by Mr. Conner and adopted unanimously, that the Trustees confirm sale of the advertised land to the riparian owners at the price offered.

MONROE COUNTY - File No. 1942-44-253.12. On December 20, 1966, the Trustees considered application from Edwin E. Crusoe IV, abutting upland owner, with offer of \$300.00 per acre, price approved by Staff Appraiser, for purchase of a parcel of submerged land in Niles Channel in Section 19, Township 66 South, Range 29 East, containing 1.0 acre, more or less, at Middle Torch Key in Monroe County. Notice of sale was published in the Key West Citizen, proof of publication filed and no objection to the sale received.

Motion was made by Mr. Dickinson, seconded by Mr. Conner and adopted without objection, that sale of the advertised parcel be confirmed in favor of the riparian owner at the price offered.

Governor Kirk mentioned the 45-day moratorium on sales of submerged land and reclaimed lake bottoms which the Trustees put into effect on January 31, and the Director assured him that all matters placed on the agenda were carefully studied and no matters were being presented to the Trustees which would come under the moratorium.

Attorney General Faircloth said that in a few days he would have some proposed recommendations ready for consideration by all the members prior to the expiration of the moratorium period.

The Director said that the Staff was also working on recommendations, and arrangement would be made with the Governor's Staff for a visit of the Elliot Building by the Governor and a review of the work of the Trustees' Staff.

DADE COUNTY - The City of Miami by Resolution No. 38358 adopted by the City Commission on January 23, 1967, requested dedication of a parcel of submerged land containing 0.03 acre, more or less, in Section 18, Township 53 South, Range 42 East, Dade County, lying between the westerly shore line of Biscayne Bay and the Dade County Bulkhead Line at the easterly terminus of Shady Lane, for street extension purposes.

Motion was made by Mr. Conner, seconded by Mr. Dickinson, and adopted unanimously, that the Trustees dedicate the parcel of land for public street purposes only.

DADE COUNTY - On motion by Mr. Williams, seconded by Mr. Faircloth and adopted unanimously, the Trustees approved issuance of state permit to Maurice P. and Oscar Dreisen authorizing construction

of a commercial dock in Biscayne Bay at Lots 6, 7 and 8 of Block 39, Normandy Isle, Miami, for which all required exhibits and \$100.00 processing fee were received by the Trustees' office.

HIGHLANDS COUNTY - Application was submitted for after-the-fact permit covering a commercial dock in Lake Jackson at the south half of Lot 5, Block 92 of the original Town of Sebring, for Lakeview Towers Apartments, Inc. All required exhibits including \$100.00 processing fee were submitted.

The Director said that in this case an applicant was furnished an application form which he apparently thought was a permit. Answering Governor Kirk's question, he said that the Staff was unable to police all lakes and was aware that there might be private docks without permits. It seemed proper to grant after-the-fact permits when such cases came to light.

Motion was made by Mr. Conner, seconded by Mr. Williams and adopted unanimously, that the permit be issued.

HILLSBOROUGH COUNTY - File No. 1600-29-253.12. Charles C. Whitaker II, attorney on behalf of Elsberry Partnership, Inc., applied for an instrument to correct the word "submerged" in Deed No. 24019 dated July 1, 1965, inserting in lieu thereof "sovereignty" land. Staff recommended issuance of corrective deed for \$10.00 charge, which was submitted by the applicant.

Motion was made by Mr. Williams, seconded by Mr. Dickinson, and adopted without objection, that the Trustees authorize issuance of the corrective deed.

INDIAN RIVER COUNTY - File No. 1855-31-253.124. R. D. Carter Engineering Firm, Inc., on behalf of Robert P. McLarty, requested formal approval of fill permit approved by the Board of County Commissioners of Indian River County under provisions of Section 253.124 Florida Statutes, to fill approximately 9 acres of land in Government Lot 1, Section 33, Township 30 South, Range 39 East, which was previously conveyed by the Trustees under the above file number. County action was taken in regular meeting on February 8, 1967.

Motion was made by Mr. Dickinson, seconded by Mr. Williams and adopted unanimously, that the Trustees formally approve the fill permit to Robert P. McLarty.

LEON COUNTY - Capitol Center Property. The Trustees were asked to consider the necessity of taking legal action recommended by the Attorney General to correct an error in description in a deed to the Trustees of property in the Capitol Center. On August 1, 1957, the Trustees entered into an agreement with Parthenia Spires, a widow, for purchase of a parcel of land described as Part of Tallahassee City Lot No. 139 and 142 located at the corner of Bloxham Street and South Monroe Street. Subsequently, a deed was issued by Parthenia Spires to the Trustees on August 19, 1957, but due to an error in the description the parcel described in the deed did

not include all the parcel described in the agreement to purchase.

The Attorney General reviewed the file and recommended that the Trustees authorize the institution of a suit against the heirs of the grantor (Parthenia Spires, deceased) for the purpose of securing a court order to reform the deed so that it will describe the property included in the agreement to purchase dated August 1, 1957.

On motion by Mr. Dickinson, seconded by Mr. Faircloth, and adopted unanimously, the Trustees authorized the Attorney General to institute litigation to accomplish the correction.

MONROE COUNTY - The Florida Board of Parks and Historic Memorials at the meeting of January 27, 1967, in response to a request from Islamorada Chamber of Commerce, designated the area on which the HERRERA wreck was situate as a historic site, to place a marker at the appropriate point to give recognition to the wreck site which was 2½ miles southeast of Islamorada in Hawk Channel, Monroe County.

The action by the Florida Board of Parks and Historic Memorials was endorsed by the State Board of Antiquities in meeting on this date and the Trustees were requested to dedicate the parcel of submerged land to the Florida Board of Parks and Historic Memorials.

Staff recommended that the Trustees dedicate the parcel of submerged land, being an area the center of which is a point at 80° 35' 6" West Longitude and 24° 54' 3" North Latitude and covering a circle 500 yards in radius therefrom, in Monroe County. The wreck site would be given recognition and protection, with the assistance of the Islamorada Chamber of Commerce, the Florida Keys Underwater Guides Association and other interested local groups.

Motion was made by Mr. Williams, seconded by Mr. Dickinson and adopted unanimously, that the Trustees dedicate to the Florida Board of Parks and Historic Memorials the parcel of submerged land on which the HERRERA wreck is located.

PALM BEACH COUNTY - Amerada Petroleum Corporation made application for an oil and gas drilling lease of the Trustees' interest, both fee and reserved interest, covering 16,105.18 surface acres owned by the Trustees, and 56,477.77 surface acres in which the Trustees hold a reserved one-half interest, or a total of 72,582.95 acres, being in scattered parcels and sections within a 230,827 acre block located in Palm Beach County. Amerada offered annual rental of \$.50 per net mineral acre and agreed to commence the drilling of at least one test well within the first two years of the lease. All wells are to be drilled to a depth of 6,000 feet or to the Sunniland Limestone Pay Section, whichever is deeper. The majority of the Trustees' land was under agricultural and grazing leases which contain a provision authorizing the Trustees to execute leases such as this.

Amerada requested waiver of administrative rule in Section 200-1.031 to permit inclusion of certain tracts of privately-owned land in which the Trustees hold reserved interest but in which Amerada is still negotiating with the owners for lease. Amerada agreed to conduct no drilling operations on any such tracts until

a lease of the remaining interest is consummated or consent of the Trustees obtained as to such parcels.

Dr. Robert Vernon, State Geologist, reviewed the application and concurred with the terms and conditions.

Staff recommended that the lease be advertised for competitive sealed bids for a ten-year primary term lease, pursuant to law, under the terms and conditions set forth above, and the successful bidder would be required to pay all advertising costs.

On motion made by Mr. Dickinson, seconded by Mr. Williams and adopted unanimously, the Trustees approved the recommendation to advertise for competitive bids.

SHELL LEASES - The Trustees accepted as information the following report of remittances received by the Florida Board of Conservation from holders of shell leases for the month of January, 1967:

<u>Lease No.</u>	<u>Name of Company</u>	<u>Amount</u>
1703	Bay Dredging & Construction Co.	\$ 4,327.29
1718	Radcliff Materials, Inc.	12,020.47
1788	Benton and Company (for October)	7,871.93
1788	Benton and Company (partial payment for November)	3,499.92
1917	Fort Myers Shell & Dredging Co.	1,034.10

PINELLAS COUNTY - The Florida Audubon Society by letter dated February 9, 1967, requested that the Trustees designate as bird sanctuaries two (2) spoil islands described in Trustees' records as Spoil Areas P-19 and P-20, located in Sections 12 and 13, Township 31 South, Range 15 East, Pinellas County, which were previously dedicated by the Trustees in perpetuity to the United States of America by Trustees' Instrument No. 22696.

On August 4, 1964, the Trustees in response to a request from the Florida Audubon Society did designate certain spoil areas in Pinellas County as bird sanctuaries, subject to all prior rights and reservations granted to the United States and the public right to the free use of the islands for recreation and other public purposes. Staff recommended designation of the two additional spoil islands subject to the same conditions which were imposed upon the dedication made on August 4, 1964.

Motion was made by Mr. Dickinson, seconded by Mr. Williams and adopted unanimously, that the two additional spoil areas be designated as bird sanctuaries as requested by the Florida Audubon Society, subject to all prior rights granted to the United States and other public rights for recreation and other public purposes.

PINELLAS COUNTY - File No. 21601-52-253.124. Pinellas County Water and Navigation Control Authority referred to the Trustees for approval an Extension of Time on Permit DF-197, extending to October 17, 1967, the fill permit approved on February 17, 1965, by the Trustees to Don and Adele Nesbitt to fill submerged land conveyed by the Trustees in Section 4, Township 31 South, Range 15 East,

in Pinellas County.

On motion by Mr. Dickinson, seconded by Mr. Williams, and adopted without objection, the Trustees formally approved extension of the permit.

POLK COUNTY - On motion by Mr. Dickinson, seconded by Mr. Conner and adopted without objection, the Trustees approved issuance of permits to the following three applicants to remove fill material from Lake Lulu in Polk County, for which all requirements were met and the Florida Game and Fresh Water Fish Commission had inspected each area and waived objection to the work under permits with standard stipulations included:

- (1) Carlin Groves, Inc. - 500 cubic yards for \$25.00 charge
- (2) James D. Morgan - 500 cubic yards for \$25.00 charge
- (3) Lloyd J. Beckman - 500 cubic yards for \$25.00 charge

VOLUSIA COUNTY - William Gautier, attorney on behalf of the City of New Smyrna Beach, made application for a power line easement 100 feet wide and approximately 9,000 feet long, from the city's generating plant west of the Intracoastal Waterway easterly to the peninsula, for extension of electrical transmission line across Trustees' land in unsurveyed Section 31, Township 16 South, Range 34 East, and Sections 5 and 6, Township 17 South, Range 34 East, Volusia County.

Motion was made by Mr. Conner, seconded by Mr. Dickinson and adopted unanimously, that the Trustees authorize issuance of easement for electrical transmission line to the City of New Smyrna Beach.

PRINTING - Pursuant to request for bids for printing 500 copies of bulkhead manual for the Trustees' office, the following bids were received:

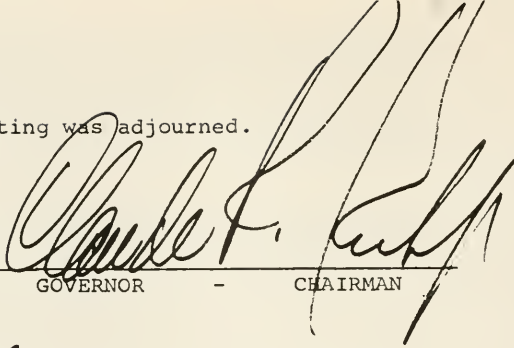
Artcraft Printers, Inc.	\$523.80
Rose Printing Co., Inc.	279.00
Storter Printing Co., Inc.	258.95
Van Norren, Inc.	170.50

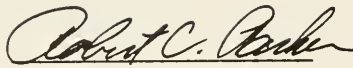
On motion by Mr. Conner, seconded by Mr. Dickinson and adopted unanimously, the Trustees authorized acceptance of the low bid of Van Norren, Inc.

SUBJECTS UNDER CHAPTER 18296

On motion by Mr. Dickinson, seconded by Mr. Williams and adopted unanimously, the Trustees approved Report No. 903 listing County of Hillsborough Deed No. 1081-Duplicate to W. D. Lowry, to be issued in lieu of original Hillsborough County Deed No. 1081 dated May 28, 1941, to the same grantee, which was reported to be lost prior to recording.

On motion duly adopted, the meeting was adjourned.


GOVERNOR - CHAIRMAN

ATTEST: 
DIRECTOR - SECRETARY

* * * * *

Tallahassee, Florida
February 28, 1967

The Trustees of the Internal Improvement Fund met on this date in the Board Room of the office of the Governor, in the Capitol.

Present: Claude R. Kirk, Jr. Governor
Fred O. Dickinson, Jr. Comptroller
Broward Williams Treasurer
Earl Faircloth Attorney General

Robert C. Parker Director

On motion duly adopted, the Trustees approved the minutes of the meeting of February 21, 1967.

BREVARD COUNTY - File No. 1948-05-253.12. On December 27, 1966, the Trustees authorized advertisement of 0.57 acre, more or less, of submerged land in the Indian River in Section 3, Township 22 South, Range 35 East, landward of the established bulkhead line in the City of Titusville, Brevard County, for which the abutting upland owner, Titusville Causeway Land Corporation, offered \$1,500.00 per acre, the price approved by the Staff Appraiser. Notice of sale was published in the Titusville Star-Advocate, proof of publication filed and no objection received to the sale.

Motion was made by Mr. Dickinson, seconded by Mr. Faircloth, and adopted unanimously, that the Trustees confirm sale of the advertised parcel to the riparian owner at the price offered.

BREVARD COUNTY - File No. 1957-05-253.12. On January 17, 1967, the Trustees authorized advertisement of a parcel of submerged land in the Indian River in Section 26, Township 22 South, Range 35 East, containing 1.265 acres, more or less, landward of the established bulkhead line in Brevard County, for which the abutting upland owners, Whitney A. Brown and wife, offered \$1,500.00 per acre, the price approved by the Staff Appraiser. Notice of sale was published in the Titusville Star-Advocate, proof of publication filed and no objection to the sale was received.

Motion was made by Mr. Dickinson, seconded by Mr. Faircloth, and adopted unanimously, that the Trustees confirm sale of the advertised parcel to the riparian owners at the price offered.

CHARLOTTE COUNTY - File No. 717-08-253.12. On January 10, 1967, the Trustees authorized advertisement of 30 parcels of submerged land in the Myakka River containing a total of 20.80 acres, more or less, in Sections 18, 19, 30, 32 and 33, Township 40 South, Range 21 East, Charlotte County, landward of the established bulkhead line, abutting uplands northerly and southerly of Myakka City, in the Port Charlotte development area. General Development Corporation, abutting upland owner, offered the appraised price of \$500.00 per acre. Notice of sale was published in the Punta Gorda Herald-News, proof of publication was filed in the Trustees' office, and no objection to the sale was received.

Motion was made by Mr. Dickinson, seconded by Mr. Faircloth and adopted unanimously, that the Trustees confirm sale of the advertised parcels of submerged land to the upland owner at the price offered.

CHARLOTTE COUNTY - File No. 716-08-253.12. On January 10, 1967, the Trustees authorized advertisement of 12 parcels of submerged land in the Peace River containing a total of 6.90 acres, more or less, in Sections 26 and 27, Township 40 South, Range 22 East, Charlotte County, landward of the established bulkhead line and abutting uplands in the Port Charlotte development area. General Development Corporation, abutting upland owner, offered the appraised price of \$500.00 per acre. Notice of sale was published in the Punta Gorda Herald-News, proof of publication was filed, and no objection to the sale was received.

Motion was made by Mr. Dickinson, seconded by Mr. Faircloth and adopted unanimously, that the Trustees confirm sale of the advertised parcels of submerged land to the upland owner at the price offered.

CHARLOTTE COUNTY - File No. 715-08-253.12. On January 10, 1967, the Trustees authorized advertisement of 2 parcels of submerged land in the Peace River containing a total of 1.91 acres, more or less, in Sections 27 and 28, Township 40 South, Range 22 East, Charlotte County, landward of the established bulkhead line and abutting uplands in the Port Charlotte development area. General Development Corporation, abutting upland owner, offered the appraised price of \$500.00 per acre. Notice of sale was published in the Punta Gorda Herald-News, proof of publication was filed, and no objection to the sale was received.

Motion was made by Mr. Dickinson, seconded by Mr. Faircloth and adopted unanimously, that the Trustees confirm sale of the advertised parcels of submerged land to the upland owner at the price offered.

CHARLOTTE COUNTY - File No. 1951-08-253.12. On January 17, 1967, the Trustees authorized advertisement of a parcel of submerged land in Stump Pass Channel in Section 18, Township 41 South, Range 20 East, containing 0.06 acre, more or less, landward of the established bulkhead line in Charlotte County, for which the abutting

upland owner, Isap Realty Corporation, offered the appraised value of \$500.00 per acre or, in this instance, \$100.00 minimum amount. Notice of sale was published in the Punta Gorda Herald-News and proof of publication was filed.

Several objections to sale of the submerged land and filling which might follow were received. Staff recommended that action be deferred for one week to allow the applicant opportunity to determine the feasibility of modifying the configuration of the parcel applied for, and possibly withdrawal of the objections.

On motion by Mr. Dickinson, seconded by Mr. Williams and adopted, the Trustees deferred action on sale of the parcel for one week.

MONROE COUNTY - File No. 1947-44-253.12. On January 10, 1967, the Trustees authorized advertisement of a parcel of submerged land in the Bay of Florida abutting uplands on the Island of Key West, containing 0.69 acre, more or less, in Township 67 South, Range 25 East, Monroe County. Notice of sale was published in the Key West Citizen, proof of publication filed and no objection received.

Motion was made by Mr. Dickinson, seconded by Mr. Williams and adopted without objection, that the Trustees confirm sale of the advertised parcel to the abutting upland owner, Jarub Investments, Inc., at \$1,045.00 per acre, the price approved by the Staff Appraiser.

MONROE COUNTY - File No. 1952-44-253.12. On January 10, 1967, the Trustees authorized advertisement of a parcel of submerged land in Blackwater Sound in Sections 11 and 14, Township 61 South, Range 39 East, at Key Largo, Monroe County, containing 2.18 acres, more or less, for which Ralph W. Killian and wife, abutting upland owners, offered \$425.00 per acre, the appraised price. Notice of sale was published in the Key West Citizen, proof of publication was filed, and no objection to the sale received.

Motion was made by Mr. Dickinson, seconded by Mr. Williams and adopted without objection, that the Trustees confirm sale of the advertised parcel to the abutting upland owners at the appraised price.

MONROE COUNTY - File No. 1956-44-253.12. On January 17, 1967, the Trustees authorized advertisement of a parcel of submerged land in the Straits of Florida containing 0.69 acre, more or less, in Section 29, Township 64 South, Range 36 East, at Lower Matecumbe Key, abutting Lots 19, 20 and the northeasterly 30 feet of Lot 21, Block 4 of Lower Matecumbe Beach as recorded in Plat Book 3, Page 34 of the Public Records of Monroe County, Florida. Kenneth W. Martin, abutting upland owner, offered \$425.00 per acre, price approved by the Staff Appraiser, for purchase of the parcel. Notice of sale was published in the Key West Citizen, proof of publication filed.

Several objections were received and Staff recommended deferment to give the parties an opportunity to adjust their differences.

On motion by Mr. Dickinson, seconded by Mr. Williams and adopted unanimously, the Trustees deferred action as recommended.

DADE COUNTY - File No. 434-13-253.12. On October 16, 1965, the Trustees authorized advertisement for objections only upon application by John Colozoff and wife, abutting upland owners, for purchase of a parcel of submerged land containing 0.40 acre, more or less, in Biscayne Bay abutting upland in Section 39, Township 54 South, Range 41 East, Lots 14, 15 and 16 Brickell's Addition in the City of Miami, Plat Book 3, Page 38, Dade County Public Records, landward of the established bulkhead line in Dade County. Notice of sale was published on November 5, 12, 19 and 26, 1965, proof of publication filed in the Trustees' office.

The applicants offered the appraised value of \$6,345.00 per acre for the land. There were no objections to the sale; however, prior to the advertised sale date there was a request from the City of Miami by Resolution No. 37305 dated December 1, 1965, that the sale be held in abeyance for the city to determine the feasibility of extending South Bayshore Drive from Southeast 14th Street southerly to Rickenbacker Causeway. At the meeting on December 14, 1965, the Trustees deferred action on the application until such time as the study had been completed.

From December 19, 1965, to the present date, the City of Miami failed to respond to any correspondence on the matter, both from the Staff and from the counsel for the applicant. The city had in its possession the feasibility study since September 30, 1966, prepared by the city planning department. Counsel for the applicant furnished the Trustees' office a copy of the study, review of which indicated that no recommendation was made for extending the road along the water's edge, that costs would be exorbitant. Staff was advised that during the postponement of action one of the applicants, Mr. John Colozoff, had died.

The City of Miami was notified that the application would be presented to the Trustees on this date. Staff recommended that the sale be confirmed.

Attorney General Faircloth expressed surprise that the City of Miami had not responded to the correspondence. He asked for the matter to be deferred for one week.

On motion adopted without objection, the Trustees deferred for one week action on the application to purchase submerged land.

GLADES COUNTY - The five applications from abutting upland owners listed below, for purchase of reclaimed Lake Okeechobee bottom lands in Sections 18, 23 and 24, Township 40 South, Range 32 East, Glades County, lying between the established 17-foot contour line and the landward right of way line of the levee, were submitted to the Trustees' office in the following order:

1. File 1702-22-253.36 on February 18, 1961, by J. S. Click, applicant for 12.71 acres appraised at \$415.00 per acre;
2. File 1741-22-253.36 on May 19, 1964, by J. M. Haynes, applicant for 1.06 acres appraised at \$475.00 per acre;
3. File 1797-22-253.36 on February 18, 1966, by C. Swanson, et al, applicants for 6.68 acres appraised at \$475.00 per acre;
4. File 1852-22-253.36 on June 16, 1966, by Mrs. L. W. Comito, applicant for 0.52 acre appraised at \$475.00 per acre;
5. File 1962-22-253.36 on January 19, 1967, by Janet Van DeVelde, applicant for 5.36 acres appraised at \$594.57 per acre.

The above applications were held in abeyance at the request of Central and Southern Florida Flood Control District pending the completion of levee seepage studies. On January 30, 1967, the District notified the Staff by letter and Amended Resolution No. 679 dated January 13, 1967, that sale of reclaimed lake bottom land could again be resumed if there could be inserted in deeds issuing from the Trustees a protective clause which would render both the Trustees and the District harmless from liability for damage due to flooding in the subject areas by virtue of future water level regulation in Lake Okeechobee.

Each of the applicants to purchase reclaimed lake bottom land pursuant to provisions of Chapter 253.36 Florida Statutes, had accepted the appraised price, and Mr. Click had tendered payment for the land in his application in September, 1966. In view of the delay in processing the applications through no fault of the applicants, and the lifting of the District's request for suspension of sales, the Staff recommended sale of the lands with insertion of an appropriate protective covenant in the deeds.

The Attorney General said he thought such lands should be advertised for sale, and that the Trustees should give consideration to changing the policy in this respect. He called on Assistant Attorney General T. T. Turnbull to make a statement with respect to the matter. Mr. Turnbull said the Director had discussed with him the basis of the policy of the Board with respect to sales of reclaimed lake bottoms to the abutting upland owners, and the sales presented on this date were in accordance with the current policy. However, he felt that advertising would be wise. The Director said that this would require a change of the rules.

Mr. Dickinson said that the special clause in the deed would hold the Trustees free and harmless on account of any flooding of the land.

Motion was made by Mr. Faircloth, seconded by Mr. Dickinson and adopted unanimously, that the Trustees confirm sale to the five applicants listed above, of the parcels of reclaimed lake bottom land in their applications, at the appraised prices.

BREVARD COUNTY - The Board of County Commissioners of Brevard County adopted a resolution in regular meeting on February 9, 1967, copy of which was forwarded to the Trustees' office by Chairman Lee Wenner, requesting the Trustees to declare a one-year moratorium on all sales of river bottom for private purposes in Brevard County, Florida. This policy had been expressed by Mr. Wenner when he appeared before the Trustees on February 7, 1967, in connection with a proposed north-south highway for which the county requested right of way. It had been suggested at that time that an official resolution from the county was desired.

Upon motion duly adopted, the Trustees accepted as information the resolution from Brevard County.

BREVARD COUNTY - On July 31, 1962, and March 2, 1965, the Trustees by Dedication Nos. 23151 and 23151-A dedicated certain submerged land consisting of 49,535 acres lying within the National Aeronautics and Space Administration (NASA) area to the exclusive use of the United States in the development or testing of launch vehicles

for the Manned Lunar Landing Program and expansion of the NASA facilities at Cape Kennedy, Florida.

Request was received from Mr. John P. Lacy, Chief Counsel for the John F. Kennedy Space Center, advising that NASA desired to enter into an inter-agency agreement with the Bureau of Sports Fisheries and Wildlife of the U. S. Fish and Wildlife Service, U. S. Department of Interior, for the purpose of assisting NASA in the administration and management of those dedicated areas and to insure maximum public use consistent with the primary purposes for which the lands were dedicated. NASA had already entered into such an inter-agency agreement covering upland property adjacent to a portion of the dedicated submerged land.

In examining the purposes for which the submerged lands were dedicated as set forth in subject instruments, there was some question as to whether NASA was properly authorized to enter into such an inter-agency agreement by virtue of the language in the instruments of dedication. By memorandum of February 17, 1967, the Attorney General recommended that said instruments be modified and amended to specifically authorize the grantee, NASA, to enter into the desired inter-agency agreement with the Bureau of Sports Fisheries and Wildlife.

In the judgment of the Staff, the request submitted by Mr. Lacy would insure maximum public use of the waters lying over the submerged lands described in the two dedication instruments. Therefore, the Staff recommended that the request be granted and that the instruments be modified subject to approval of the Attorney General.

Motion was made by Mr. Dickinson, seconded by Mr. Faircloth, and adopted unanimously, that the recommendation be accepted as the action of the Board.

BREVARD COUNTY - Bulkhead Line; File Nos. 1943 and 1944-05-253.12. On February 7, 1967, the Trustees declined to approve an amended bulkhead line adopted on October 20, 1966, by the Board of County Commissioners of Brevard County along the east shore of Merritt Island in Newfound Harbor in Section 36, Township 24 South, Range 36 East, and in Section 1, Township 25 South, Range 36 East. Plans for development inside the bulkhead line included applications to purchase submerged land by Merritt Square Corporation and General Canaveral, Inc., abutting upland owners, and a north-south highway for which the county requested dedication of 150 foot right of way consented to, and to be filled, by the two applicants.

County Commissioner George J. King, Jr., forwarded to the Trustees' office an area map showing the proposed alignment for a north-south highway from State Road No. 3 in Section 30, Township 25 South, Range 37 East, northward to NASA property north of Bennett Causeway. In the area near the airport the alignment had not been decided. By official action on February 23, 1967, the County Commission modified the bulkhead line so that it terminated at the south line of Section 36, Township 24 South, Range 36 East, and the county requested that the line as modified be submitted to the Trustees for approval, the new alignment constituting the Commission's best planning effort to resolve the traffic problems in this area. The Staff recommended approval of the line as modified. And, in the event favorable action was taken by the Trustees on the bulkhead line, the Staff recommended that the land in the two

applications to purchase be advertised for objections only.

Governor Kirk said he had discussed the matter with Commissioner King who had said the airstrip could be extended in the other direction(northwest). Since the county planning was not finalized and the intent of the members appeared to be to preserve the submerged land, the Governor was agreeable to further delay.

Treasurer Broward Williams said he had flown over the area and discussed the traffic problems with county officials. He was convinced that the county must provide the north-south road to alleviate the heavy traffic on Merritt Island and was sure that the county had made traffic counts and other studies before deciding on the proposed route now under consideration by the Trustees.

Attorney General Faircloth asked whether the present road plan would be adequate to take care of the ultimate traffic needs or whether more submerged land would be applied for, and also whether there was any kind of report from the State Road Department on the county road proposal. He wanted to know that all other alternatives were exhausted before he could vote for the application.

The Governor suggested that the Board needed information from the State Road Department as to whether the county road would meet traffic criteria.

Motion was made by Mr. Faircloth, seconded by Mr. Williams and adopted unanimously, that action be deferred and that the Director contract the local officials and suggest that they contact the State Road Department concerning the alignment of this north-south road as shown on the map submitted.

LEE COUNTY - The Board of County Commissioners of Lee County by Resolution adopted on January 17, 1967, established a bulkhead line in Pine Island Sound in Government Lot 2, Section 1, Township 46 South, Range 21 East, Lee County. Lee County approved this line based on the recommendations made by the county bulkhead line team composed of the County Engineer, the County Attorney, and a biologist of the State Board of Conservation. All required exhibits were submitted and the Staff recommended approval. There were no objections at the local hearing.

Motion was made by Mr. Dickinson, seconded by Mr. Faircloth and adopted unanimously, that the Trustees formally approve the bulkhead line established on January 17, 1967 by the Board of County Commissioners of Lee County.

PINELLAS COUNTY - The Pinellas County Water and Navigation Control Authority by Resolution adopted on January 17, 1967; amended a portion of the bulkhead line previously established to provide a secondary drainage canal near Allen's Creek. All required exhibits were furnished and there were no local objections. The Board of Conservation had no objections.

On motion by Mr. Dickinson, seconded by Mr. Faircloth and adopted unanimously, the Trustees formally approved the bulkhead line as amended by Pinellas County.

PINELLAS COUNTY - Bulkhead Line. Pinellas County Water and Navigation Control Authority on October 4, 1966, reconfirmed the bulkhead line set in 1963 for the Town of South Pasadena, which was not sent to the Trustees for approval because of the Zabel-Russell litigation. Due to the lapse of time the County readvertised, held another hearing and forwarded the line to the Trustees for approval. The line was listed on the agenda for November 22, 1966, but at request of the Authority it was removed before consideration and returned to the county which again readvertised, held another public hearing, and on January 10, 1967, re-affirmed the approval of October 4, 1966.

The Board of Conservation reported that only one segment, the northernmost 2,500 feet, contained submerged land with attached seagrasses, that the submerged land involved and even beyond the line was privately owned, that preferably the line should have been set near the mean high water line but that the Court dictated a Y-shaped bulkhead line as much as 1000 feet offshore for the adjacent Zabel-Russell fill project to the south.

Since the submerged land had been conveyed many years ago into private ownership, and in view of the Court's decision on the bulkhead line to the south, the Staff recommended approval of the bulkhead line.

Assistant Attorney General Turnbull said he did not think the Zabel-Russell case was controlling, that the Trustees could exercise sound judgment in approving the location of the line or rejecting it, regardless of the city or county.

There were objections to this bulkhead line locally, at the public hearings. On this date Paul V. Yingst of St. Petersburg, speaking for himself and for members of Causeway Island Yacht Club Association, objected to the line which he said was in deep water, that Boca Ciega Bay had already been encroached on and polluted by too much filling, sewage disposal plants, and he asked the Trustees to modify the line by setting it at the mean high water mark, thereby preserving water area for the public.

Mr. Dickinson asked whether the group mentioned by Mr. Yingst appeared at the local hearings, and he said it was difficult for the members to reconcile the objections and the recommendation of approval by the County Authority.

Mr. Emerson Parker, owner of property where the controversial section of the bulkhead line was, reviewed facts about purchase of the property many years ago, petition and residents in favor of the location, approval on three different occasions by the County Commissioners (Pinellas County Water and Navigation Control Authority), and the water depth which he said he had submitted a hydrographical survey to show had an average depth of about 2 feet on his property. He had offered to give the county all the land he owned beyond the bulkhead line, and had furnished his tentative plan for development which included waterways into his upland which would result in more water areas than now exist, he said. Also, the shore line would be straightened, and he would dredge material needed to improve his upland property, some of which was mangrove swamp when he purchased it.

Attorney General Faircloth said in his opinion the submerged land should not have been sold and in view of the moratorium on sale of submerged land and the gravity of permitting filling in 11-foot water, he made a motion that the matter be postponed. He said he

wanted to know when the submerged land was sold, whether Mr. Parker's situation met the criteria of hardship cases in that he had purchased upland and submerged land with the understanding that he would be allowed to dredge fill material, and Mr. Faircloth said he would be willing to consider the matter again at any time when the full information was available to answer the questions raised at this meeting.

The motion by Mr. Faircloth for an indefinite postponement was seconded by Mr. Williams, and adopted unanimously.

PINELLAS COUNTY - Pinellas County Water and Navigation Control Authority submitted an application on behalf of Maurice L. Hollins to remove 1,410 cubic yards of fill material from Boca Ciega Bay in the dredging of a channel. 980 cubic yards, for which applicant has submitted payment in the amount of \$49.00, will be used to improve his upland property at the southerly 133 feet of the northerly 267 feet of Block N, Jungle Shores Subdivision. The 430 cubic yards of surplus material will be hauled away. Staff recommended approval.

On motion by Mr. Dickinson, seconded by Mr. Faircloth, and adopted, the Trustees authorized permit for removal of the material applied for.

GLADES COUNTY - The Board of County Commissioners of Glades County by Resolution adopted on September 7, 1966, requested permission for Glades County and Glades County Board of Public Instruction to remove material from Section 34, Township 40 South, Range 32 East, from 37.5 acres of Lake Okeechobee. The material was needed for maintenance of public roads and for other related public purposes including public school purposes.

The Central and Southern Florida Flood Control District waived objection, and the Game and Fresh Water Fish Commission approved subject to certain stipulations with respect to the shape of the slope and removal of overburden.

On motion by Mr. Williams, seconded by Mr. Dickinson, and adopted unanimously, the Trustees granted permission as requested subject to those general conditions to be agreed upon between the Game and Fresh Water Fish Commission and Glades County.

PALM BEACH COUNTY - On motion by Mr. Faircloth, seconded by Mr. Williams, and adopted unanimously, the Trustees approved dedication of additional right of way to the State Road Department across a small triangular sliver of submerged bottom of Lake Osborne in Section 5, Township 44½ South, Range 43 East, Palm Beach County, needed in connection with improvement of State Road S-812.

LEON COUNTY - On May 26, 1966, the Trustees of the Internal Improvement Fund were vested with title to certain property in Leon County on which there were Indian mounds. The land was described as lots according to a plat of the Tallahassee Pecan Endowment Company, recorded in Plat Book 1, Page 4, of the Public Records of Leon County, Florida. The title was held by the Trustees

for the use and benefit of the Outdoor Recreational Development Council.

It had been determined that a portion of the streets adjacent to those lots should be vacated. Staff recommended that the Trustees execute a Petition to Vacate addressed to the Board of County Commissioners of Leon County, pursuant to Sections 192.29 and 192.30, Florida Statutes, 1965; also, that the Trustees authorize the Staff to take such further action as necessary.

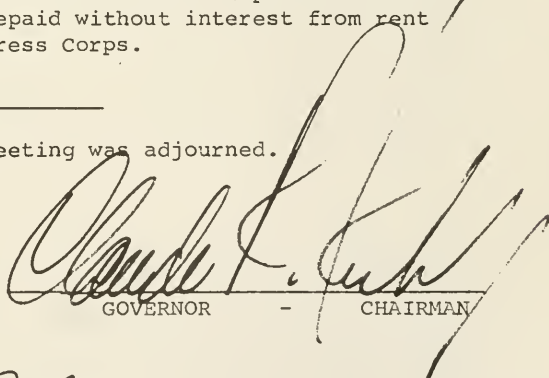
Motion was made by Mr. Faircloth, seconded by Mr. Dickinson and adopted unanimously, that the Trustees approve execution of the Petition to Vacate, and authorize the Staff to take such further action as might be required to effect the vacation of the streets in question.

TRUSTEES' FUNDS - Secretary of State Tom Adams as custodian of the Capitol Building and Chairman of the Capitol Center Planning Committee, requested that the Trustees make available an additional amount not to exceed \$8,500.00 for further remodeling in the sub-basement of the south wing of the Capitol Building to accommodate more members of the Capitol Press Corps.

On January 17, 1967, the Trustees agreed to advance an amount not to exceed \$5,000.00 to be used for this purpose, in addition to a total amount of \$61,786.00 which was made available previously and which was being repaid, without interest, from rent received from occupants of the offices. The balance as of January 1, 1967, was \$27,305.00, to which would be added the two additional loans to be repaid in the same manner. The Secretary of State would process the invoices and submit request for funds, and would have the responsibility of allocating space and collecting rent.

Motion was made by Mr. Dickinson, seconded by Mr. Faircloth and adopted unanimously, that an additional amount not to exceed \$8,500.00 be made available from the Internal Improvement Fund for use as requested, to be repaid without interest from rent from members of the Capitol Press Corps.

On motion duly adopted, the meeting was adjourned.



GOVERNOR - CHAIRMAN

ATTEST: 
DIRECTOR - SECRETARY

* * * * *

The Trustees of the Internal Improvement Fund met on this date in the Board Room of the office of the Governor, in the Capitol.

Present: Claude R. Kirk, Jr.	Governor
Fred O. Dickinson, Jr.	Comptroller
Broward Williams	Treasurer
Earl Faircloth	Attorney General
Doyle Conner	Commissioner of Agriculture

Robert C. Parker	Director
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On motion duly adopted, the Trustees approved the minutes of the meeting of April 28, 1967.

CHARLOTTE COUNTY - File No. 1951-08-253.12. On February 28, 1967, the Trustees considered an application for sale, advertised for hearing on that date, from Isap Realty Corporation, the abutting upland owner, for a parcel of submerged land in Stump Pass Channel in Section 18, Township 41 South, Range 20 East, Charlotte County, containing 0.06 acre in the original application, lying easterly of and abutting Lot 11, Block F, Englewood Shores as recorded in Plat Book 2, Page 88, Public Records of Charlotte County, landward of the established bulkhead line. Staff recommended deferment for one week, and the applicant agreed to a modification which cut back the undesirable S-shaped configuration facing the Channel and reduced the parcel to 0.045 acre.

In the opinion of the Staff the cut-back should remove all valid objection to sale of the small parcel. The Director stated that this application was authorized to be advertised before the moratorium was put into effect, and the objectors filed protest to sale and filling on general conservation grounds.

Motion was made by Mr. Conner, seconded by Mr. Dickinson, and adopted without objection, that the Trustees confirm sale of the reduced parcel to the riparian owner at the price offered, \$500.00 per acre, or \$100.00 minimum in this instance.

CLAY COUNTY - File No. 1961-10-253.12. James E. Yonge, on behalf of C. J. Massee, abutting upland owner, made application to purchase a parcel of submerged land in the St. Johns River in Section 41, Township 4 South, Range 26 East, 2.49 acres in the Town of Orange Park, Clay County, landward of the established bulkhead line. The application was instituted in March 1966 but due to difficulty and delay in establishing the bulkhead line, the purchase request was not presented until this date. In the interim, Mr. Massee designed comprehensive plan for the development of his upland property and fifty-two apartment units were constructed in the first phase of his project, one of the buildings lying within thirty feet of the present shore line.

The Town of Orange Park held a public hearing in 1961 to establish the bulkhead line. Relying on this action, the applicant and others began their planning but purchase could not be made until formal approval of the bulkhead line. In 1966 modification of the line was required because of the Johnson Slough area, a new public

hearing was held and additional data was submitted to the Trustees who approved the bulkhead line on January 31, 1967. Phase two of the project was designed for development of the application area, for which Mr. Masee offered \$1,301.56 per acre, the appraised value. He incurred sizeable obligations for architects' fees, engineering and construction costs, and had assured tenants in the apartments that the shore line would be improved and beautified.

In consideration of the above, Staff thought there were elements of hardship in the application.

Mr. Faircloth questioned the applicant's basis for assuring tenants that the shore line would be improved, and the Governor did not think injury would be done to the investment by the 45-day moratorium delay. Mr. Faircloth said the moratorium would expire in a week, and he would probably make a motion that it be extended until after the Legislature.

Motion was made by Mr. Faircloth that the application be deferred for a least one week. It was announced that there would be no cabinet meeting next week, whereupon it was agreed by all members that the application be deferred.

BREVARD COUNTY - Bulkhead Line; File Nos. 1943-05-253.12 and 1944-05-253.12.

On January 31, February 7 and 28, 1967, the Trustees considered an application which included a bulkhead line along the east shore of Merritt Island in Section 36, Township 24 South, Range 36 East, Brevard County, two applications to purchase submerged land within the bulkhead line by upland owners who had agreed to the dedication by the Trustees to the county of 150-foot wide right of way which would be filled by the applicants for the county without charge, for a proposed north-south highway. The Board of County Commissioners of Brevard County requested dedication of the right of way and an urgent plea was made by Commissioner George J. King, Jr., in whose district the land was located, that the Trustees reconsider the matter on this date. The Trustees' office received several wires and letters supporting the application, one from the Chamber of Commerce of Merritt Island.

Comptroller Dickinson said he had been in favor of the project since its inception. Since Mr. Conner was not able to attend the last cabinet meeting, Mr. Dickinson desired the matter brought up again today.

Mr. King was present to submit additional information and to stress the importance of providing a second north-south route to relieve the traffic problem resulting from there being only one road to take people to the entire space center complex and related commercial and industrial facilities in Brevard County. He said he had tried to present information to each of the members individually, that a traffic count had been made and State Road Department District Engineer and Planning Department were consulted who thought the proposed north-south road would greatly help to solve the traffic problem but the engineering work could not be done until the road was definite. Authorities of NASA would budget funds for the extension of the road approximately four miles northward through NASA property to the MILA (Merritt Island Launch Area) facilities. Mr. King said the county engineers and planning department had worked for about eight months on road plans, secured about seventy-five per cent of the right of way, that the road would be a controlled

access road, and private development would have an access road and would be subject to approval and zoning regulations of the county. The county would secure the right of way through the land within the bulkhead line before anything else was done about the private development, and there would be complete studies, engineering and cooperation with the State Road Department as to the highway, access roads and intersections.

In answer to the Governor's question regarding the airport, Mr. King said county planning was not complete, the county would investigate the possibility of runway extensions and the feasibility of condemning homes westward of the present runway, but that it should not be built any closer to the school. He told Mr. Conner that a commitment of right of way to the section line, the southern end of the bulkhead line in the county's modified request by resolution of February 23, would not obligate the Trustees to a route eastward of the runway.

Mr. Dickinson said the Board should help Brevard County to relieve the traffic problem and he hoped the other members would acquiesce in approving Commissioner King's request, and he so moved.

Mr. Williams seconded the motion. He told of making an aerial inspection, talking with Mr. King, studying the traffic situation and checking on insurance filings in Brevard County with reference to traffic accident claims. He said he, too, was for conservation of the marine resources, but he thought the Board was obligated to give the county some relief because it was a very critical situation.

Mr. Faircloth asked what progress had been made in getting something from the State Road Department, and Mr. King said that Mr. Bill Benedict and Mr. Hanna of the State Road Department expressed approval of the north-south road, that there would be some solutions to be worked out at intersections, et cetera, but they did not feel that they could take the time to actually work with the county on the project until it was known that the road would be built. Mr. King said he would subject his request to verification from the Road Department.

Mr. Faircloth made a motion that Mr. Dickinson's motion be amended to make that provision, that the Trustees grant approval subject to approval by the State Road Department of the feasibility plans of the proposed road. The amendment to the motion was accepted.

Governor Kirk asked about the proposed shopping center being beautified, and Mr. Faircloth asked if there were zoning regulations for buildings near the highway. Mr. King assured them that the whole private development plan was subject to approval by the Brevard County Commission, and there would be an access road to serve the commercial area.

Governor Kirk offered as an amendment to the motion that beautification along the commercial area be required, which was seconded by Attorney General Faircloth and accepted without objection.

The Attorney General pointed out that the application for purchase of submerged land was tied in with the over-all project being considered. The Governor said that the area down by the airport was not a part of it now. The county resolution of February 23 modified the original request by termination of the bulkhead line and right of way at the south line of Section 36.

The Director said the county needed action of the Trustees on the

two applications to purchase out to the bulkhead line, excepting the 150-foot right of way to be dedicated by the Trustees to the county for the road.

The two applications from upland owners, as described in previous minutes, were as follows:

(1) File No. 1943-05-253.12. Merritt Square Corporation applied for a parcel of submerged land lying in Newfound Harbor, abutting Government Lot 3, Section 36, Township 24 South, Range 36 East, Brevard County, containing 15.82 acres, more or less, landward of the bulkhead line being considered by the Trustees on this date, less 4.51 acres, more or less, contained in proposed north-south road right of way.

(2) File No. 1944-05-253.12. General Canaveral Corporation applied for a parcel of submerged land lying in Newfound Harbor, abutting Government Lot 2, Section 36, Township 24 South, Range 36 East, Brevard County, containing 16.04 acres, more or less, landward of the bulkhead line being considered by the Trustees on this date, less 3.60 acres, more or less, contained in proposed north-south road right of way.

Each applicant offered \$1,840.00 per acre, the value reported by the Staff Appraiser.

The Trustees unanimously adopted the motion with the two amendments, that they approve the amended bulkhead line as established by Brevard County on February 23, 1967, approve request for dedication of right of way to the county, and authorize advertisement of the submerged land in the two applications for objections only, provided the State Road Department approves plans for feasibility of the proposed road, and provided beautification be included in requirements made by the county to be complied with by the private developers.

Governor Kirk added that it was approved as an over-all plan provided the total completed road was produced.

SHELL LEASES - The Trustees accepted as information the following report of remittances received by the Florida Board of Conservation from holders of shell leases for the month of February 1967:

<u>Lease No.</u>	<u>Name of Company</u>	<u>Amount</u>
1703	Bay Dredging and Construction Co.	\$ 4,327.29
1718	Radcliff Materials, Incorporated	14,285.38
1917	Ft. Myers Shell and Dredging Co.	653.25
2098	East Bay Enterprises, Inc.	2,500.00

DADE COUNTY - File No. 1920-13-253.124. Upon motion by Mr. Dickinson, seconded by Mr. Faircloth and adopted unanimously, the Trustees formally approved the fill permit issued by the City Council of the City of Miami Beach by Resolution No. 12043 adopted on February 15, 1967, under provisions of Section 253.124 Florida Statutes, to Mount Sinai Hospital of Greater Miami, to fill submerged land previously conveyed by the Trustees under the above file number.

BREVARD AND INDIAN RIVER COUNTIES - Central and Southern Florida Flood Control District made application for an easement for the purpose of cleaning out channels in the Sebastian River in Section 24, Township 30 South, Range 38 East, Brevard and Indian River Counties, over approximately 8.7 acres lying within the limits of the State Road Department right of way of Sebastian River Bridge. The United States Corps of Engineers and the State Road Department waived objections to the project.

Motion was made by Mr. Conner, seconded by Mr. Dickinson, and adopted unanimously, that the Trustees grant perpetual easement to the District for maintenance of the channel as requested.

INDIAN RIVER COUNTY - The Board of County Commissioners of Indian River County by Resolution dated February 23, 1966, requested dedication of 491.04 acres of land owned by the Trustees in Section 4, Township 32 South, Range 39 East, one-half mile west of U. S. Highway No. 1 and five miles north of Vero Beach, Florida, for public park and recreational purposes.

The county submitted a proposed ten-year development plan designed by the Board of Parks and Historic Memorials with a detailed schedule of anticipated expenditures and development time. The park would be developed by county forces, private contracts, and with financial aid of the Kiwanis Club and other civic organizations, total expenditure over a ten-year period to be \$222,000.00. The county intended to dedicate the park as a wildlife refuge and sanctuary, leaving as much natural growth as was compatible with use of the area for recreation. The Outdoor Recreational Planning Committee reviewed the plan and recommended dedication conditioned upon the county's adhering to the proposed ten-year development plan as closely as possible.

The Staff recommended dedication of the tract of land to Indian River County for outdoor park and recreational purposes subject to the following: In the event the county shall (1) fail to develop the entire tract for public park and recreational use in the manner as shown on the development plan within ten years, or (2) use the land or any part thereof for purposes other than county park and recreational purposes, the dedication shall at the option of the Trustees be subject to termination upon written notice as to any area remaining undeveloped for recreational purposes upon expiration of the ten years and as to any area used for other than park and recreational purposes.

The Director said the land was formerly under a mineral lease (Hobart) which expired. There would be reverter provision in the deed, he assured Mr. Williams.

Motion was made by Mr. Dickinson, seconded by Mr. Williams, and adopted unanimously, that the Trustees grant the request of Indian River County for dedication of the 491.04 acres of land for park and recreational purposes subject to the two provisions set forth above, which would be inserted in the instrument of dedication.

MONROE COUNTY - The State Road Department made application for temporary easement, to expire March 1, 1971, for dredging 3.55 acres in Section 32, Township 66 South, Range 30 East, in Monroe County, for an eighty-foot navigation channel in connection with construction of a state road on Spanish Harbor Key.

Also, the State Road Department requested dedication of submerged land in Sections 32 and 33, Township 66 South, Range 30 East, containing 0.51 acre, more or less, on which spoil material from said channel would be placed abutting Spanish Harbor Key upland property owned by Monroe County. By telegram received March 2 the county approved the application.

Staff recommended approval of the temporary dredging easement and the dedication of submerged land to the State Road Department, subject to receipt of official county resolution confirming the telegram of approval.

Motion was made by Mr. Dickinson, seconded by Mr. Faircloth, and adopted unanimously, that the Trustees accept the recommendation of the Staff as the action of the Board.

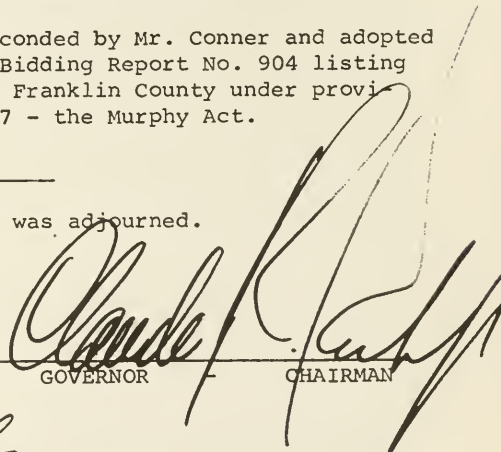
PALM BEACH COUNTY - Attorney Francis E. Love made request for the issuance of a duplicate deed in lieu of Trustees' Deed No. 24013 (1628-50) dated June 23, 1965, to Cecil C. Pults and Hazel E. Pults, his wife. Original deed was reported to be lost without having been recorded.

Motion was made by Mr. Dickinson, seconded by Mr. Faircloth and adopted without objection, that the Trustees authorize issuance of the duplicate deed for the usual \$10.00 charge.

SUBJECTS UNDER CHAPTER 18296

On motion made by Mr. Dickinson, seconded by Mr. Conner and adopted unanimously, the Trustees approved Bidding Report No. 904 listing one regular bid for sale of land in Franklin County under provisions of Chapter 18296, Acts of 1937 - the Murphy Act.

On motion duly adopted, the meeting was adjourned.


GOVERNOR - CHAIRMAN

ATTEST:


DIRECTOR - SECRETARY

* * * * *

The Trustees of the Internal Improvement Fund met on this date in the Board Room of the office of the Governor, in the Capitol.

Present:	Claude R. Kirk, Jr.	Governor
	Fred O. Dickinson, Jr.	Comptroller
	Broward Williams	Treasurer
	Earl Faircloth	Attorney General
	Doyle Conner	Commissioner of Agriculture

Robert C. Parker	Director
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On motion made by Mr. Faircloth, seconded by Mr. Dickinson and adopted, the Trustees approved minutes of the meeting of March 7, 1967.

MORATORIUM ON SALE OF LAND - On January 31, 1967, the Trustees approved a motion by Attorney General Earl Faircloth to place a moratorium on sale of submerged lands and reclaimed lake bottoms for a period of 45 days, with exceptions being made where undue hardship or injustice would be caused or the public interest thwarted by such postponement. On this date there was placed on the agenda for consideration a memorandum dated March 15 from the Attorney General proposing extension of the moratorium until the adjournment of the 1967 Legislature.

Although recorded first in these minutes, the moratorium was taken up as the last item at the suggestion of the Attorney General so that matters before the Board today could be considered under the merits of the 45-day moratorium period. After an unusually long Cabinet meeting and lengthy Trustees' agenda, Mr. Faircloth said that in view of the time problem he would move to extend the 45-day moratorium for two weeks which is the next meeting when he would be present.

Mr. Conner asked if extension would create any problem with the Staff, and the Director advised that some applicants and attorneys had indicated that it was a hardship and inquired what the attitude of the Trustees would be concerning extension of the moratorium.

Mr. Faircloth said he would move that the moratorium be continued to the end of the legislative session and that further, the Staff would be asked to meet and to assist legislative committees, mentioning Senator Ben Hill Griffin and Senator A. J. Ryan in particular.

Mr. Conner said that the guide lines in the March 15th memorandum pointed out conservation and other criteria which were now being followed by the Trustees informally, that it seemed to be just putting in print what he had been attempting to do but with certain changes regarding requirement that the applicant pay engineering and certain other fees in connection with his application. Mr. Faircloth explained that his proposition was more than that in depth, that he thought the Legislature might be asked for some directives, that other agencies such as the Park Service should be allowed to indicate any lands that might be used. Mr. Conner said that was now being done and that for about six years Trustees' policies had been very conservation-inclined and under a previous administration an inventory was made at considerable expense.

The Director said that the Staff had often met with appropriate committees and legislators and would be glad to render all assistance possible in the consideration and drafting of new legislation concerning administration of submerged land. He said the Staff is attempting to adhere to the Trustees' policies and to existing legislation.

Mr. Faircloth expressed his philosophy that public right is paramount, that right without access is no right at all, and the Legislature could provide for rights of the public to use waterfront property. He said we seem anxious to sell public land when it should be just the opposite.

Mr. Conner said the Trustees had the right to deny sales and that he practiced the policy of deciding on the merits of each individual application. He pointed out that on the agenda for this meeting there were quite a number of applications which were considered on their merits.

Comptroller Dickinson said he would appreciate a delay of two weeks on the matter. He asked whether legislation might change the rights of upland owners to purchase submerged land in front of their property. Mr. Faircloth replied that many things might be looked into, such as what an upland owner's rights were, if any, whether any building of roads or structures should be within a certain distance from the high water mark. He said he intended to urge legislation along these lines.

The Governor was informed that the Bulkhead Act was enacted in 1957, whereupon he said it was time to look at policies.

It was agreed without objection that the temporary 45-day moratorium would be extended for two weeks and that the Trustees would then consider the Attorney General's proposal to extend the moratorium until adjournment of the 1967 Legislature.

DADE COUNTY - Bulkhead Line. Submitted for reconsideration at the request of Mr. H. P. Forrest, Attorney for Island View Special Services Hospital, Inc., was a bulkhead line amended by Ordinance No. 1597 by the City Council of the City of Miami Beach located on the east shore of Biscayne Bay in Section 33, Township 53 South, Range 42 East, which was denied by the Trustees on February 7, 1967. A hospital was proposed to be constructed on upland and the submerged land inside the bulkhead line, all required exhibits were furnished, the Board of Conservation offered no objection to nor recommendation for the bulkhead line along the heavily dredged and filled bayside of Miami Beach. The Trustees' Staff had recommended approval of the amended line.

The file contained protests from Jack R. Courshon, attorney for, and Daniel Burach, president of, the Sunset Islands Three and Four Property Owners, Inc.; telegram of objection from Dick Fincher, Messrs. Courshon and Burach. Petition and letters from a large number of proponents, and a resolution of the Water Resources Control Council, Miami-Dade County Chamber of Commerce dated March 13, requested reconsideration and approval by the Trustees.

Dr. Paul N. Unger, President of the Hospital, was present and Mr. Robert Achor, in his behalf, explained to the Trustees the organization of the hospital project about two years ago, the need for a 300-bed hospital, the action by the City of Miami Beach after public notice, hearing and amendment of the bulkhead line to allow

extension around the submerged area needed in order to build the hospital which was planned. He said that everyone officially concerned with flow of tidal waters, zoning, conservation and any other thing had made no objections, except Mr. Courshon and some residents of the Sunset Islands area. Mr. Achor displayed an aerial photograph on which he pointed out the things he mentioned in his explanation. He said it was a misunderstanding on February 7 when the Board members had what was represented as minutes of the Miami Beach City Council hearing in which sponsors of the proposed hospital were quoted as saying that the extension was not essential to the hospital. It was essential, he said, for the construction of the planned hospital.

Mr. Burach and Mr. Courson were heard in opposition to the bulkhead line extension. The latter questioned whether the action of the community officials was in the best public interest in this case, said that the hospital group could find other land available for use and there was no mistake of fact on that point of building the hospital without extension into the Bay, and said his group did not oppose the hospital and would be glad to contribute. He said this was no hardship, that other land could be purchased, and he objected to the extension at the expense of other individuals. The objectors went on to say that if this extension was made, an operator of boatworks would expect to be granted an extension which would be damaging to the property values, view, et cetera, of the residents of Sunset Islands, and would be a piece-meal taking of the Bay.

Governor Kirk made the point that there was some implication that extension would lead to other extensions, but that no one in Florida had the inherent right without approval of the Board, and no adjacent owner had the right to expect to have such applications approved.

Mr. Faircloth said he concurred whole-heartedly, and that he had heard that it was not the case that the hospital could be built without the extension of the bulkhead line.

Motion was made by Mr. Williams, seconded by Mr. Faircloth and adopted unanimously, that the Trustees rescind the action taken on February 7 and uphold the recommendation of the Staff that the amended bulkhead line adopted by the City of Miami Beach by Ordinance No. 1597 dated September 21, 1966, be formally approved.

DADE COUNTY - File No. 434-13-253.12. On February 28th the Trustees deferred action on confirmation of sale of 0.40 acre of submerged land in Biscayne Bay in Section 39, Township 54 South, Range 41 East, for which John Colozoff and wife, the abutting upland owners, had made application in 1965 and offered the appraised price of \$6,345 per acre.

Copy of a letter dated March 9 from M. L. Reese, City Manager of the City of Miami, to the applicant's attorney, and Mr. Reese's letter of March 3 to the Director lifted the city's request for the sale to be held in abeyance. Staff recommended confirmation of the sale.

Motion was made by Mr. Faircloth, seconded by Mr. Dickinson and adopted unanimously, that sale of the advertised parcel be confirmed to the abutting upland owner at the appraised price.

HILLSBOROUGH COUNTY - File No. 1931-29-253.12. On January 31 the Trustees considered, as a hardship case, the application of Francis J. Corr, et ux, et al, abutting upland owners, for purchase of 3 separate tracts of submerged land in Tampa Bay in Sections 16, 17, 19, 20 and 30, Township 31 South, Range 19 East, totalling 350 acres, more or less, landward of part of Apollo Beach development. The offer of \$125.00 per acre was made, which was the price at which other land in this area was previously sold.

Notice of sale was published in the Tampa Tribune, proof of publication filed. On the advertised sale date, March 14th, no Cabinet meeting was held, and confirmation of the sale was recommended on this date.

Southeastern Fisheries Association, Inc., Hillsborough County Fisherman-Dealers Association, and Eugene McRoberts objected that the area was a productive fishing area. One objector said that if the area was sold, at least the state should receive the value of what would be lost, or much more than the offer of \$125.00 per acre.

Senator Randolph Hodges, Director of the Board of Conservation, said he would back up the biologists' report objecting to the sale. Mr. Faircloth read from Mr. Hodges' letter regarding the conservation values in the area and the fact that the bulkhead line had been set without consultation with the Board of Conservation.

Attorneys Adrian S. Bacon and Lawrence J. O'Neill were present, representing applicants. Photographs were exhibited showing the overall project design, the stage of completion, relation of the application area to Tampa Electric, St. Petersburg and other landmarks. It was pointed out that water areas were created as the project went forward, a golf course was in the plan, that outside islands had been purchased and the applicant owned the shoal, the uplands, and Wolf Branch. Mr. Bacon told of his long association with the matter and knowledge of the hard, sandy, shallow bottom. He answered a number of questions and said that improvement of the uplands, even without purchase of submerged land, would substantially reduce any conservation values of the area.

Governor Kirk suggested a new appraisal, to which Mr. Bacon replied that if the Cabinet wanted one he had no objection but he pointed out problems such as the cost of dredging, that the created land would cost more than lands around there were selling on the market, and that values were more prospective than real. Mr. O'Neill said the project was stated in 1956, parcels were purchased in 1958, 1959, and these were to have been purchased in 1960 but through no fault of the present owners the development was tied up for years in litigation, more investments were required and the owners had to recoup losses. The Governor said the Board was aware of the matter and pleased that the project was in good hands, but that their responsibility was to all the people of Florida that the value of the land be received.

Mr. Faircloth agreed that the sale could be approved provided that a price could be agreed upon, based on a current appraisal.

Governor Kirk expressed the sense of the Board that sale would be confirmed subject to the Staff securing a new appraisal, approval of that price by the Trustees and acceptance by the applicants. However, Mr. Dickinson did not vote with the majority, for the reason that he felt the applicants, who had invested millions in the development and who owned Wolf Creek and the upland property, and through no fault of theirs had the project held up by litigation,

should be allowed to purchase at the stated price.

On a vote of four to one, with Mr. Dickinson voting "no", the Trustees approved confirmation of the sale in principle subject to agreement on the price to be paid for the land.

MANATEE COUNTY - File No. 1955-41-253.12. On January 24, 1967, the Trustees considered application of Edward J. O'Donoghue, et ux, the abutting upland owners, to purchase a parcel of submerged land in Sarasota Bay in Section 25, Township 35 South, Range 16 East, 0.195 acre, more or less, abutting uplands within the Town of Longboat Key, Manatee County, landward of the established bulkhead line. Applicant offered \$700.00 per acre, the appraised price. Notice of sale was published in the Bradenton Herald, proof of publication filed and no protest received.

On the advertised sale date, March 14th, no Cabinet meeting was held, and confirmation of the sale was recommended on this date.

Motion was made by Mr. Conner, seconded by Mr. Faircloth, and adopted unanimously, that the Trustees confirm sale of the advertised parcel to the riparian owner at the appraised price.

PALM BEACH COUNTY - The Board of Parks and Historic Memorials made application for dedication, for public recreation purposes, of a parcel of land within Hoover Dike right of way in Section 18, Township 42 South, Range 37 East, adjacent to Pahokee in Palm Beach County. Permits for the proposed use of thirty acres atop Hoover Dike were received from the U. S. Corps of Engineers and Central and Southern Florida Flood Control District, the dedication to be made subordinate to prior rights of the U. S. and the District. Staff recommended approval of the application.

Motion was made by Mr. Dickinson, seconded by Mr. Williams and adopted unanimously, that the Trustees authorize issuance of dedication for public recreation purposes for the Pahokee State Park, as requested by Florida Board of Parks and Historic Memorials, subject to prior rights of the U. S. Corps of Engineers and the Central and Southern Florida Flood Control District.

SARASOTA COUNTY - File No. 1968-58-253.12. On January 31 the Trustees considered the application of Morris Trading Corp., abutting upland owner, with offer of \$1,250.00 per acre for 2.7 acres of submerged land in Little Sarasota Bay in Section 20, Township 37 South, Range 18 East, in Sarasota County landward of the established bulkhead line. Notice of sale was published in the Sarasota Herald-Tribune, proof of publication filed, and since there was no Cabinet meeting on the advertised sale date of March 14th, the sale was presented for consideration on this date.

Prior to approval of the bulkhead line, Board of Conservation biologist inspected the area and waived objection to the location of the bulkhead line. Sarasota County Water and Navigation Control Authority approved the bulkhead line, sale of submerged land and issuance of dredge and fill permit. The official action by the County Commission, sitting as the Authority, made Findings of Fact which included, among other things, a finding that no damage would occur to conservation values of this area by reason of sale and filling of this parcel of land.

West Coast Inland Navigation District strongly supported this application because of the need to use Mr. Morris' upland and adjoining application area as a spoil area needed for federal dredging in the area for relocation of the channel. The waterway plan supported the State Road Department road and bridge plan for Stickney Point. The applicant would remove that portion of the existing dike jutting into the right of way.

In recognition of the public benefits that would ensue with respect to spoiling and the realignment of the waterway, Staff felt that the public interest would best be served by approval of the sale and the dredge and fill permit.

Objections were filed from Arthur Bevan of Conservation Committee of Sarasota Audubon Society, Sarasota County Civic League which asked for a re-examination, and several residents and property owners who protested that marine life would be damaged and questioned the accuracy of the findings of fact by the Authority.

Present on this date, and in favor of the application, were Sarasota County Attorney Richard E. Nelson, WCIND Attorney Dewey Dye, and applicant's attorney, H. Allan Weber. No objectors were present.

The Trustees examined the maps and drawings, and upon motion by Mr. Conner, seconded by Messrs Dickinson and Williams, and adopted unanimously, overruled the objections and confirmed the sale of the advertised parcel at the price of \$1,250.00 per acre offered by the abutting upland owner, Morris Trading Corporation. Also, by the same motion, the Trustees formally approved the dredge and fill permit granted by the Sarasota County Water and Navigation Control Authority on December 27, 1966.

SARASOTA COUNTY - The State Road Department, the abutting upland owner, made application for dedication of two parcels of submerged bottoms of Sarasota Bay in Sections 18 and 19, Township 37 South, Range 18 East, containing a total of 1.83 acres, more or less, needed for right of way for the new Stickney Point Bridge. One parcel contained 1.50 acres, identified as SRD No. 109.0, and a second parcel of 0.33 acre was numbered SRD 110.1. Staff recommended issuance of the two dedication instruments dependent upon receipt of waiver of objection from West Coast Inland Navigation District, and with the instruments to be subordinate to prior rights of the U. S. Corps of Engineers and West Coast Inland Navigation District.

Motion was made by Mr. Dickinson, seconded by Mr. Williams, and adopted unanimously, that the two dedications requested by the State Road Department be authorized subject to the provisions recommended by the Staff.

DUVAL COUNTY - File No. 1978-16-253.12. Anderson M. Foote on behalf of the Atlantic Coast Line Railroad Company, abutting upland owner, offered the appraised price of \$1,950.00 per acre, or \$507.00 for the parcel of submerged land in the St. Johns River in Section 17, Township 2 South, Range 27 East, containing 0.26 acre abutting uplands in the City of Jacksonville and landward of the established bulkhead line.

The parcel would be leased from A. C. L. by Eagle, Inc., for steam-

ship docking and unloading facilities in connection with a truck trailer ferry service between Jacksonville and Puerto Rico. Present structures on uplands adjacent to the submerged parcel made it infeasible to construct the dock within uplands, and to accommodate vessels it would be necessary to dredge to a depth of minus 21 feet. The spoil would be deposited within the proposed construction. The first vessel was scheduled to arrive April 21, 1967, and service thereafter would be on a weekly basis. No other riparian owners were within 1000 feet on either side of the parcel.

Motion was made by Mr. Williams, seconded by Mr. Dickinson and adopted unanimously, that the parcel be advertised for objections only.

SARASOTA COUNTY - The Board of County Commissioners of Sarasota County authorized their attorney, Mr. Richard E. Nelson, to present to the Trustees a resolution adopted by the Commission on March 7, 1967, concerning drilling for oil in the offshore waters adjoining Sarasota County. Mr. Nelson read the following resolution:

RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS
OF SARASOTA COUNTY, FLORIDA

RE: OIL AND MINERAL EXPLORATION ON SUBMERGED LANDS
WITHIN THE BOUNDARIES OF SARASOTA COUNTY, FLORIDA

WHEREAS, the Trustees of the Internal Improvement Fund of the State of Florida, hereinafter called "Trustees" did, on the 27th day of March, 1946, grant a lease in favor of Arnold Oil Explorations, Inc., which lease is now purportedly held by Coastal Petroleum Company, hereinafter called "Coastal"; and

WHEREAS, the provisions of said lease encumber millions of acres of public bay bottoms, river bottoms and gulf bottoms on the West coast of Florida, including vast areas within the boundaries of Sarasota County in which said lease permits and encourages the drilling, prospecting and production of oil, gas and sulphur, as well as the laying of pipe lines, the building of tanks, roads, power stations and other structures to accommodate the exploration and production of oil, gas and sulphur; and

WHEREAS, said lease was granted for a primary term of five (5) years with provisions for renewal for five year periods; and

WHEREAS, the granting of said lease some twenty years ago was for the specific intent of either developing or not developing of the oil, gas and sulphur resources within the primary lease period of five (5) years; and

WHEREAS, no oil, gas or sulphur have been developed or produced within the boundaries of Sarasota County during the primary term of said lease or any of the extensions thereto; and

WHEREAS, those vast areas of bay bottoms, river bottoms and gulf bottoms in Sarasota County encumbered by said lease have become the most important single public asset within the boundaries of Sarasota County in that said areas provide for the use and benefit of the public an area of natural resources available for fishing, boating and other outdoor recreational usage, as well as an area for the conservation of wild life, fish and other marine life; and

WHEREAS, the past and anticipated future increases in population, accompanied by the expansion of the needs and demands of the public for outdoor recreation; the increased demand for production of fish and other marine life; the vastly expanding tourist industry, accompanied by the necessity to conserve and protect existing wild and marine life have emphasized that the public health, safety and welfare will be more beneficially served by the cancelling of Coastal's lease as it applies to Sarasota County; and

WHEREAS, the concerned lease to Coastal is subject to being construed as the grant of a perpetual use of public lands by a private corporation for profit and the terms and provisions thereof in other respects are redundant, ambiguous and susceptible to various interpretations which have resulted in the creation of clouds upon the title to large areas of submerged and filled lands heretofore conveyed by the Trustees; and

WHEREAS, there may be considerable doubt as to the compliance with the provisions of said lease by Coastal so as to entitle Coastal to the successive extensions of the terms and provisions of said lease; and

WHEREAS, the best interests of the State of Florida and the County of Sarasota will be served by the cancellation of said lease as it applies to Sarasota County.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF SARASOTA COUNTY, FLORIDA, in public meeting assembled:

1. The Trustees of the Internal Improvement Fund of the State of Florida are hereby respectfully requested to review the terms and provisions of the lease granted by the Trustees on the 27th day of March, 1946, to Arnold Oil Explorations, Inc., now purportedly held by Coastal Petroleum Company, and upon completion of the review of same to authorize an investigation and public hearing for the purpose of determining whether or not the intent, purposes and terms of said lease have been complied with by Arnold Oil Explorations, Inc., and its assigns, and for the further purpose of determining whether or not it is in the best interests of the State of Florida and County of Sarasota to cancel or otherwise limit the vast areas of the public domain which are subject to the terms and provisions of said lease.

2. The problem of the application of said lease is one which may adversely affect all of the counties of the lower West coast of Florida in varying degrees and, therefore, it is respectfully suggested that the counties so affected undertake an investigation to determine whether or not it is in the best interests of the citizens of the State of Florida and of their respective counties to request the Trustees of the Internal Improvement Fund of the State of Florida to cancel or limit the application of the oil and sulphur drilling leases affecting the submerged lands within their boundaries.

3. The Clerk of this Board is hereby authorized and instructed to forward a copy of this Resolution to the Board of County Commissioners of Pinellas, Manatee, Charlotte, Lee and Collier Counties, and to the Florida Legislative Delegations representing said Counties.

4. The Attorney for this Board is hereby authorized and directed to present this Resolution to the Trustees of the Internal Improvement Fund of the State of Florida with the request that the Trustees act upon same at the earliest possible date.

PASSED AND DULY ADOPTED this 7th day of March, 1967.

BOARD OF COUNTY COMMISSIONERS OF
SARASOTA COUNTY, FLORIDA

(SEAL)

By: (s) Leslie C. Miller
Chairman

ATTEST: (s) Robert W. Zinn
Clerk of the Board of
County Commissioners

*** *** ***

Motion was made by State Treasurer Broward Williams, seconded by Attorney General Earl Faircloth, and adopted unanimously, that the Trustees receive the Resolution and take it under advisement.

Mr. Page S. Jackson, County Attorney of Pinellas County, was authorized to appear before the Trustees to express the views of the Board of County Commissioners of Pinellas County in support of the views as expressed in the above resolution by the County Commissioners of Sarasota County concerning this Coastal lease. He said that the twenty-year old lease appeared to constitute a grant of use of vast areas of submerged bottoms, and that Charlotte, Lee, Pinellas, Collier, Manatee, Hillsborough and Sarasota Counties all felt concerned. He said the lease turned up as an exception of title insurance companies, and he was asked by his Board to endorse and join with Sarasota County in requesting that the Trustees consider the matter and relieve them of unreasonable inconveniences and litigation which had resulted from filling by owners of submerged land in the lease area.

On motion duly adopted, the Trustees took the request under advisement for further study.

FRANKLIN COUNTY - Geophysical Permit. Geophysical Service, Inc., requested permission to conduct a short reflection seismograph survey offshore from Franklin County over an area 8½ miles long and approximately 8 miles from the nearest land. Written evidence on file from Coastal Petroleum Company and Mobil Oil Company, holders of oil and gas lease in the area, granted permission for the survey. Application for Board of Conservation permit was approved by that board on this date.

Motion was made by Mr. Dickinson, seconded by Mr. Faircloth and adopted unanimously, that the Trustees grant permission to the Geophysical Service, Inc., to conduct the requested survey, insofar as the interest of the Trustees extends.

HILLSBOROUGH COUNTY - File No. 1600-29-253.124. The Elsberry Development Corp. and Tampa Bay Industrial Corp., by Mr. John M. Allison, attorney, requested modification of the revised dredge and fill permit for work in Sections 9 and 10, Township 31 South, Range 19 East, in Tampa Bay, Hillsborough County. The Trustees approved the original permit on October 11, 1966, a revised permit on November 29, 1966, and further changes in breakwater and boat slip

construction required modification of the permit. Hillsborough County Commission issued modified permit on March 1, 1967, and the Staff recommended approval.

On motion made by Mr. Williams, seconded by Mr. Dickinson and adopted without objection, the Trustees formally approved the modification of the revised dredge and fill permit.

GLADES COUNTY - On August 5, 1966, the U. S. Sugar Corporation entered into Agricultural Lease No. 2207 with the Trustees, of 96.65 acres, more or less, of reclaimed lake bottom land of Lake Okeechobee in Section 22, Township 42 South, Range 33 East, Glades County, for an annual rental of \$20.00 per acre. However, the Trustees were unable to deliver possession of the tract to U. S. Sugar due to the former lessee still being on the land until February 20, 1967. Staff recommended that a refund of prepaid rental in the amount of \$1,047.02 representing the first six months and fifteen days of the lease term, be authorized.

Motion was made by Mr. Dickinson, seconded by Mr. Faircloth and adopted unanimously, that refund of \$1,047.02 be made to U. S. Sugar Corporation as recommended by the Staff.

PINELLAS COUNTY - File No. 306-52-253.12. On February 13, 1967, the City of Dunedin by Resolution No. 67-8 agreed to accept payment of the sum of \$6,450.98 from the Fidelity and Casualty Company of New York as discharging in full the obligation of the bonding company to construct the access road to the public beach on Honeymoon Island to Station 102+00 as shown on the appropriate approved construction plans described in the final certificate of Watson and Company dated December 1, 1964. The construction of this road was the final obligation of the bonding company with respect to the construction of the causeway and bridge from the mainland to Honeymoon Island as originally agreed upon, and in which the Trustees were involved as a party by reason of the fact that certain submerged lands were made available to the City of Dunedin to insure access to this offshore island. A copy of subject Resolution No. 67-8 has been forwarded to this office by Mr. Thomas C. Mac Donald, Jr., attorney for the bonding company, with the request that it be brought to the attention of the Trustees, and that the action of the City of Dunedin in accepting the sum of \$6,450.98 as final and complete discharge of the responsibilities of the bonding company with respect to this project be confirmed and approved by the Trustees.

Staff had reviewed the contents of the subject resolution and recommended that the Trustees concur and approve the action of the City of Dunedin as set forth in the resolution.

Motion was made by Mr. Williams, seconded by Mr. Faircloth and adopted without objection, that the Trustees concur and approve the action taken by the City of Dunedin.

PINELLAS COUNTY - On September 27, 1966, the Trustees granted permission to the City of Treasure Island to extend by artificial nourishment the beaches that were subject to severe erosion along the Gulf of Mexico within the corporate limits of the city for a distance of approximately 1.7 miles, conditioned upon the city

obtaining the consent of all the riparian owners. At that time there was only one land owner who did not consent, and the Trustees' approval was subject to the final disposition of the single objection. Subsequently, the City of Treasure Island purchased the upland property of the objector and furnished to the Trustees' office a copy of warranty deed executed on February 18, 1967, duly recorded.

Upon motion by Mr. Williams, seconded by Mr. Dickinson, and unanimously adopted, the Trustees accepted the report as information regarding the city's compliance with the condition in the Trustees' approval on September 27, 1966, for the beach nourishment project.

POLK COUNTY - George Armington submitted after-the-fact application for permit for the removal of 47,400 cubic yards of fill material from Lake Rosalie in Townships 29 and 30 South, Range 29 East, in Polk County. The Florida Game and Fresh Water Fish Commission investigated the project and suggested several measures to mitigate the damage done by dredging, which suggestions were followed by Mr. Armington to the satisfaction of the Game Commission. Applicant tendered payment in the amount of \$2,370.00 for the fill material, and Staff recommended issuance of after-the-fact permit.

The Director suggested that Trustees' policy be modified to provide a penalty where such unauthorized work was uncovered, in addition to the requirement for after-the-fact permit, where issuance of such permit was approved.

Motion was made by Mr. Faircloth, seconded by Mr. Dickinson and unanimously adopted, that after-the-fact permit be authorized in this instance, and that for future applications of this kind an additional penalty be required.

TRUSTEES' FUNDS - Acquisition of Capitol Center Property. The Director reported that he had been advised by Mr. Charles D. Barrier, Executive Director of the Capitol Center Planning Committee, that Mrs. N. D. McPeak has agreed to sell her property to the state for the sum of \$22,500.00 upon condition that she be allowed to remove the building and retain possession through the summer trimester to honor commitments to present tenants. Efforts had been under way for several years to negotiate purchase of the property, described as the E $\frac{1}{2}$ of W $\frac{1}{2}$ of Lot 247 Old Plan of the City of Tallahassee, 42 $\frac{1}{2}$ feet in width by 170 feet in length, fronting on West Gaines Street between Duval and Bronough Streets.

Staff reviewed the matter and found that the price agreed upon was in line with prices paid for other property in the area. Therefore, the Staff recommended that approval be given for the expenditure of Trustees' funds to make this acquisition.

On motion made by Mr. Williams, seconded by Mr. Faircloth, and adopted unanimously, the Trustees gave approval for expenditure of \$22,500.00 of Trustees' funds for the acquisition of capitol center property.

TRUSTEES' FUNDS - The Trustees on October 4, 1966, authorized that the low bid of \$5.75 per page be accepted from the St. Peters-

burg Printing Company for the printing of Volume 35, Minutes of the Trustees. After delivery of the books it was found that corrections must be made in the index, and the printer made the corrections at the cost of \$604.20. The Staff had consulted the State Purchasing Commission and it was agreed that the state's responsibility for the corrections was 35% or \$211.47 of the extra cost. Staff requested approval to pay this amount from budgeted funds.

Motion was made by Mr. Williams, seconded by Mr. Dickinson, and adopted unanimously, that the Trustees authorize payment to St. Petersburg Printing Company from budgeted funds, of the extra cost of \$211.47 for the corrections made in the index of the printed minutes, in addition to the amount of the low bid at \$6.75 per page.

SUBJECTS UNDER CHAPTER 18296

Motion was made by Mr. Dickinson, seconded by Mr. Williams, and adopted unanimously, that Report No. 905 listing 2 bids for sale of Santa Rosa County land under provisions of Chapter 18296, the Murphy Act, be approved and execution of deeds pertaining thereto be authorized.

HILLSBOROUGH COUNTY - Mr. William M. Register, Jr., attorney, on behalf of the University of South Florida Foundation, a Florida corporation, requested waiver of the usual regulations as to size limitation for release of the oil and mineral rights reserved in Hillsborough County Murphy Act Deed No. 4053 dated May 26, 1945, as to almost eleven acres of land in the NW $\frac{1}{4}$ of NW $\frac{1}{4}$ of Section 17, Township 28 South, Range 19 East, Hillsborough County, to be used for development. Under the statutory provisions the whole area might not be considered a building site, but the Staff felt that for a consideration of \$220.00, the State of Florida would be compensated for the oil and mineral interest.

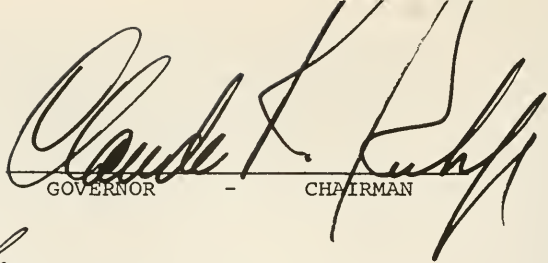
Motion was made by Mr. Williams, seconded by Mr. Dickinson and adopted unanimously, that the Trustees waive the rule and authorize release of the oil and mineral rights upon payment of \$220.00.

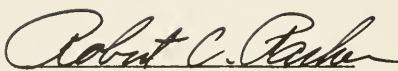
REFUNDS - Motion was made by Mr. Dickinson, seconded by Mr. Williams, and adopted unanimously, that refunds in the amount of \$10.00 each be made to the following two applicants for release of state road right of way reservations affecting parcels of land conveyed under the provisions of Chapter 18296 - the Murphy Act- for the reason that the State Road Department did not recommend release of the reservations.

Tampa Abstract and Title Insurance Company, Hillsborough County Part Deed No. 3923, and

Lawyers Land Title Corporation, Hillsborough County Part Deed No. 3923.

On motion duly adopted, the meeting was adjourned.


GOVERNOR - CHAIRMAN

ATTEST: 
DIRECTOR - SECRETARY

* * * * *

Tallahassee, Florida
March 28, 1967

The Trustees of the Internal Improvement Fund met on this date in the Board Room of the office of the Governor, in the Capitol.

Present: Claude R. Kirk, Jr. Governor
Fred O. Dickinson, Jr. Comptroller
Broward Williams Treasurer
Doyle Conner Commissioner of Agriculture

Robert C. Parker Director

BREVARD COUNTY - File No. 1981-05-253.12. Mr. Paul M. Goldman was present on behalf of Mr. Wendall O. Yount, et ux, abutting upland owners, who applied to purchase a parcel of submerged land in the Banana River in Section 19, Township 24 South, Range 37 East, 4.02 acres abutting uplands adjacent to Riviera Isles Subdivision, landward of the established bulkhead line in Brevard County. The land was appraised at \$400.00 per acre by the Staff Appraiser.

The uplands adjacent to the submerged land sought for purchase had been platted and partially developed with homes in various stages of construction, some already occupied. Further construction was delayed due to Federal Housing Administration and Veterans Administration requirements that street ends must have cul-de-sacs for vehicular traffic turn-arounds. It was anticipated by the applicant that such turn-arounds would have been constructed over submerged land, however, the moratorium had prevented the purchase which would have finalized the project described as now being at a stand-still. Mr. Goldman said that the bulkhead line was established in 1965 and obviously his client would have been wiser to have sought to purchase the submerged land then and held it under contract. However, he had developed in a systematic manner, the upland first, and relied on being allowed to purchase submerged land abutting his upland ownership. He pointed out that a substantial amount of the application parcel would go into canals and dedicated streets, and unless allowed to purchase the submerged land the financing of the building program would be endangered.

Mr. Dickinson said he did not know the applicants but had investigated the application and thought it was a genuine hardship case in which the Trustees could assist. He made a motion that the application be approved.

Governor Kirk said the situation was forced by the applicant not putting the turn-arounds on his property, that there should be some way to guarantee that investors don't assume that the state will

sell the submerged land. Mr. Dickinson agreed with the Governor and said the same type of problem had come up several times since January, but that developers planning a project depending on procuring submerged land should present the total package to the Trustees at the outset, should give the Staff information about their future plans as it might involve submerged lands. Mr. Parker said the Staff did not encourage upland owners to assume they could purchase submerged land. Governor Kirk replied that they should be warned that there was no implied consent to sale of submerged land.

The area was within a bulkhead line running over nine thousand feet along the western shore of the Banana River which was inspected by the Board of Conservation, which recommended designated area for dredging fill material to minimize damage to conservation values in the overall area.

Motion was made by Mr. Dickinson, seconded by Mr. Williams and adopted unanimously, that the submerged land applied for be advertised for objections only.

BROWARD COUNTY - File No. 1982-06-253.12. John D. Mendez on behalf of Island Twenty, Inc., the abutting upland owner, made application to purchase a parcel of submerged land in the New River in Section 12, Township 50 South, Range 42 East, abutting Island "B" and adjacent to the southerly right of way line of the Intracoastal Waterway channel landward of the established bulkhead line in the City of Fort Lauderdale, Broward County, Florida. The Director said that the phase of litigation in which the Trustees were involved, relative to the excessive fill upon Island "B", had been concluded.

The applicant desired to exchange a parcel containing 0.335 acre lying inside the Intracoastal Waterway right of way, for a like amount of submerged land owned by the Trustees. Total area of the submerged land sought was 0.717 acres. The exchange will result in the applicant purchasing 0.382 acre for which the appraised value of \$10,500.00 per acre, or \$4,011.00 for the 0.382 acre, was offered. Applicant will execute the appropriate instrument conveying to the Trustees the 0.335 acre parcel; in turn, the Trustees were requested to issue an instrument conveying the 0.717 acre submerged parcel.

In view of the involved litigation over an extended period and the encroachment into the Intracoastal Waterway right of way, Staff requested consideration of the application under the hardship provisions of the moratorium. The applicant was said to be in the process of bulkheading the remainder of the island.

Motion was made by Mr. Dickinson, seconded by Mr. Williams and adopted unanimously, that the exchange be approved and that advertisement for objections only be authorized.

MONROE COUNTY - The State Road Department requested dedication, for road right of way purposes, of a parcel of submerged land in Hawk Channel in Section 26, Township 62 South, Range 38 East, abutting Lots 2, 3 and 4, Block 5, Ocean Park Village Subdivision, Plat Book 4, Page 14, Public Records of Monroe County, containing 1.07 acres, more or less, on Key Largo. Staff recommended dedication for road right of way of the 1.07 acres identified by the State Road Department as Parcel 101.1, Section 90505-2610.

Also, the State Road Department requested temporary dredging easement to extend until March 15, 1971, covering Parcel 102.1, an 0.88 acre parcel of submerged land in Hawk Channel in Section 26, Township 62 South, Range 38 East, abutting Lot 5, Block 5 of said Ocean Park Village Subdivision. Spoil from the dredge area would be placed on the adjacent road right of way.

On motion by Mr. Williams, seconded by Mr. Conner and adopted unanimously, the Trustees granted the request of the State Road Department for dedication of 1.07 acres for road right of way, and authorized issuance of temporary dredging easement for the 0.88 acre parcel to extend until March 15, 1971.

PALM BEACH COUNTY - Paul R. Gundlach made application for a commercial dock permit for construction of a bulkhead and two floating docks in Lake Worth at his upland property in Government Lot 3, Section 34, Township 44 South, Range 43 East, in Palm Beach County. All required exhibits, including \$100.00 processing fee, were submitted and the Staff recommended approval.

On motion by Mr. Dickinson, seconded by Mr. Williams and adopted without objection, the Trustees approved issuance of commercial state dock permit to Mr. Gundlach.

SARASOTA COUNTY - Bulkhead Line. The Board of County Commissioners of Sarasota County, sitting as the Water and Navigation Control Authority, adopted Resolution No. 67-2-M dated March 7, 1967, which changed and established a bulkhead line in Section 22, Township 38 South, Range 18 East, in Blackburn Bay. All required exhibits were furnished and there were no local objections. The Authority in the same resolution approved purchase of a small parcel (0.046 acre) of submerged land under and around an existing house constructed on pilings which had been in place for over 15 years.

The Board of Conservation found that damage to marine life was apparently precluded since no dredging and filling was planned and the applicant desired only to obtain title to the house site, in order to obtain title insurance.

Staff recommended approval of the bulkhead line established by Sarasota County, provided that there will be no filling of the parcel of submerged land in event of any subsequent application for sale and deed of the submerged land within the bulkhead line, said condition to run with the land. Mr. Parker said the Staff secured a cut-back of the bulkhead line originally submitted, and had placed it on the agenda to assist the owner of the existing house and upland property. If he made application to purchase the 0.046 acre parcel, the Staff would recommend a provision in the deed that there would be no filling.

Mr. Conner said that since the county approved the application, there apparently was no zoning violation. He suggested that the county be requested to file a letter assuring the Trustees that there was no objection to the house being there.

Mr. Dickinson pointed out that this was a case where the owner had assumed the submerged land would be sold. Mr. Williams felt that this would be a bad precedent, however, Mr. Dickinson said that the Trustees previously had sold parcels of submerged land under exist-

ing structures built adjacent to upland ownership.

Governor Kirk said he thought the Trustees should deny the application until the end of the moratorium.

Motion was made by Mr. Williams, seconded by Mr. Conner, and adopted on a vote of three to one, with Mr. Dickinson voting "No", that the Trustees decline to approve the bulkhead line fixed by the Sarasota County Water and Navigation Control Authority, until after the end of the moratorium and the legislative session when the application might be submitted for reconsideration.

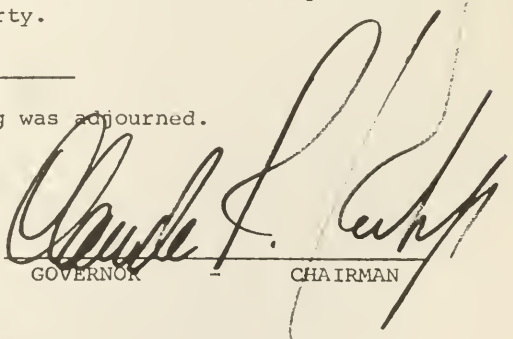
VOLUSIA COUNTY - File No. 1979-64-253.129. Mr. David L. Black on behalf of Mr. Kenneth Shaffer and wife, requested disclaimer pursuant to Section 253.129 Florida Statutes, covering a parcel of sovereignty land filled prior to May 29, 1951, in the Halifax River in Volusia County. The land was described as a parcel of filled land containing 0.52 acre, more or less, adjacent to the Halifax River in Government Lot 4, Section 36, Township 14 South, Range 32 East, abutting the Northerly 100 feet of the Southerly 800 feet of Lot "A", Seabreeze Golf Course, as recorded in Map Book 11, Page 99, Public Records of Volusia County, Florida, landward of the mean high water line. All required supporting evidence was furnished and the Staff recommended approval.

Motion was made by Mr. Williams, seconded by Mr. Conner, and adopted unanimously, that the Trustees approve issuance of disclaimer under Section 253.129 for the usual \$10.00 charge.

TRUSTEES' FUNDS - Capitol Center Property. Mr. Charles D. Barrier, Executive Director of the Capitol Center Planning Committee, advised the Director that Mr. David L. Moody had agreed to sell to the state for \$24,000.00 his property in the Capitol Center described as Sub. Lot 8 of Lot 313, 314, 315, 316, Subdivision 1 of Old Plan of City of Tallahassee, Florida, which fronted on St. Augustine Street, between Bronough and Boulevard Streets, and was 50 feet in width and 120 feet in depth. Staff reviewed the matter and found the price to be in line with prices for other property in the area.

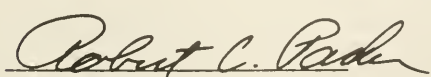
Motion was made by Mr. Dickinson, seconded by Mr. Williams and adopted without objection, that the Trustees authorize expenditure of \$24,000.00 to acquire the property.

On motion duly adopted, the meeting was adjourned.


GOVERNOR

CHAIRMAN

ATTEST:


DIRECTOR - SECRETARY

3-28-67

The Trustees of the Internal Improvement Fund met on this date in the Board Room of the office of the Governor, in the Capitol.

Present: Claude R. Kirk, Jr.	Governor
Fred O. Dickinson, Jr.	Comptroller
Broward Williams	Treasurer
Earl Faircloth	Attorney General
Doyle Conner	Commissioner of Agriculture

Robert C. Parker	Director
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On motion duly adopted, the Trustees approved minutes of the meetings of March 21 and 28, 1967.

PALM BEACH COUNTY - State Drilling Lease. Upon application by Amerada Petroleum Corporation, the Trustees on February 21, 1967, authorized advertisement for competitive sealed bids, pursuant to law, for a 10-year primary term oil and gas drilling lease covering the Trustees' full interest in 16,105.18 surface acres and the reserved one-half interest in 56,477.77 surface acres. Legal notices were published in the Tallahassee Democrat and the Palm Beach Post, calling for sealed bids to be opened at 10:00 A.M. on this date for a lease requiring annual rental of 50¢ per net mineral acre, royalty of one-eighth in kind or value and a minimum of one test well to be drilled within the first 2 years of the lease. Trustees reserved the right to reject any and all bids.

Included in the lands offered for lease were Sections 3, 4, 5, 9, 10, 15, 21 and 22, north of canal, in Township 43 South, Range 39 East, containing 4,293.96 acres, which were used by the Glades Correctional Institution as its farm project. The Division of Corrections had no objection to lease of the tract provided that certain safeguards were taken with respect to their security problem.

Also included was the SW¼ of Section 8, Township 44 South, Range 37 East, 160 acres, which was under lease to Everglades Experiment Station. The Experiment Station requested that this tract not be leased for oil and gas exploration, as such activity would damage and interfere with their research projects. Staff was informed that Amerada would agree not to drill on, or enter upon, this tract but desired it included in the lease.

Portions of Sections 14, 23, 26, 27, 34 and 35 in Township 44 South, Range 39 East, and Sections 2, 3, 10 and 15 in Township 45 South, Range 39 East, containing 4,480 acres, more or less, lying within the Conservation Area No. 1, were requested to be excluded from the proposed lease by Central and Southern Florida Flood Control District by Resolution No. 716 dated March 10, 1967, for the reason that drilling for oil and gas in Conservation Area No. 1 would not be compatible with the use and purpose for which the area was developed and presently employed.

Objections were received from the Florida Game and Fresh Water Fish Commission, the Air Boat - Half Track & Conservation Club of Palm Beach County, and the Federated Conservation Council, requesting that no oil and gas exploration be conducted in Conservation Areas 1, 2 and 3. (Land in Areas 2 and 3 not in proposed lease.)

Dr. Robert O. Vernon, State Geologist, was asked to comment on the objections regarding use of conservation areas. He advised that the development of oil and management of water can be done successfully, without damage to either, and that the Division of Geology rules and regulations had proved to be more than adequate to meet any problem. The Staff felt that the objections and the advice of the State Geologist with respect thereto involved a question of policy which necessarily would have to be determined by the Trustees.

Sealed bid from Amerada Petroleum Corporation, opened at this time, was in the amount of \$68,733.31 for state drilling lease of the estimated total of 72,582.95 surface acres in Palm Beach County. Attached check represented the cash consideration and rent called for in the published legal notice, lease terms and conditions to include rental of 50¢ per net mineral acre, to increase five per cent after the first two years, a royalty payment of one-eighth in kind or in value for oil and gas produced from said lands and fifty cents per long ton for sulphur, salt and/or other brines produced from said land, and a primary term of ten years. The Trustees received the bid and check.

However, in the meeting of the State Board of Education on this date, the Cabinet had discussed and decided to postpone for one month a decision on leasing for oil drilling on land owned by that Board for the reason that preservation of natural resources and water conservation areas might be jeopardized and the 1967 Legislature should be given an opportunity to consider the subject and make an expression on policies regarding drilling leases.

Mr. Dickinson asked if the situation was different with respect to lands owned by the Trustees, and the Director said that seven sections of the land advertised for bids for lease were in a conservation area. He advised the Board that about 80% of the Trustees' land was in conservation areas.

Motion was made by Mr. Faircloth, seconded by Mr. Williams and adopted by a vote of four to one, with Mr. Dickinson voting "No" that action be deferred on the bid from Amerada Petroleum Corporation for at least thirty days unless there was some policy direction from the Legislature regarding leasing of state land for oil exploration and drilling.

CLAY COUNTY - File No. 1961-10-253.12. On March 7, 1967, the Trustees considered application from James E. Yonge on behalf of C. J. Masee, the abutting upland owner, to purchase 2.49 acres of submerged land in the St. Johns River in Section 41, Township 4 South, Range 26 East, landward of the established bulkhead line in the Town of Orange Park, Clay County. The application was submitted in March of 1966 but due to delays in the establishment of the bulkhead line, the Staff was unable to submit the request to the Board until it was placed on the agenda for consideration on March 7. The Trustees deferred action, after considering the elements of hardship in the case.

Mr. Yonge requested reconsideration and was present on this date so that he might present additional information, if called for, in support of his position that the application did come within the hardship provision of the moratorium placed in effect by the Trustees with respect to sale of the submerged land. The file contained a letter from the Bank of Orange Park in support of the application.

Motion was made by Mr. Faircloth, seconded by Mr. Conner and adopted unanimously, that the parcel of submerged land be advertised for objections only.

DADE COUNTY - Deed No. 24429(1909-13) issued by the Trustees on November 21, 1966, contained a clerical error, the omission of a call in the description of the 0.41 acre parcel of submerged land in Section 14, Township 53 South, Range 42 East, in Dade County. Joseph Fleming on behalf of the grantee, the Estate of Walter L. Mead, deceased, requested issuance of a corrective deed, which the Staff recommended.

Motion was made by Mr. Dickinson, seconded by Mr. Faircloth and adopted unanimously, that the Trustees authorize issuance of corrective deed.

BREVARD COUNTY - On February 15, 1966, the Trustees authorized issuance of state commercial dock permit to Wendell H. Dabbs for construction of a dock in the Indian River, westerly shore, in Section 14, Township 30 South, Range 38 East, at Micco, Florida, about 1.6 miles north of the Sebastian Creek Bridge. Permittee applied for modification of the permit to allow 150-foot extension to the existing 300-foot dock. Staff recommended approval.

Motion was made by Mr. Dickinson, seconded by Mr. Faircloth, and adopted without objection, that modified permit for state commercial dock be issued for \$100.00 processing fee.

DUVAL COUNTY - Robert F. Hook made application for state permit for construction of an open trestle concrete breakwater pier, a fuel pier, a 40-foot finger pier, and to rebuild 7 existing finger piers in the Trout River at his property at 8137 Main Street, Jacksonville, Florida. All required exhibits and \$100.00 processing fee were submitted, and Staff recommended approval.

On motion by Mr. Dickinson, seconded by Mr. Williams and adopted unanimously, the Trustees approved issuance of state permit to Mr. Hook.

OSCEOLA AND ORANGE COUNTIES - Central and Southern Florida Flood Control District requested temporary hydraulic spoil easements in East Lake Tohopekaliga and Lake Hart, to expire on March 1, 1969, in connection with dredging channels in the said lakes as part of the overall flood control project. Five separate areas were involved, comprising a total of 11.92 acres. The Game and Fresh Water Fish Commission and the United States Fish and Wildlife Service had worked out mutually satisfactory arrangements with the District. Staff recommended approval.

Motion was made by Mr. Dickinson, seconded by Mr. Faircloth and adopted unanimously, that the Trustees authorize issuance of the temporary spoil easements requested by Central and Southern Florida Flood Control District.

MORATORIUM ON SALE OF LAND - On January 31, 1967, the Trustees approved the motion by Attorney General Earl Faircloth to invoke a moratorium on sale of submerged land and reclaimed lake bottoms for a period of forty-five (45) days except in cases where undue hardship or injustice would be caused or the public interest thwarted by such postponement. On March 21 the Trustees discussed further extension of the moratorium until adjournment of the 1967 Legislature as proposed by the Attorney General. No final action was taken and it was agreed that the matter be placed on the agenda for consideration on this date.

Mr. Faircloth reviewed briefly the original motion to declare a moratorium on the sale of public lands, particularly submerged lands, under existing policy and regulations, except in hardship cases, until the Legislature had an opportunity to bring to bear their considered judgment on policy guidelines for disposition of state lands. He said the Director and the Staff had prepared information on areas that the state owned, and committees of the Legislature had also been working on this. He said that with these tools from the Staff and the committees, the Legislature would have sufficient information to make a judgment on policies with respect to public lands.

Motion was made by Mr. Faircloth, seconded by Mr. Williams, and adopted on a vote of four to one, with Mr. Dickinson voting "No", that until the end of the regular session of the 1967 Legislature (60 days), the Trustees continue the moratorium on sale of submerged land and reclaimed lake bottoms except in cases of hardship or injustice or where the public interest might be thwarted by such postponement.

SUBJECTS UNDER CHAPTER 18296

On motion by Mr. Conner, seconded by Mr. Dickinson and adopted unanimously, the Trustees approved Report No. 906 listing one regular bid for sale of land in Okaloosa County under provisions of Chapter 18296, the Murphy Act, and authorized execution of deed pertaining thereto.

BAY COUNTY - The State Road Department offered \$350.00 for the following described lots to be used for road purposes: Lots 9 and 10, Block 3, and Lots 43 and 44, Block 26, in Highland City, embraced in tax sale certificate Nos. 486 of 1934, 1068 and 1116 of 1931, 6371 and 6459 of 1933. Staff recommended sale of the lots for the price offered, and conveyance under provisions of Chapter 21684, Acts of 1943, without advertisement and public sale.

Motion was made by Mr. Dickinson, seconded by Mr. Conner and adopted unanimously, that the Trustees approve sale of the lots to the State Road Department for public road purposes, for the price offered, under provisions of Chapter 21684.

MARION COUNTY - Florida Power Corporation of St. Petersburg, Florida, applied for a permit to erect, operate and maintain electric transmission lines across approximately 97 feet East and West and 297 feet North and South of 4½ chains square in the Northwest Corner of NE¼ of NE¼ in Section 20, Township 17 South, Range 23 East, Marion County. The land was certified to the State of Florida under tax sale certificate Nos. 799 of 1913 and 12043 of 1933 under Chapter

18296, Acts of 1937. Staff recommended approval of permit upon payment of \$200.00.

Motion was made by Mr. Conner, seconded by Mr. Dickinson and adopted unanimously, that the Trustees authorize issuance of the permit to Florida Power Corporation for \$200.00 charge.

On motion duly adopted, the meeting was adjourned.

Claude R. Kirk, Jr.
GOVERNOR - CHAIRMAN

ATTEST: *Robert C. Parker*
DIRECTOR - SECRETARY

* * * * *

Tallahassee, Florida
April 11, 1967

The Trustees of the Internal Improvement Fund met on this date in the Board Room of the office of the Governor, in the Capitol.

Present: Claude R. Kirk, Jr. Governor
Earl Faircloth Attorney General
Doyle Conner Commissioner of Agriculture

Robert C. Parker Director

On motion duly adopted, the Trustees approved the minutes of the meeting of April 4, 1967, which had been approved by the Attorney General.

VOLUSIA COUNTY - File No. 1958-64-253.12. Mr. E. W. Gautier on behalf of Holiday Harbors, Inc., abutting upland owner, made application to purchase a parcel of submerged land in the Halifax River in Section 2, Township 16 South, Range 33 East, 0.113 acre in the City of Port Orange lying immediately southerly of the Port Orange Bridge and landward of the established bulkhead line in Volusia County. Applicant offered the appraised price of \$300.00 per acre, or the \$100.00 minimum in this case.

The initial application was filed with the Staff on November 4, 1966, for issuance of an instrument under provisions of Section 253.12(1) and submerged land purchase under provisions of Section 253.12. Due to a misunderstanding on the part of the Staff, only part of the application was processed and quitclaim deed under provisions of Section 253.12(1) was authorized by the Trustees on January 24, 1967.

Applicant requested consideration of the remainder of the application under hardship provisions of the moratorium. Staff recommended

advertisement of the parcel for objections only.

Motion was made by Mr. Faircloth, seconded by Mr. Conner and adopted unanimously, that the 0.113 acre parcel of submerged land be advertised for objections only

DUVAL COUNTY - File No. 1974-16-253.12, 253.12(1), 253.129.

The United States Department of the Navy requested an exclusive use dedication of submerged land in the St. Johns River adjacent to the U. S. Naval Air Station and U. S. Naval Hospital at Jacksonville, Florida, in Sections 23, 39, 43 and 44, Township 3 South, Range 26 East, Duval County. The dedication would allow the Naval Department to control ingress and egress from the river into the installations, for purposes of security, and provide a buffer zone. Total area subject to the dedication was 35.70 acres at the Naval Air Station and 1.0 acre at the Naval Hospital. The dedicated zone would extend approximately 50 feet into the St. Johns River from the mean high water line to the mean low water line and would follow the shore line from the northernmost boundary to the southernmost boundary of the installation.

The Department of the Navy also requested disclaimers to 17 parcels of submerged land that were filled or had permanent structures which were in place prior to May 29, 1951, and also requested quitclaim deeds for 3 parcels of submerged land that were filled or had permanent structures placed between May 29, 1951 and June 11, 1957. Total acreage to be disclaimed under Section 253.129 Florida Statutes was 112.4766 acres in Sections 23, 39, 43 and 44, Township 3 South, Range 26 East. All required evidence in support of issuance of disclaimers was furnished. Total acreage to be quitclaimed under Section 253.12(1) Florida Statutes was 6.1486 acres. The Department of the Navy offered \$250.00 per acre for the subject land in Sections 23, 39 and 43, Township 3 South, Range 26 East, to be quitclaimed. Staff Appraiser concurred in the price offered for the land.

Staff recommended issuance of dedication, disclaimers for the usual fee, and quitclaim deeds as requested.

Motion was made by Mr. Faircloth, seconded by Mr. Conner and adopted unanimously, that the Trustees approve the issuance of dedication, disclaimers and quitclaim deeds to the Department of the Navy as recommended by the Staff.

MONROE COUNTY - Phillips Surveying, on behalf of the City of Key West, the abutting upland owner, made application for dedication of a submerged parcel containing 3.09 acres in the Bay of Florida in Township 67 South, Range 25 East, Monroe County, abutting the old city swimming pool property which was conveyed by Trustees Deed No. 19529 in November 1949, in the City of Key West, for public recreational purposes.

Motion was made by Mr. Faircloth, seconded by Mr. Conner and adopted unanimously, that the Trustees approve dedication of the 3.09 acres to the City of Key West for public recreational purposes.

OSCEOLA COUNTY - On October 14, 1935, the Trustees of the Internal Improvement Fund by instrument No. 49-5 conveyed a parcel of land consisting of some 315 acres in Osceola County, which had thereto-

fore been conveyed to the Trustees on October 1, 1934, under the terms and provisions of Chapter 14572, Acts of 1929, to the City of Saint Cloud with a restrictive use provision that the property be used only for municipal golf course and municipal airport purposes. On February 1, 1956, in response to request from the city, the Trustees expanded the restrictive use to include "and for other public municipal purposes."

On March 1, 1957, the Trustees authorized corrective quitclaim deed to the City of St. Cloud in response to request received from the city upon consideration of payment of \$1,000.00, which released a 10-acre parcel located within the 315 acres originally conveyed to the city from all restrictive use provisions contained in the deed, as well as the oil and mineral reservations.

The City Council of St. Cloud by Resolution No. 67-7 adopted on March 31, 1967, requested the Trustees to release all use restrictions contained in the original deed to the City of St. Cloud as to a 5-acre parcel described as the W $\frac{1}{2}$ of NE $\frac{1}{4}$ of NE $\frac{1}{4}$ of NW $\frac{1}{4}$ of Section 10, Township 26 South, Range 30 East, Osceola County. The City offered \$1,000.00 for the release, which would enable the city to convey the five acres to a private group for the erection of a nursing and convalescent home.

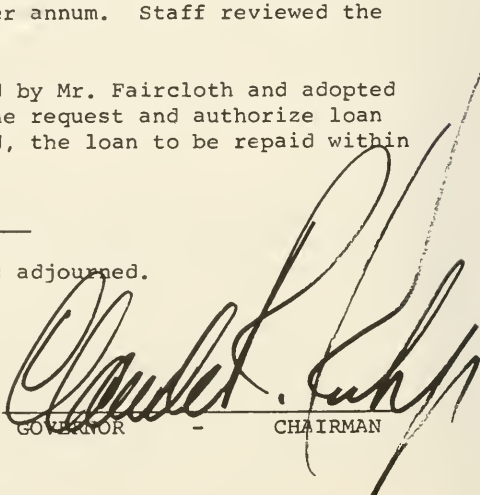
Staff reviewed the request, and since it appeared that the property would be utilized for a greatly needed health facility, recommended that the request be granted and that the oil and mineral reservations be included in the release. Mr. J. J. Griffin, Jr., and City Manager E. B. Howe were expected to be present on this date.

Motion was made by Mr. Faircloth, seconded by Mr. Conner and adopted unanimously, that the Trustees accept the amount offered by the City of St. Cloud for release of the deed restrictions including oil and mineral reservations as to the five acres which would be used for erection of a nursing and convalescent home.

TRUSTEES' FUNDS - On March 21, 1967, the Board of Commissioners of State Institutions approved renovation of a building at 813 South Gadsden Street, in Tallahassee, formerly used as a Welfare Building, which was on property purchased from Leon County by the Trustees of the Internal Improvement Fund for Capitol Center purposes. Mr. Terry C. Lee transmitted a request from Honorable Fred O. Dickinson, Jr., State Comptroller, for the Trustees to make available a loan of \$13,200.00 to defray costs of the contemplated renovation, the loan to be repaid from rent paid by the state agencies occupying the building. The loan would be repaid within 10 years with interest on the unpaid balance of 3% per annum. Staff reviewed the request and recommended approval.

Motion was made by Mr. Conner, seconded by Mr. Faircloth and adopted unanimously, that the Trustees grant the request and authorize loan of \$13,200.00 for the purpose explained, the loan to be repaid within 10 years with interest of 3%.

On motion duly adopted, the meeting was adjourned.


GOVERNOR - CHAIRMAN

ATTEST:

Robert C. Parker
DIRECTOR - SECRETARY

* * * * *

Tallahassee, Florida
April 18, 1967

The Trustees of the Internal Improvement Fund met on this date in the Board Room of the office of the Governor, in the Capitol.

Present:	Claude R. Kirk, Jr.	Governor
	Fred O. Dickinson, Jr.	Comptroller
	Broward Williams	Treasurer
	Earl Faircloth	Attorney General
	Doyle Conner	Commissioner of Agriculture

Robert C. Parker	Director
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On motion duly adopted, the Trustees approved the minutes of the meeting of April 11, 1967, which had been approved by the Attorney General.

HILLSBOROUGH COUNTY - File No. 1931-29-253.12. On March 21, 1967, the Trustees approved in principle confirmation of a sale subject to agreement on the price to be paid for purchase of three (3) separate tracts of submerged land in Tampa Bay in Sections 16, 17, 19, 20 and 30, Township 31 South, Range 19 East, containing 350 acres, more or less, in the Apollo Beach area within the established bulkhead line, applied for by Francis J. Corr, et ux, et al, abutting upland owners. The application tracts were landward of part of the Apollo Beach development and the offer of \$125.00 per acre was the price at which other land had been sold for this project which had been delayed through no fault of the present owners by litigation, as explained by applicants' attorneys at the meeting on March 21. The Trustees directed reappraisal of the land be made. The Staff Appraiser reported a current price of \$200.00 per acre which was accepted by the applicants.

Attorney General Faircloth called attention to the increase in price. Mr. Parker explained that the Staff had used the same figure for which land was sold for the original Apollo Beach purchase, the delay in completion of purchase of the land for the project having been caused primarily by litigation and bankruptcy. Mr. Adrian S. Bacon, attorney for the applicants, said he tried to explain circumstances at the previous meeting, that the value was actually a negative value, but that his clients had to acquire the submerged land to complete their development and therefore had to pay the \$200.00 per acre price.

Motion was made by Mr. Dickinson, seconded by Mr. Williams, and unanimously adopted, that the offer of \$200.00 per acre be accepted and sale confirmed.

DUVAL COUNTY - Register and Cummings, Engineers, on behalf of Jacksonville Port Authority, made application for a perpetual

railroad right of way across the Old St. Johns River Channel from the mainland to Blount Island in Section 19, Township 1 South, Range 28 East, Duval County, covering 3.5 acres, more or less. The right of way 100 feet wide and approximately 1,500 feet long would be used in the construction of a railroad bridge.

Staff recommended perpetual right of way dedication, with reversion clause, subject to receipt of satisfactory proof of ownership by the Port Authority of Lot 13, Block 1, San Carlos Estates, as recorded in Plat Book 18, Pages 44, 44-A and 44-B, Public Records of Duval County.

Motion was made by Mr. Conner, seconded by Mr. Williams, and unanimously adopted, that the parcel be dedicated for railroad right of way, with reversion clause, conditioned on receipt of the proof of ownership as recommended by the Staff.

MONROE COUNTY - The City of Key West on behalf of the United States made application for (1) channel right of way easement in Key West Bight in the City of Key West in Township 67 South, Range 25 East, containing 55.27 acres, more or less, for harbor improvement facilities; and (2) permanent spoil area adjacent to the U. S. Naval Station Liquid Fuel Station containing 9.76 acres on which will be deposited materials dredged from the channel. Consent of the affected riparian owners had been received.

Motion was made by Mr. Dickinson, seconded by Mr. Faircloth and adopted unanimously, that the Trustees grant the right of way easement for harbor improvement covering 55.27 acres, more or less, and authorize dedication of the 9.76 acres for permanent spoil easement.

MONROE COUNTY - The State Road Department made application for dedication of a parcel of submerged land in Steamboat Creek in Sections 22 and 27, Township 59 South, Range 40 East, Monroe County, for road right of way purposes. The parcel necessary for the construction of a bridge is identified by the State Road Department as Section 90505-2608, Ocean to Bay Road.

Motion was made by Mr. Dickinson, seconded by Mr. Faircloth and adopted unanimously, that the Trustees authorize dedication of the 0.35 acre parcel for road right of way purposes.

SHELL LEASES - On Mr. Williams' motion, duly adopted, the Trustees accepted as information the following report of remittances received by the Florida Board of Conservation from holders of shell leases for the month of March, 1967:

<u>Lease No.</u>	<u>Name of Company</u>	<u>Amount</u>
1718	Radcliff Materials, Inc.	\$13,567.75
1788	Benton and Company, Inc.	
	November Balance	6,000.00
1788	Partial payment for December	2,212.25
1788	February	5,392.66
2233	Bay Dredging & Construction Co.	4,170.20
2235	Fort Myers Shell & Dredging Co.	
	For February	413.85

HIGHLANDS, LAKE, POLK COUNTIES - The following three (3) complete applications were presented for state permits to remove fill material from fresh water lakes and rivers. The Florida Game and Fresh Water Fish Commission investigated each application and had no objection to issuance of the standard permit with the usual stipulations as to dredging.

1. Highlands County - Lloyd W. Williams applied for 1000 cubic yards of material from Lake McCoy to use for improvement of his upland lot in Section 6, Township 37 South, Range 30 East, in the Town of Lake Placid, Florida. Applicant submitted \$50.00 payment.
2. Lake County - Astor Forest Campsites made application for 5,000 cubic yards of material from the St. Johns River to improve waterfront upland property in Government Lot 9 in Section 24, Township 15 South, Range 27 East, for which \$250.00 payment was submitted.
3. Polk County - W. E. Manry, Jr., applied for 500 cubic yards from Lake Wales to improve his upland Lots 2, 3 and 4, Lakeview Hills, in Lake Wales, Florida. He submitted \$25.00 payment.

Dr. Manry also requested permission to pump silt into the center of the lake from a deposit from a storm sewer due to highway construction. The Game Commission recommended denial of this request, inasmuch as it would create excess silting in the lake; but they had no objection to removal of the silt deposit providing it was not placed on submerged lake bottoms.

Motion was made by Mr. Faircloth, seconded by Mr. Conner and adopted unanimously, that the three permits for removal of material to be used to improve upland property be approved in conformance with the recommendations of the Florida Game and Fresh Water Fish Commission. The request to pump the silt into the lake was denied.

MANATEE COUNTY - Motion was made by Mr. Faircloth, seconded by Mr. Conner and adopted unanimously, that the Trustees approve issuance of a state commercial dock permit to the Bradenton Yacht Club for construction of a dock in the Terra Ceia Cutoff between Terra Ceia Bay and the Manatee River in Section 16, Township 34 South, Range 17 East, for \$100.00 processing fee.

SUBJECTS UNDER CHAPTER 18296

On motion by Mr. Faircloth, seconded by Mr. Dickinson, and adopted without objection, the Trustees approved Report No. 907 listing one regular bid for sale of land in Brevard County under provisions of Chapter 18296, Acts of 1937 - the Murphy Act.

On motion duly adopted, the meeting was adjourned.


GOVERNOR - CHAIRMAN

4-18-67

ATTEST: Robert C. Parker
DIRECTOR - SECRETARY

* * * * *

Tallahassee, Florida
April 25, 1967

The Trustees of the Internal Improvement Fund met on this date in the Board Room of the office of the Governor, in the Capitol.

Present: Claude R. Kirk, Jr. Governor
Fred O. Dickinson, Jr. Comptroller
Broward Williams Treasurer
Earl Faircloth Attorney General
Doyle Conner Commissioner of Agriculture

Robert C. Parker Director

On motion duly adopted, the Trustees approved the minutes of the meeting held on April 18, 1967.

BREVARD COUNTY - File Nos. 1943 and 1944-05-253.12. On March 7, 1967, the Trustees authorized advertisement for objections only of the submerged land in the following applications, provided the State Road Department approved plans for feasibility of the proposed north-south road and provided that the county required the private developers to include beautification in their plans:

(1) File No. 1943-05-253.12. Merritt Square Corporation offered \$1,840.00 per acre, the value reported by the Staff Appraiser, for a parcel of submerged land in Newfound Harbor abutting Government Lot 3, Section 36, Township 24 South, Range 36 East, Brevard County, bounded on the north by the easterly extension of the north line of said Government Lot 3, bounded on the east by the bulkhead line established by Brevard County on October 20, 1966, bounded on the south by the easterly extension of the south line of said Government Lot 3, bounded on the west by the mean high water line of Newfound Harbor, containing 15.82 acres, more or less; less, however, 4.51 acres, more or less, contained in a proposed 150-foot wide county road right of way aligned in a north-south direction.

(2) File No. 1944-05-253.12. General Canaveral Corporation offered \$1,840.00 per acre, the value reported by the Staff Appraiser, for a parcel of submerged land lying in Newfound Harbor abutting Government Lot 2, Section 36, Township 24 South, Range 36 East, Brevard County, bounded on the north by the southerly right of way line of State Road No. 520, bounded on the east by the bulkhead line established by Brevard County on October 20, 1966, bounded on the south by the easterly extension of the south line of said Government Lot 2, bounded on the west by the mean high water line of Newfound Harbor, containing 16.04 acres, more or less; less,

however, 3.60 acres, more or less, contained in a proposed 150-foot wide county road right of way aligned in a north-south direction.

The land was advertised for objections only in the Cocoa Tribune, proof of publication filed in the Trustees' office. After preparation of the agenda, a telegram was received from South Merritt Island Properties Owners Association objecting to the sale.

The State Road Department through Mr. C. A. Benedict, District Engineer in DeLand, Florida, addressed a letter dated April 14 to Mr. Curtis R. Barnes, Clerk of the Brevard County Board of County Commissioners, in which he stated that with respect to the proposed road, he was unable to state that the alignment indicated on the map submitted to him was the most feasible primarily due to lack of complete information as to whether the construction was feasible in the location shown; but that a road in that general area would be useful and if extended on across into NASA property by the federal government, it would relieve the traffic on State Road No. 3 located westerly of this alignment.

Staff recommended confirmation of the sales if the Trustees construed the District Engineer's letter as in general compliance with the views of the Trustees, and conditioned upon release by the State Road Department to the Trustees of the excess right of way on State Road No. 520 located on the northern boundary of the property in application No. 1944-05-253.12.

Mr. Faircloth asked if these applications were not deferred, and pointed out that the Governor had suggested getting a report from the State Road Department. Mr. Parker said that the applications were deferred when first presented but later the Trustees authorized advertisement, and that attention was called to the letter from the District Engineer of the State Road Department.

Treasurer Williams said he would like to see the Trustees approve this matter, as building of the road which had been held up was needed. He and the Governor had personally inspected the area. Mr. Faircloth said it would be better if the road was extended on into NASA property, which Mr. Parker said was anticipated.

Motion was made by Mr. Williams, seconded by Mr. Dickinson, and adopted unanimously, that sale of the two advertised parcels be confirmed in favor of the two applicants listed heretofore, conditioned upon release by the State Road Department to the Trustees of the excess right of way on State Road No. 520 located on the northern boundary of the property in application No. 1944-05-253.12.

BROWARD COUNTY - File No. 1397-06-253.12. On November 29, 1966, the Trustees considered the application from W. D. Horvitz, president of Hollywood, Inc., to purchase a tract of sovereignty land in New River Sound in Section 25, Township 50 South, Range 42 East, in the City of Hollywood, Florida, containing 44.1 acres, more or less; and the Trustees deferred action for a period of ninety days in response to a request from Honorable John U. Lloyd, County Attorney of Broward County, for deferment to permit a new survey to be made of the area in question.

The new survey was completed and reviewed by the Staff, and on request from the Staff the Attorney General on April 7, 1967, advised that the upland ownership of the applicant, Hollywood, Inc., with respect to the easterly one-half of New River Sound of the N½

of Section 25, Township 50 South, Range 42 East, which upland ownership was shown as Government Lot 1, is no longer in existence and therefore the applicant could no longer be construed as an upland owner with the right to purchase this portion of New River Sound. The letter from the Attorney General further stated that no evidence was available to indicate the exact cause of the disappearance of Government Lot 1, but it could be presumed that such disappearance occurred by reason of a gradual and natural process.

On the basis of this advice from the Attorney General, the Staff recommended deferment of any action concerning the application of Hollywood, Inc., for a period of sixty days to permit the applicant to institute legal proceedings to resolve all legal questions involved in this matter, and in the absence of the commencement of litigation within this period, that the Trustees reject the application as to the entire area.

Motion was made by Mr. Williams, seconded by Mr. Dickinson, and adopted unanimously, that the Trustees defer any action for sixty days as recommended by the Staff, and if the applicant had not commenced litigation within that time, that the Trustees reject the application as to the entire area.

DUVAL COUNTY - File No. 1976-16-253.12. On March 21, 1967, the Trustees considered the application from Atlantic Coast Line Railroad Company, the abutting upland owner, to purchase 2 contiguous parcels of submerged land landward of the established bulkhead line in the St. Johns River along the westerly shoreline of the river extending northerly 480 feet, more or less, from the easterly prolongation of Jesse Street, abutting ACL uplands in Section 17, Township 2 South, Range 27 East, in the City of Jacksonville, in Duval County. Applicant offered the appraised price, \$1,950.00 per acre. The parcel would be leased for steamship docking and unloading facilities in connection with a truck trailer ferry service between Jacksonville and Puerto Rico.

Notice of sale was published in the Florida Times Union, proof of publication filed and no objection received.

Motion was made by Mr. Dickinson, seconded by Mr. Williams and adopted unanimously, that the Trustees confirm sale of the advertised parcel to the abutting upland owner at the price offered.

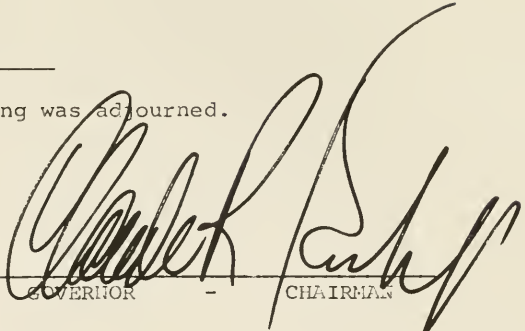
BROWARD AND PALM BEACH COUNTIES - Dock Permits. Applications were made by the two following parties for issuance of state commercial dock permits. All required exhibits, including \$100.00 processing fees, were submitted by each applicant and the Staff recommended approval.

Broward County - From Preston M. Cox, to construct a 36-foot T-dock in the Intracoastal Waterway at his upland property in Section 13, Township 50 South, Range 42 East, in Fort Lauderdale, Florida.

Palm Beach County - From Spencer Boat Company, Inc., to construct boat slips, including a covered slip, and to dredge a boat basin at the applicant's property described as Lot 5 Gale Lake Worth Subdivision in the City of West Palm Beach.

Motion was made by Mr. Williams, seconded by Mr. Dickinson, and adopted unanimously, that the Trustees authorize issuance of the two dock permits.

On motion duly adopted, the meeting was adjourned.


GOVERNOR - CHAIRMAN

ATTEST: 
DIRECTOR - SECRETARY

* * * * *

Tallahassee, Florida
May 2, 1967

The Trustees of the Internal Improvement Fund met on this date in the Board Room of the office of the Governor, in the Capitol.

Present: Claude R. Kirk, Jr. Governor
Fred O. Dickinson, Jr. Comptroller
Broward Williams Treasurer
Doyle Conner Commissioner of Agriculture

Robert C. Parker Director

On motion duly adopted, the Trustees approved the minutes of the meeting of April 25, 1967.

PALM BEACH COUNTY - Oil Lease. On April 4, 1967, the Trustees opened the only bid for a 10-year oil and gas drilling lease covering the Trustees' full and reserved one-half interest in 72,582.95 surface acres in Palm Beach County, which was submitted by Amerada Petroleum Corporation in the amount of \$68,733.31. Action was deferred for thirty (30) days to permit consideration of the establishment of policy with respect to granting oil and gas drilling leases and permitting drilling operations within designated water conservation areas. Since that date, the question of formulating a policy with respect to including designated water conservation areas within oil and gas drilling leases has been discussed between the staff members of all the members of the Trustees, and it seemed to be the consensus that for the present, at least, no such oil and gas leases should be awarded or drilling operations authorized within these designated water conservation areas.

The authorized representative of Amerada Petroleum Corporation, the only bidder, expressed a willingness to have all land within Water Conservation Area No. 1 deleted from the lease and suggested a procedure whereby the lease would include these lands but upon

the delivery of the lease the firm would deliver an executed release of all this tract. This procedure would enable the Trustees to secure the full bonus included in the bid of all acreage located within Conservation Area No. 1, as well as the rental for the first year of the lease, the total of which would amount to approximately \$4,500.00.

Included in the land proposed for lease was the SW $\frac{1}{4}$ of Section 8, Township 44 South, Range 37 East, which is in the Everglades Experiment Station, and Dr. Beckenbach, Director of the Station, recommended against including this land in an oil and gas lease. However, Amerada advised that it desired inclusion of the tract with the understanding that no exploration or drilling would be conducted on the land, production being obtained by means of directional drilling without disturbing the facilities or experimental plantings of the Station in the event oil or gas should be discovered on adjacent land.

Since the remainder of the land in the application for lease was outside of any designated water conservation area, Staff recommended that award of the lease be made to Amerada Petroleum Corporation on the basis of the bid submitted, including the SW $\frac{1}{4}$ of Section 8, Township 44 South, Range 37 East, as proposed by Amerada that no exploration or drilling will be conducted on said Section 8 without the permission of the Trustees; and it was further recommended that the procedure with respect to the area in Conservation Area No. 1 be approved conditioned upon review and approval by the office of the Attorney General.

Motion was made by Mr. Dickinson, seconded by Mr. Williams and approved unanimously, that the Trustees accept the bid submitted by Amerada Petroleum Corporation for a 10-year oil and gas drilling lease covering the Trustees' full and reserved interest in the Palm Beach County land as advertised, including the said Section 8 land in the Everglades Experiment Station with the provision that no exploration or drilling would be conducted without specific permission of the Trustees, and including the area in Conservation Area No. 1 provided the company would immediately deliver an executed release of all this tract, conditioned upon review and approval by the office of the Attorney General.

ESCAMBIA COUNTY - Geophysical Permit. On motion made by Mr. Dickinson, seconded by Mr. Williams, and approved unanimously, the Trustees approved the application from Geophysical Service, Inc., for permission to conduct a short reflection seismograph survey in and offshore from Big Lagoon in Escambia County approximately 7.5 miles in length, approval being conditioned upon the issuance of a permit by the Board of Conservation.

MARION COUNTY - The Trustees on August 28, 1950, executed Deed No. 19671 conveying a small island in Lake Weir in Section 23, Township 17 South, Range 23 East, containing 2.0 acres, under the provisions of Section 253.36 Florida Statutes (reclaimed lake bottom), the description of the parcel conveyed being by metes and bounds.

On July 3, 1951, the Trustees issued Deed No. 19671"A" Corrective for the primary purpose of including therein the clause, "It being the intention hereby to include in the above description all of said island." The description in the corrective deed, however, was not corrected to show 2.9 acres instead of the 2.0 acres in the original deed.

In developing and platting said island, it now appears that the original traverse shown and described on the plat of survey did not follow the ordinary high water line boundary thereof as it existed in 1951, the date of the corrective deed. Therefore, the title attorneys claim that a cloud exists on the title to those portions of the platted lots lying outside of the original traverse description. To remove the cloud, application was made by Mr. William V. Chappell, Jr., on behalf of the present owner and developer, Mr. F. D. H. MacKenzie, for ex parte disclaimer covering the area within an amended description based on an accurate survey of and following very closely to the ordinary high water mark, containing 7.68 acres.

Staff recommended that disclaimer be authorized for a consideration of \$239.00, being the difference in the area of 7.68 acres over the original 2.9 acres, or 4.78 acres at the original price of \$50.00 per acre.

Motion was made by Mr. Dickinson, seconded by Mr. Williams and adopted unanimously, that the Staff recommendation be approved as the action of the Trustees.

MARTIN COUNTY - Application for an after-the-fact commercial dock permit was made by Mr. Nick Spensieri, who had rebuilt and extended an old dock and relocated and rebuilt another dock which was destroyed in 1965. Subsequently, he placed a solid fill structure between the two docks, held in place by a concrete block retaining wall. The Staff became aware of this illegal structure and fill on or about February 13, 1967, and by letter requested removal of concrete wall and fill. This was removed.

Required exhibits, including \$100.00 processing fee for an after-the-fact dock permit, were submitted, and the Staff recommended approval.

Motion was made by Mr. Dickinson, seconded by Mr. Williams and adopted unanimously, that the Trustees authorize issuance of after-the-fact commercial dock permit to Mr. Spensieri.

POLK COUNTY - Mr. Dewey W. Touchton, Secretary-Treasurer of Wahneta Drainage District in Polk County, transmitted request on behalf of the District that the Trustees in their official capacity as the Board of Drainage Commissioners of the State of Florida, appoint Charles John McEnroe as a Supervisor to succeed himself for a three-year term from the expiration of his current term. A landowners' meeting was duly advertised and held in Winter Haven on April 15, 1967, however no legal election could be had because there was less than a quorum of landowners present in person or by proxy, there being less than fifty per cent of the land represented. The landowners present recommended Charles John McEnroe to succeed himself for a full three-year term.

Motion was made by Mr. Dickinson, seconded by Mr. Williams and adopted unanimously, that the Trustees, acting in their official capacity as the Board of Drainage Commissioners of the State of Florida, appoint Mr. McEnroe as Supervisor of Wahneta Drainage District for a three-year term from the expiration of his current term.

SARASOTA COUNTY - The State Road Department requested temporary dredging easement in connection with Stickney Point Bridge project across Little Sarasota Bay. West Coast Inland Navigation District had approved the location of the proposed borrow area lying entirely within the Intracoastal Waterway right of way and containing 4.06 acres, more or less, in Section 20, Township 37 South, Range 18 East. Staff requested authority to issue temporary easement to the State Road Department to expire April 1, 1971.

Motion was made by Mr. Williams, seconded by Mr. Dickinson and adopted unanimously, that the Trustees authorize issuance of the temporary easement requested by the State Road Department.

TRUSTEES' FUNDS - Capitol Center Property. The Staff recommended that approval be given for expenditure of Trustees' funds to acquire the following two properties in the capitol center:

1. Ollie Ashburn and Oma F. Whitaker, owners of property at 316 S. Gadsden Street, legally described as Old Plan City of Tallahassee, Part of Lot 32 beginning 123 feet North of Southeast corner of said lot, run West 110 feet, North 47 feet, East 35 feet, South 27 feet, East 75 feet, South 20 feet, to Point of Beginning, appraised by Staff Appraiser at \$8,733.75, had indicated agreement to sell for the total sum of \$9,000.00, which was within the policy heretofore followed by the Trustees concerning acquisition of capitol center property.
2. T. S. Green, owner of property on S. Gadsden Street legally described as Old Plan City of Tallahassee, Lot 32 beginning 143 feet North of Southeast corner of said lot, run North 27 feet, West 75 feet, South 27 feet, East 75 feet, to Point of Beginning, appraised by Staff Appraiser at \$5,723.75, had indicated agreement to sell for the total sum of \$6,000.00, which was within the policy heretofore followed by the Trustees in acquisition of capitol center property.

Motion was made by Mr. Williams, seconded and adopted unanimously, that the Trustees authorize expenditure of Trustees' funds to acquire the above properties for the capitol center.

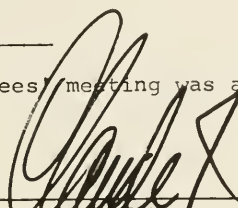
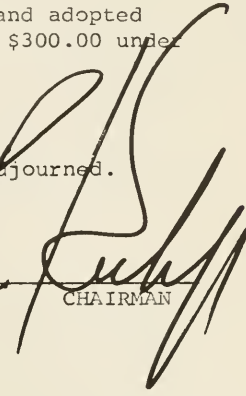
TRUSTEES' FUNDS - On October 4, 1966, the Trustees approved expenditure of Trustees' funds in the amount of \$19,820.00 for construction of a new greenhouse at the Governor's Mansion, to be built on property just South of the Mansion. On December 6, 1966, at the request of the Coordinator for the Board of Commissioners of State Institutions, additional funds in the amount of \$4,250.20 were approved to enable construction of a more substantial foundation and to extend piping for gas, water and electricity. Due to a mix-up in accounting procedure between the offices of the Trustees and the Coordinator, it was found that \$369.74 was needed to close out the account.

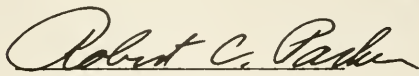
On motion by Mr. Williams, seconded by Mr. Dickinson, and adopted unanimously, the Trustees approved expenditure of additional funds in the amount of \$369.74 to close out the construction account.

ST. JOHNS COUNTY - Ellis Smith, et al, as Trustees of Shiloh Baptist Institutional Church, at St. Augustine, Florida, made application for conveyance under Chapter 28317, Acts of 1953, of Lot 8 (except part as described in Deed Book 53, Page 322) and Lot 9, Block 18 Dancy Tract, which parcels were certified to the state by tax sale certificate Nos. 3544 and 3545 of 1933, and other certificates. The applicant offered \$300.00, and the application appeared to qualify under the provisions of Chapter 28317, the Hardship Act.

On motion by Mr. Conner, seconded by Mr. Williams, and adopted unanimously, the Trustees authorized conveyance for \$300.00 under provisions of Chapter 28317.

On motion duly adopted, the Trustees' meeting was adjourned.


GOVERNOR

CHAIRMAN

ATTEST: 
DIRECTOR - SECRETARY

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Tallahassee, Florida
May 9, 1967

The Trustees of the Internal Improvement Fund met on this date in the Board Room of the office of the Governor, in the Capitol.

Present: Claude R. Kirk, Jr. Governor
Fred O. Dickinson, Jr. Comptroller
Broward Williams Treasurer
Earl Faircloth Attorney General
Doyle Conner Commissioner of Agriculture

Robert C. Parker Director

On motion duly adopted, the Trustees approved the minutes of the meeting of May 2, 1967.

BREVARD COUNTY - File No. 1981-05-253.12. On March 28, 1967, the Trustees considered the presentation, as a hardship case under the land sale moratorium, of the application of Wendall O. Yount and wife, abutting upland owners, to purchase a parcel of submerged land in the Banana River landward of the established bulkhead line abutting portions of Government Lots 1 and 2, Section 19, Township 24 South, Range 37 East, on Merritt Island, Brevard County, containing 4.02 acres, more or less. The parcel was advertised for objections only in the Cocoa Tribune, proof of publication filed and no objections received.

On motion made by Mr. Faircloth, seconded by Mr. Conner and unanimously adopted, the Trustees confirmed sale of the advertised parcel to the riparian owners at the appraised price of \$400.00 per acre.

CLAY COUNTY - File No. 1961-10-253.12. On April 4, 1967, the Trustees considered, as a hardship case under the land sale moratorium, the application of C. J. Masee, the abutting upland owner, to purchase a parcel of submerged land in the St. Johns River lying landward of the established bulkhead line abutting the South Half of former Garrett Street, Lots 4, 5, 6, 7, 8 and that portion of that unnumbered lot adjacent to said Lot 8, lying north of the present run of Johnson's Slough, all in Block 13, Section 2, Orange Park, according to Florida Winter Home and Improvement Company's Map of Orange Park and Ridgewood, Plat Book 1, Page 23, as recorded in the public records of Clay County, Florida, in the Z. Kingsley Grant, Section 41, Township 4 South, Range 26 East, Clay County, containing 2.49 acres, more or less, in the Town of Orange Park, Florida. Notice of sale was published in The Breeze, Orange Park, proof of publication filed, and no objection received.

On motion made by Mr. Faircloth, seconded by Mr. Williams and adopted unanimously, the Trustees confirmed sale of the advertised parcel at the appraised price of \$1,301.56 per acre.

BROWARD COUNTY - File No. 1962-06-253.12. On March 28, 1967, the Trustees considered, under the hardship provisions of the land sale moratorium, the application of John D. Mendez on behalf of Island Twenty, Inc., the abutting upland owner, to purchase a parcel of submerged land lying in New River, abutting Island "B", bounded on the North by the southerly right of way line of the Intracoastal Waterway Channel and the established bulkhead line, bounded on the East by the northerly projection of the easterly line of Island "B", bounded on the South by northeasterly line of Island "B" and bounded on the West by the intersection of the northeasterly line of Island "B" projected westerly with aforesaid southerly right of way line and bulkhead line, being in Section 12, Township 50 South, Range 42 East, containing 0.717 acres, more or less, in the City of Fort Lauderdale, Broward County, Florida. The land was advertised in the Fort Lauderdale Daily News, proof of publication filed in the Trustees' office.

Total area of submerged land sought was 0.717 acre. The applicant desired to exchange a parcel containing 0.335 acre lying inside the Intracoastal Waterway right of way, for a like amount of submerged land owned by the Trustees. The Board approved the exchange which resulted in the applicant purchasing 0.382 acre at \$10,500.00 per acre, executing the appropriate instrument conveying the 0.335 acre parcel to the Trustees and in turn, the Trustees would issue an instrument conveying the 0.717 acre submerged parcel.

Protests were filed by Mrs. Isabel C. Virt, Mrs. Lillian V. Davey and Joseph C. Mackey, and John W. Scott wrote that he interposed no objection provided certain restrictions were placed in the deed. The Staff did not consider the objections valid or that the sale constituted an encroachment in the waterway. The restrictions proposed by one objector would be a matter of local zoning.

On motion by Mr. Faircloth, seconded by Mr. Williams and adopted unanimously, the Trustees confirmed the sale and exchange.

SHELL LEASES - The Trustees accepted as information the following report of remittances received by the Florida Board of Conservation from holders of shell leases:

<u>Lease No.</u>	<u>Name of Company</u>	<u>Amount</u>
1718	Radcliff Materials, Inc.	\$8,838.42
	Audit Adjustment	78.32
1788	Benton and Company, Inc.	
	Partial payment January 1967	924.09
	Partial payment December 1966	1,000.00
	Month of March 1967	7,673.53
	Secondary Royalty	872.29
2233	Bay Dredging & Construction Co.	
	Month of March 1967	4,994.12
2235	Ft. Myers Shell & Dredging Co.	
	Month of March 1967	703.40
	Audit Adjustment	89.91

CHARLOTTE COUNTY - James A. Kelly made application for renewal of campsite lease covering private fish camp in Bull Bay in Charlotte County. Also, Ralph J. Brandon and Stephen R. Roddy requested renewal of their lease in the same area.

The two leases were for campsite purposes only with an annual rental of \$100.00, provision allowing cancellation by the Trustees after 120-day written notice and \$1,000.00 bond to guarantee removal of structure in event of cancellation, as the sites were in the vicinity of oyster beds. The Board of Conservation had inspected the sites and approved subject to compliance with Charlotte County Health Department sanitary regulations.

Staff recommended renewal of each lease on the same terms and conditions for one year with option to renew for an additional four years on a year-to-year basis.

Motion was made by Mr. Dickinson, seconded by Mr. Williams and adopted unanimously, that the two campsite leases be renewed as recommended by the Staff.

DADE COUNTY - The Public Works Department of Dade County made application to dredge 24,000 cubic yards of fill material from a borrow area in the Atlantic Ocean, 350 feet by 350 feet, about 1000 feet offshore from Key Biscayne in Section 4, Township 55 South, Range 42 East, Dade County, to secure material for the Cape Florida State Park access road. The contractor, Marine Exploration Co., Inc., gave a performance and payment bond in the amount of \$1,000.00 to Dade County to insure that the work would be done in accordance with contract specifications. Since the work would be for a public purpose, the Staff recommended approval without charge for the material.

Governor Kirk said his attention had been called to conservation aspects and asked whether the Board of Conservation had made a report on the proposed dredging. The Director said he had contacted the Division of Beaches and Shores of the Conservation Department, and no adverse effects as to erosion were indicated. He pointed out the location of a commercial sand lease in the area. The Governor suggested deferment for one week.

At the suggestion of the Governor, the Trustees deferred action and requested that a report be obtained from the Board of Conservation.

SANTA ROSA COUNTY - On January 17, 1947, the Trustees in response to request from the State Road Department conveyed the fee simple title by Deed No. 19238 to certain submerged lands in Sections 18, 19, 20, 29, 30, 31, 32 and 33, Township 2 South, Range 29 West, and in Sections 4 and 5, Township 3 South, Range 29 West, lying within 350 feet each side of the center line of the existing Pensacola Bay Bridge and existing State Road 30 (53), SRD Section 4810 and Section 5803. The grant was made on the condition that if any of the land described therein should be abandoned for road purposes, the title granted to the Road Department would automatically revert to the Trustees, with the further provision that the Road Department should have no right or authority to sell, lease or encumber the lands described in the deed without the written consent of the Trustees or their joinder in any sale, lease or encumbrance.

On December 2, 1954, the State Road Department quitclaimed to Mr. Carl T. Hoffman, the abutting upland owner, a portion of the land in Trustees' Deed No. 19238 located on both the easterly and westerly sides of the center line of the state road, which is shown on maps on file in the Trustees' office. The quitclaim deed was recorded in Deed Book 114 at Page 282, Public Records of Santa Rosa County, Florida. At the time of execution of the quitclaim deed by the State Road Department, the Trustees were not requested to join in the execution of the instrument as required in Trustees' deed to the Road Department.

The Staff has received a letter dated April 25, 1967, from Mr. M. N. Yancey, Engineer of Rights of Way of the State Road Department, in which he advised that due consideration was obtained by the Road Department for the execution of subject quitclaim deed to Mr. Hoffman, and he indicated that through an administrative oversight the Right of Way Section failed to make a formal request to the Trustees for joinder in the execution of the instrument.

Staff recommended that the Trustees authorize execution of an appropriate instrument to be prepared by the Attorney General to grant after-the-fact confirmation of the quitclaim deed above referred to which was issued to Mr. Hoffman. This action will satisfy the requirement of the provision contained in Trustees' Deed No. 19238 and will clear up any cloud that may exist with respect to title to the property described in the quitclaim deed from the Road Department to Mr. Hoffman.

Governor Kirk and Attorney General Faircloth asked if the Trustees should not receive some property back, or some consideration.

Motion was made by Mr. Faircloth, seconded and unanimously adopted, that further investigation be made and the matter was referred to the Attorney General.

SUBJECTS UNDER CHAPTER 18296

On motion by Mr. Williams, seconded by Mr. Faircloth and adopted unanimously, the Trustees approved Report No. 908 listing County of Hillsborough Deed No. 460-Duplicate to Martin Paul Crawford and Richard Tom Wylie, to be issued in lieu of a deed to the same grantees, the original deed dated January 6, 1941, now reported lost and never recorded.

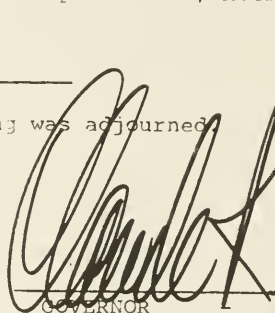
COLUMBIA COUNTY - John Presley and Bessie McGee, sole heirs at law of Cerlester Lewis, deceased, made application for conveyance under Chapter 28317, Acts of 1953, of the E½ of SW¼ of NW¼ of SE¼ of Section 28, Township 3 South, Range 17 East, Columbia County, which was certified to the State by Tax Sale Certificate No. 174 of 1916. Applicants offered \$650.00, and the application appeared to qualify under the provisions of the so-called Hardship Act. Staff recommended approval of the application.


Motion was made by Mr. Williams, seconded by Mr. Faircloth and adopted unanimously, that the Trustees authorize conveyance of the parcel of land under provisions of Chapter 28317, Acts of 1953, to the applicants for \$650.00.

ST. JOHNS COUNTY - Lilly M. Flautt, et al, the sole heirs of E. J. Hartley, deceased, made application for conveyance under Chapter 28317, Acts of 1953, of a parcel of land described as Part of SW¼ of SE¼ of Section 34, Township 7 South, Range 79 East, as described in Deed Book 59, Page 565, Public Records of St. Johns County, Florida, which was certified to the state under the Murphy Act under Tax Sale Certificate Nos. 718 of 1928 and 3280 of 1933. The applicants offered \$400.00, and the application appeared to qualify under the provisions of the so-called Hardship Act. The Staff recommended approval of the application.

Motion was made by Mr. Williams, seconded by Mr. Faircloth and adopted unanimously, that the Trustees authorize conveyance of the parcel of land under provisions of Chapter 28317, Acts of 1953, to the applicants for \$400.00.

On motion duly adopted, the meeting was adjourned.


GOVERNOR


CHAIRMAN

ATTEST:


DIRECTOR - SECRETARY

* * * * *

5-9-67

The Trustees of the Internal Improvement Fund met on this date in the Board Room of the office of the Governor, in the Capitol.

Present:	Claude R. Kirk, Jr.	Governor
	Fred O. Dickinson, Jr.	Comptroller
	Broward Williams	Treasurer
	Earl Faircloth	Attorney General
	Doyle Conner	Commissioner of Agriculture

Robert C. Parker	Director
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On motion by Mr. Dickinson, duly adopted, the Trustees approved the minutes of the meeting of May 9, 1967.

CHARLOTTE COUNTY - File No. 1469-08-253.12. Staff requested authority to refund the \$50.00 application fee which was submitted under date of December 13, 1963, by Edward D. Pillsbury, et al, with application to purchase certain submerged land in the Peace River in Charlotte County. The application was not completed and was declared inactive by the Staff in the Trustees' office.

Motion was made by Mr. Conner, seconded by Mr. Williams and adopted unanimously, that the Trustees authorize issuance of refund of \$50.00 to the applicants.

HIGHLANDS AND LAKE COUNTIES - The following two applications were submitted for permits to take fill material from fresh water lakes.

All required exhibits were received by the Trustees' office, the Florida Game and Fresh Water Fish Commission had no objections provided applicants complied with the stipulations recommended by the Commission, and the Staff recommended approval.

- (1) Highlands County - W. H. Harrison applied for 500 cubic yards of fill material to be dredged from Lake Clay to clean and improve his lake shore area in front of his upland property known as Lot 10, Block 11, Vacation Estates. \$25.00 minimum charge was submitted.
- (2) Lake County - J. G. White applied for 8800 cubic yards of fill material to be dredged from Lake Louisa to improve his upland property in Section 17, Township 23 South, Range 26 East, Lake County. Applicant tendered \$440.00 in payment for the material.

On motion by Mr. Dickinson, seconded by Mr. Faircloth, and adopted unanimously, the Trustees authorized issuance of permits to the two applicants for the work applied for, subject to provisions in each permit as recommended by the Florida Game and Fresh Water Fish Commission.

ST. JOHNS COUNTY - The Attorney General's Staff requested that the Trustees dedicate four (4) parcels of land to the St. Augustine Airport Authority adjacent to the St. Augustine Airport for runway extension, spoil area, cleared area and easement for spoil area, all in connection with expansion of the airport. The Airport Authority had filed eminent domain proceedings naming the Trustees, among others, as parties defendant who might have an interest in the required parcels. The legal counsel of the Trustees thought that when the Order of Taking was issued it would expedite matters and be advantageous if he had in hand the dedications to parcels identified in the Declaration of Taking as AA-4 (28.03 acres, more or less), AA-5 (13.75 acres, more or less), AA-6 (4.49 acres, more or less), and AA-7 (67.59 acres, more or less), all being in the marsh land of Tolomato River East of Sections 50 and 54, and part of unsurveyed Section 25, Township 6 South, Range 29 East, and part of unsurveyed Section 30, Township 6 South, Range 30 East, St. Johns County, Florida.

Staff requested authority to prepare and issue instruments of dedication pursuant to the request of the Trustees' legal counsel.

Motion was made by Mr. Faircloth, seconded by Mr. Dickinson and adopted unanimously, that the Trustees authorize the preparation and issuance of the instruments of dedication as requested by the office of the Attorney General.

SANTA ROSA COUNTY - On May 9, 1967, the Trustees considered the agenda item which dealt with Trustees' Deed No. 19238 dated January 17, 1947, which conveyed to the State Road Department the fee title to a parcel of submerged land 350 feet each side of the center line to permit access to the south end of the Pensacola Bay Bridge, and there was an apparent misunderstanding with respect to the inclusion of property in a deed from the State Road Department to Carl T. Hoffman of submerged land located outside of the 700-foot strip in the Trustees' deed.

Upon further investigation it was determined that no submerged lands were involved in the transactions between the State Road Department and Mr. Hoffman which involved land lying outside of the 700-foot strip. In view of that development, the Staff recommended that the Trustees issue an instrument to be prepared by the office of the Attorney General which would have the effect of clearing up title questions concerning the property described in the original deed from the Trustees to the State Road Department. The instrument would have the effect of an after-the-fact confirmation and ratification of the action taken by the State Road Department without the benefit of this approval and ratification as required in the original deed from the Trustees to the State Road Department.

Motion was made by Mr. Faircloth, seconded by Mr. Dickinson and adopted unanimously, that the Trustees authorize preparation of an appropriate instrument by the Attorney General having the effect of an after-the-fact confirmation and ratification of the action taken by the State Road Department, and thereby clearing up title questions concerning the property conveyed by the Trustees to the State Road Department.

DADE COUNTY - The Public Works Department of Dade County applied for 24,000 cubic yards of fill material to be dredged from the Atlantic Ocean in a borrow area 250 feet by 450 feet about 1000 feet offshore from Key Biscayne in Section 4, Township 55 South, Range 42 East, Dade County. The material was to be used to provide embankment material for the Cape Florida State Park access road. The Trustees deferred action on May 9 for investigation of effects of the proposed dredging on conservation values. State Board of Conservation biologist reported no objection, since the dredging proposed would not be from the heavily vegetated bottoms of Biscayne Bay.

Motion was made by Mr. Faircloth, seconded by Mr. Williams and adopted unanimously, that the Trustees grant permission to the county to take the amount of material requested for use on the access road without charge.

SUBJECTS UNDER CHAPTER 18296

Motion was made by Mr. Williams, seconded by Mr. Dickinson, and adopted unanimously, that the Trustees approve Report No. 909 listing County of Polk Deed No. 558-Duplicate to Peter Dunlap to be issued in lieu of a deed to the same grantee bearing date of May 28, 1941, the original deed now reported to be lost prior to recording in the public records.

INDIAN RIVER COUNTY - Frank M. Appleby, attorney, on behalf of D. Victor Knight and Lloyd S. Knight, as Co-Executors of the Last Will and Testament of John M. Knight, requested waiver of the usual regulations as to size limitation for release of the oil, mineral and fissionable material rights which were reserved in Indian River County Murphy Act Deed No. 381 dated April 19, 1944, and Deed No. 919 dated April 15, 1952, for a ten-acre parcel of land in Tract 11, Section 3, Township 33 South, Range 38 East, Indian River County. The land was to be used for a motel, office, restaurant and parking area. Under the statutory provisions, the whole area might not be considered a building site, but the Staff felt that for a consideration of \$200.00 the State of Florida would be compensated for the reservation.

Motion was made by Mr. Dickinson, seconded by Mr. Faircloth and adopted unanimously, that the Trustees authorize release of the oil, mineral and fissionable material rights upon receipt of payment in the amount of \$200.00.

On motion duly adopted, the meeting was adjourned.


GOVERNOR - CHAIRMAN

ATTEST: 
DIRECTOR - SECRETARY

The Trustees of the Internal Improvement Fund met on this date in the Board Room of the office of the Governor, in the Capitol.

Present: Claude R. Kirk, Jr. Governor
Fred O. Dickinson, Jr. Comptroller
Broward Williams Treasurer
Doyle Conner Commissioner of Agriculture

Robert C. Parker Director

On motion duly adopted, the Trustees approved minutes of the meeting held on May 16, 1967.

VOLUSIA COUNTY - File No. 1958-64-253.12. On April 11, 1967, the Trustees considered the application made by E. W. Gautier on behalf of Holiday Harbors, Inc., the abutting upland owner, to purchase a parcel of submerged land abutting the easterly shore of the Halifax River lying southerly and adjacent to Port Orange Bridge right of way line landward of the established bulkhead line in Section 2, Township 16 South, Range 33 East, containing 0.113 acre, more or less, in the City of Port Orange in Volusia County, Florida. Notice of sale was published in the Daytona Beach News-Journal, proof of publication filed and no objection received.

Motion was made by Mr. Conner, seconded by Mr. Williams and unanimously adopted, that the Trustees confirm sale of the advertised parcel to the riparian owner at the appraised price of \$300.00 per acre, or, in this case, the \$100.00 minimum price.

BREVARD COUNTY - The State Road Department made application for an easement covering a temporary dredging area of submerged land in the Indian River in Section 34, Township 24 South, Range 36 East, Brevard County. The 9.23 acre parcel was required for the construction of a bridge approach on State Road No. 520, designated as Section 70100-2509. The Board of Conservation and other state agencies checked the area and waived objections to the dredging.

Motion was made by Mr. Williams, seconded by Mr. Conner and adopted unanimously, that the Trustees grant to the State Road Department temporary easement to terminate May 1, 1971, over the above described parcel.

MONROE COUNTY - The State Road Department made application for dedication of a parcel of submerged land in Newport Bay in Section 22, Township 61 South, Range 39 East, Key Largo in Monroe County, containing 0.55 acre, more or less, required for road right of way purposes and designated as Section 90505-2611.

Motion was made by Mr. Conner, seconded by Mr. Williams and adopted unanimously, that the Trustees dedicate the parcel to the State Road Department for road right of way purposes.

CLAY COUNTY - File No. 1961-10-253.124. On motion made by Mr. Williams, seconded and adopted unanimously, the Trustees formally approved the fill permit issued by the Town Commission of the Town of Orange Park in special meeting on May 17, 1967, to C. J. Massee under the provisions of Section 253.124 Florida Statutes, to fill the 2.49 acres of submerged land in the St. Johns River in Township 4 South, Range 26 East, Clay County, conveyed by the Trustees under the referenced file number.

DADE COUNTY - Staff recommended approval of a request that the Trustees grant a 1-year moratorium within which to commence payment of the balance due on Contract No. 23846(518-13) with George Stamos and Evelyn J. Stamos, his wife, covering purchase of a parcel of submerged land. The purchaser had made payments in an amount equal to 60% of the purchase price but Mr. Stamos was deceased, and the request made by his widow was based upon the need for settlement of the estate and liquidation of certain assets to enable the estate to resume payments on the contract.

Mr. Conner asked if interest would be paid and the Director said that the contract called for interest on the unpaid balance.

Motion was made by Mr. Conner, seconded by Mr. Williams and adopted unanimously, that the request for a 1-year moratorium on payment be granted conditioned upon compliance with all provisions of the contract.

INDIAN RIVER COUNTY - W. R. Price made application for a state permit for construction of a commercial marginal wharf in the Indian River at applicant's property described as Lots 22 and 23, Block 1, Veromar, in Vero Beach, Florida. All required exhibits, including \$100.00 processing fee, were submitted. The Staff recommended approval.

On motion by Mr. Williams, seconded by Mr. Dickinson and adopted unanimously, the Trustees authorized issuance of a state permit to Mr. Price.

MANATEE COUNTY - File No. 1804-41-253.124. On motion made by Mr. Conner, seconded by Mr. Williams, and adopted unanimously, the Trustees formally approved the fill permit issued by the City Council of the City of Palmetto in regular meeting on April 4, 1967, to Fred Claussen under the provisions of Section 253.124 Florida Statutes, to fill the 2.64 acre parcel of submerged land in the Manatee River in Section 23, Township 34 South, Range 17 East, Manatee County, which was conveyed by the Trustees under the referenced file number.

MARTIN COUNTY - File No. 1524-43-253.124. On motion by Mr. Williams, seconded by Mr. Conner and adopted unanimously, the Trustees formally approved the fill permit issued by the City Commission of the City of Stuart, Florida, in regular meeting on May 8, 1967, to Outboard Marine Corp., under the provisions of Section 253.124 Florida Statutes, to fill the 4.70 acres of submerged land in the St. Lucie River in Section 32, Township 37 South, Range 41 East, Martin County, which was conveyed by the Trustees under the referenced file number.

MONROE COUNTY - Application was made for assignment of Purchase Contract No. 23435(1141-44) from Hugh J. McManigal to James R. Lowry. Copy of assignment and acceptance were filed in the Land Office. Staff recommended approval conditioned on Mr. McManigal, the original purchaser of the 16.4 acres at Wilson Key, Monroe County, assigning to Mr. Lowry his interest in the right of way and access easement granted by the Trustees in Dedication No. 23446(1141-44) dated August 26, 1963.

Motion was made by Mr. Williams, seconded by Mr. Conner and adopted unanimously, that the Trustees approve assignment of the purchase contract to Mr. Lowry on the condition recommended by the Staff with reference to the access road dedication.

MONROE COUNTY - File No. 1236-44-253.12. Staff requested authority to issue refund of the \$50.00 application fee submitted by J. Bruce Vining under date of November 7, 1962, with the above referenced application to purchase certain submerged land in the Bay of Florida at Little Money Key in Monroe County. The application, uncompleted, was declared inactive by the Staff.

On motion by Mr. Williams, seconded by Mr. Conner and adopted unanimously, the Trustees authorized refund of the \$50.00 application fee.

MONROE COUNTY - File No. 1373-44-253.12. Staff requested authority to issue refund of the \$50.00 application fee submitted under date of July 31, 1963, by Maria deSilva Shuman with the above referenced application to purchase certain submerged land in the Straits of Florida at Key Largo in Monroe County. The uncompleted application was declared inactive by the Staff.

On motion by Mr. Dickinson, seconded by Mr. Conner and adopted unanimously, the Trustees authorized refund of the \$50.00 application fee.

SARASOTA COUNTY - Arvida Corporation made application to purchase an additional 126,000 cubic yards of fill material under State Permit No. 1974 which was originally approved on January 7, 1964, to allow removal of 125,000 cubic yards of material, was amended on July 21, 1964, for an additional 17,200 cubic yards, and again on June 21, 1966, for an additional 77,000 cubic yards. The current application provided for dredging to remove and dispose of an old abandoned concrete bridge structure, and to provide a minimum of 10 feet of water above the submerged material at mean low tide. As in the original application and amendments, the work involved navigation improvement in New Pass in Section 22, Township 36 South, Range 17 East, Sarasota County. The Board of Conservation waived objection.

Motion was made by Mr. Williams, seconded and adopted unanimously, that the Trustees authorize sale of the additional fill material for \$1,260.00.

INDIAN AFFAIRS - Mr. William R. Kidd, a former director for the Trustees of the Internal Improvement Fund who resigned effective November 1, 1964, also acted as Commissioner of Indian Affairs during the time he served on Governor Bryant's staff and as Director for the Trustees. On the recommendation of Governor

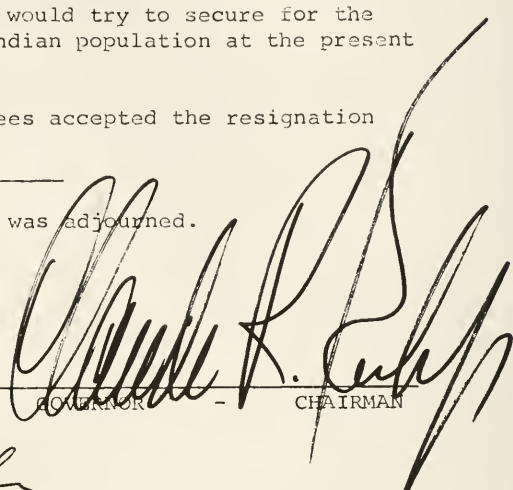
Bryant, the Trustees authorized the Director to retain Mr. Kidd as a consultant for the Trustees concerning Indian affairs.

The Staff received a communication from Mr. Kidd dated May 12, 1967, tendering his resignation as a consultant with respect to Indian affairs and giving assurance of his continued interest in the affairs of our Florida Indians and an expression of willingness to assist in every way possible in matters relating to the Indians.

Staff recommended acceptance of the resignation with an expression of appreciation for the services rendered. The Director said that it was his information that the relationship between the State of Florida and the Seminole Indian citizens had been highly satisfactory through the years. He said he would try to secure for the Governor a report on the Seminole Indian population at the present time.

Upon motion duly adopted, the Trustees accepted the resignation of Mr. Kidd.

On motion duly adopted, the meeting was adjourned.


GOVERNOR - CHAIRMAN

ATTEST: 
DIRECTOR - SECRETARY

* * * * *

Tallahassee, Florida
May 30, 1967

The Trustees of the Internal Improvement Fund met on this date in the Board Room of the office of the Governor, in the Capitol.

Present: Claude R. Kirk, Jr. Governor
Fred O. Dickinson, Jr. Comptroller
Broward Williams Treasurer
Earl Faircloth Attorney General
Doyle Conner Commissioner of Agriculture

Robert C. Parker Director

On motion by Mr. Conner, seconded by Mr. Williams and duly adopted, the Trustees approved the minutes of May 23, 1967.

GLADES COUNTY - D. C. Mitchell made application for five-year extension of his Grazing Lease No. 1726 which expired on February 12, 1967. The lease covered a 40-acre parcel of reclaimed Lake Okeechobee bottom land in Section 12, Township 42 South, Range 32 East, in Glades County near Moore Haven, Florida. The land had

been leased for \$1.00 per acre annually.

Staff Appraiser appraised the land and recommended renewal of the lease at \$3.00 per acre annually consistent with comparable land in the area under lease for similar purposes. Staff recommended renewal for five years at the increased rental with provision for cancellation after 30-day written notice.

Motion was made by Mr. Conner, seconded by Mr. Williams, and adopted unanimously, that the Trustees approve renewal of the grazing lease for five years at \$3.00 per acre annually, with provision for cancellation by the Trustees after 30-day written notice.

MONROE COUNTY - The State Road Department made application for temporary dredging easement over a parcel of submerged land in Hawk Channel in Sections 12 and 13, Township 67 South, Range 27 East, Sugarloaf Key in Monroe County, necessary for the construction of a bridge approach on State Road Section No. 90540-2610. The Board of Conservation approved the application.

Motion was made by Mr. Conner, seconded by Mr. Williams and adopted unanimously, that the Trustees grant temporary easement to the State Road Department to terminate April 1, 1971.

MONROE COUNTY - The State Road Department made application for dedication, for road right of way purposes, of a parcel of submerged land in Section 19, Township 66 South, Range 29 East, between Middle Torch and Big Torch Keys, Monroe County, which was necessary for construction of a state road designated as Section No. 90620-2603. The Board of Conservation recommended approval of the application.

Motion was made by Mr. Faircloth, seconded by Mr. Dickinson, and adopted unanimously, that the Trustees grant the request of the State Road Department for dedication of the parcel of submerged land for road right of way purposes.

PALM BEACH COUNTY - File Nos. 503 and 1745-50-253.124. On motion made by Mr. Faircloth, seconded by Mr. Conner and adopted unanimously, the Trustees formally approved the fill permit issued by the City of Lake Worth on May 8, 1967, to Earl deCoursey under the provisions of Section 253.124 Florida Statutes, to fill a portion of the parcels of submerged land in Lake Worth in Section 34, Township 44 South, Range 43 East, Palm Beach County, previously conveyed by the Trustees under the referenced file numbers.

DADE COUNTY - The City of Miami made application for a permit to construct an artificial fishing reef in Biscayne Bay in a former borrow area north of the Julia Tuttle Causeway in Section 19, Township 53 South, Range 42 East, Dade County. The reef would be a joint effort with the United States Bureau of Sport Fisheries and Wildlife, and would be constructed of abandoned automobiles. The Florida Board of Conservation recommended issuance of the permit for the project which they anticipate will provide needed research on artificial reefs in bay waters. The city tendered payment in the amount of \$50.00, the usual processing fee. The Staff recommended approval.

Motion was made by Mr. Faircloth, seconded by Mr. Conner and adopted unanimously, that the Trustees authorize issuance of the artificial fishing reef permit to the City of Miami.

MARTIN COUNTY - Outboard Marine Corporation made application to remove 9,240 cubic yards of fill material from the St. Lucie River to improve applicant's upland property at Stuart, Florida, in Section 32, Township 37 South, Range 41 East, Martin County, for which the Trustees granted approval to fill in File No. 1524-43-253.124 on May 23, 1967. The Board of Conservation checked the fill and dredge areas and had no objections to the application. Payment in the amount of \$462.00 for the material was received and the Staff recommended approval.

Motion was made by Mr. Conner, seconded by Mr. Faircloth and adopted unanimously, that the Trustees approve issuance of the permit to remove the above stated amount of fill material.

MONROE COUNTY - The Blue Water Trailer Village, Inc., made application to extend an existing navigation channel for an additional 700 feet into Hawk Channel at Key Largo in Section 26, Township 62 South, Range 38 East, Monroe County. Whereas the Trustees' policy permits navigation channels without charge up to 50 feet wide and 5 feet deep for a length necessary to reach navigable water, and the applicant proposed a channel 70 feet wide and 5 feet deep, the Staff advised the applicant that a charge would be made for the material obtained from the overcut. Payment in the amount of \$129.65, at 5¢ per cubic yard, was tendered. Staff recommended approval.

Motion was made by Mr. Conner, seconded by Mr. Faircloth and adopted unanimously, that the Trustees authorize issuance of permit for the navigation channel and accept payment for the material obtained from the cut in excess of the usual width.

SUBJECTS UNDER CHAPTER 18296

On motion by Mr. Faircloth, seconded by Mr. Conner and adopted without objection, the Trustees approved Report No. 910 listing 1 regular bid for sale of land in Walton County under the provisions of Chapter 18296, the Murphy Act; also, County of Dade Deed No. 3005-EDDJ-Corrective to Flora Jane Hossfeld, to be issued in lieu of the original deed dated February 12, 1945, to George V. Hossfeld who was deceased on the date of the deed.

COLUMBIA COUNTY - W. J. Buckley, et ux, made application for conveyance under Chapter 28317, Acts of 1953, of a parcel of land certified to the State of Florida under tax sale certificates Part 869 of 1932 and Part 523 of 1934, described as North 2 chains of N½ of NE¼ of Section 29, Township 5 South, Range 17 East, Columbia County, 8 acres. The applicants claimed title by warranty deed from the former owner on June 9, 1939, and offered \$200.00 for the land. The application appeared to qualify under the provisions of the Hardship Act and the Staff recommended approval.

Motion was made by Mr. Faircloth, seconded by Mr. Conner and adopted unanimously, that the Trustees authorize conveyance of the parcel

DADE COUNTY - Merrill-Stevens Dry Dock Company made application for a state permit to construct a commercial dock facility in Biscayne Bay at Tracts 1, 2 and 3 of Tract "A" at Dinner Key, Plat Book 34, Page 2, in Miami, Florida. All required exhibits were furnished, including \$100.00 processing fee. Staff recommended approval.

On motion by Mr. Dickinson, seconded by Mr. Faircloth and adopted unanimously, the Trustees authorized issuance of permit.

DADE COUNTY - Humble Oil and Refining Company requested permission to conduct a seismic survey across the West one-half of Section 20, Township 53 South, Range 39 East, and Lot 6 of Township 53/54 South, Range 39 East, in Dade County. The survey would consist of drilling a pattern of holes 10 feet deep by 4 inches in diameter and shooting one-half pound of dynamite in each hole and recording the vibrations. All holes would be promptly refilled and tamped following each shot. Subject lands are not within a designated water conservation area. Dade County gave its approval for the operation across Lot 6, which was leased to the county in connection with the Trail Glades Rifle Range. The State Geologist, Dr. Robert Vernon, reviewed and approved the application. The Staff recommended issuance of 90-day permit.

Motion was made by Mr. Faircloth, seconded by Mr. Williams and adopted unanimously, that the Trustees grant a 90-day permit to Humble Oil and Refining Company to conduct its seismic survey as outlined above.

SHELL LEASES - The Trustees accepted as information the following report of remittances received by the Florida Board of Conservation from holders of shell leases:

<u>Lease No.</u>	<u>Name of Company</u>	<u>Amount</u>
1718	Radcliff Materials, Inc.	\$10,311.05
1788	Benton and Company, Inc.	5,000.00
2233	Bay Dredging & Construction Co.	4,958.65
	and	3.69
2235	Ft. Myers Shell & Dredging Co.	402.23

POLK COUNTY - J. P. James made application for a permit to dredge a sump area 25 feet by 25 feet by 12 feet in Lake Moody in Township 31 South, Range 28 East, Polk County, to be used to irrigate his citrus grove. The Game and Fresh Water Fish Commission offers no objection. The required exhibits and fee of \$25.00 were submitted. Staff recommended approval.

Motion was made by Mr. Dickinson, seconded by Mr. Williams and adopted unanimously, that the permit be authorized.

VOLUSIA COUNTY - The State Road Department made application for dedication of 32.15 acres of submerged bottom land in Sections 2, 10, 11 and 15 in Township 19 South, Range 30 East, Volusia County, lakeward of the mean high water line of Lake Monroe lying outside the right of way of State Road 400 (Interstate 4). The dedication was requested for the purpose of roadside beautification in connection with the national highway beautification program. The abutting upland owner, Empire Cattle Company, had conveyed the affected

upland to the State Road Department. Staff recommended dedication for the project identified as Section No. 79110-2414, Parcel No. 101-1.

On motion by Mr. Dickinson, seconded by Mr. Williams and adopted unanimously, the Trustees granted the request of the State Road Department for dedication of the submerged land for beautification.

SUBJECTS UNDER CHAPTER 18296

REFUNDS - Staff recommended that refund be approved in the amount of \$10.00 to each of the following two applicants for release of the state road right of way reservations contained in deeds under Chapter 18296, the Murphy Act, for the reason that the State Road Department did not recommend release of the reservations in the deeds:

Joseph A. Boyd, Jr., Dade County Deed No. 1835,
and
Ruth Morat, Dade County Deed No. 2342.

On motion by Mr. Dickinson, seconded by Mr. Williams and adopted without objection, the Trustees authorized refund of \$10.00 to each applicant.

On motion duly adopted, the meeting was adjourned.

GOVERNOR - CHAIRMAN

ATTEST:

DIRECTOR - SECRETARY

* * * * *

Tallahassee, Florida
June 13, 1967

The Trustees of the Internal Improvement Fund met on this date in the Board Room of the Office of the Governor, in the Capitol.

Present: Claude R. Kirk, Jr. Governor
Fred O. Dickinson, Jr. Comptroller
Earl Faircloth Attorney General
Doyle Conner Commissioner of Agriculture

Robert C. Parker Director

DUVAL COUNTY - Presented for further consideration on this date, with recommendation for confirmation of sale, were the following applications to purchase submerged land in the St. Johns River landward of an established bulkhead line in Duval County.

File No. 1617-16-253.12. Lonnie Wurn on behalf of The Leitman Company, abutting upland owner, offered the appraised price of \$250.00 per acre for a parcel of submerged land in Section 29, Township 1 South, Range 27 East, containing 9.68 acres. On May 11, 1965, the Trustees had deferred action at the request of the applicant when objections were raised to sale of the land.

File No. 1923-16-253.12. A. M. Crabtree, Jr., on behalf of John T. Wood, abutting upland owner, offered the appraised price of \$250.00 per acre for 30.0 acres of submerged land abutting uplands in Sections 29 and 53, Township 1 South, Range 27 East. On November 15, 1966, the Trustees authorized advertisement for objections only. The Board approved an application for a disclaimer under provisions of Section 253.129 Florida Statutes, for handling charge of \$10.00, for a tract of sovereignty land containing 22.0 acres which was filled prior to May 29, 1951, landward of the 30 acres sought for purchase.

On December 27, 1966, the Trustees considered the two above sales and the objections from adjacent owners, George Ferber and George Fish. An objection from Howard Field was withdrawn and he indicated that he would apply to purchase the submerged land adjacent to his upland holdings. In recognition of the objections, the Trustees deferred action on that date, to allow the objectors to appeal to the Board of County Commissioners for readjustment of the bulkhead line. By letter of March 22 Mr. Martin Sack, Jr., attorney for Mr. Ferber, advised the Staff that the county declined to consider readjustment of the bulkhead line in this area, and he reiterated the objections to sale of the two parcels.

On this date, the Trustees' Staff recommended that the objections be overruled and the sales confirmed. Applicants and objectors were present and expected to be heard.

Governor Kirk and Attorney General Faircloth said that there should be a conservation report on the areas applied for, and Mr. Faircloth also suggested review of the appraised price for the lands. But since there were parties present who wished to be heard, they were granted that privilege.

Mr. Wurn, for The Leitman Company application, said he did not believe there was any conservation aspect in the area, that about 95% of the people along the length of the bulkhead line which was established by the county in 1961 had accepted it, that the Trustees approved the bulkhead line and had approved sales to six other applicants pursuant to about one-third of this bulkhead line, that the U. S. Army Corps of Engineers, the County Engineer, the County Commission and the Jacksonville Outboard Club approved the bulkhead line. He said that about 70% of the submerged area within the bulkhead line was already purchased or was in the process of having application made to purchase, and that the objections were from owners of only about 1% of the entire length of the bulkhead line established in 1961. He filed a letter from the Clerk of the Duval County Commission stating that the Commission on unanimous motion reaffirmed its approval of the bulkhead line.

Mr. Crabtree, on behalf of the John T. Wood application, said that owners of parcels to the south and southwest had already acquired submerged land and filled it, that his client's application was made in order to extend ownership to match the adjoining owner, that there was no conservation problem present in the area. He said that at the December meeting the Trustees approved the application, which had been advertised and no objections made, only to rescind approval upon consideration of the application of The Leitman Company for land in the area, to which objection was made.

Mr. Crabtree also requested issuance of the disclaimer under provisions of Section 253.129 which was approved by the Trustees on November 15, 1966. The Director said that issuance of the disclaimer was in order.

Mr. Martin Sack, representing George Ferber, and with authority to speak also for George Fish, said there was a distinction between establishment of a bulkhead line and the sale of land inside a bulkhead line, that the establishment of a bulkhead line did not mean approval of sales automatically. The county did not change the bulkhead line, but he pointed out that extension by sale and filling over 700 feet out into the river would cause eddying and accumulation of debris, adversely affecting adjacent owners until such owners elected to purchase and fill, also. He did not think other owners should have to be put to such an expense. Also, he said the objectors' view and riverfront position would be adversely affected.

The Director said that when sales were made within a bulkhead line, naturally development by filling a submerged parcel created a saw-tooth each time, until the whole area was developed.

Summarizing the discussion, the Governor said it appeared that if the conservation report and valuation were in order, the Board would be inclined to approve the applications.

Motion was made by Mr. Faircloth, seconded and adopted unanimously, that the sales be deferred until consideration at a later date of a report from the Board of Conservation and a review by the Staff of the appraised value of the land in the two applications.

Motion was made by Mr. Faircloth, seconded by Mr. Dickinson and adopted unanimously, that the Trustees authorize issuance of the disclaimer to John T. Wood for \$10.00 charge.

PINELLAS COUNTY - Bulkhead Line. On February 28, 1967, the Trustees deferred action on the bulkhead line for the Town of South Pasadena pending receipt of further information from the applicant. Mr. Emerson Parker furnished a plan of development, topographic survey showing elevations and water depths, and a copy of a resolution adopted June 9, 1966, by the Town of South Pasadena in which the Town Council indicated approval of the proposed project. The submerged lands in Boca Ciega Bay in this area were sold in 1925, 1940 and 1941, and the applicant acquired his upland and submerged land in September 1966.

On March 9, 1967, the Town Council of the Town of South Pasadena authorized their attorney to advise the Trustees that the Town Council, changing its recommendation with respect to the location of the bulkhead line, now recommended a line generally along the line of mean high water which coincided with the new recommendation of the County Engineer. Pinellas County Water and Navigation Control Authority maintained its position as to location of the bulkhead line as set on October 4, 1966.

As to one segment of the bulkhead line, the northernmost part across a cove where the upland and submerged land was in private ownership and development was proposed, there were objections on conservation grounds and the Trustees had heard from objectors at the meeting on February 28. The Board of Conservation had reported that the submerged area contained attached seagrasses and that the bulkhead line preferably should have been set near

the mean high water line.

Speaking on behalf of the bulkhead line approval on this date were Mr. C. Ray Smith, attorney for the applicant, Mr. Emerson Parker, president of the corporation that owned part of the upland adjacent to the bulkhead line (Castle of Kings, Inc.). Mr. Smith exhibited an aerial picture taken two days earlier, which showed improvements and filling completed on the applicant's upland. He called attention to the reports and information already in the Trustees' records and said that Mr. Parker would dedicate for the use of the public all water areas within the bulkhead line and seaward of the bulkhead line.

Mr. Emerson Parker told of his purchase of the land, development and financial plans which qualified his application for consideration as a hardship case, said that according to the engineering report of Col. Herbert C. Gee his plan would add 1.15 acres of tidal prism water, and emphasized that the method to be used for dredging and filling would prevent silt flowing back into the bay.

Mr. Paul C. Yingst, for himself and for Causeway Island Estates Civic Association, reiterated objections made on February 28 to destruction by filling of a large area, disturbing the bay and creating pockets by construction of finger-fills. He said dredging to excessive depths had been done, that there was now water access to the upland, and urged that the bulkhead line be located at the high water line.

Mrs. Dorothy Sample strongly opposed the bulkhead line including the vegetated cove, called attention to the objections by the Board of Conservation, the Federal Fish and Wildlife Bureau, and said there was a threat of pollution of the water and relocation of a sewer disposal plant and a storm drain in the area. She said the picture was different from statements made by the developer, that there was boating, swimming and fishing in the cove area.

Representative A. S. "Jim" Robinson of St. Petersburg objected because he thought Boca Ciega Bay had been damaged too much by dredging, finger-fills, siltation of the waters and restriction of the tidal flow which had gone on for the past forty years. A map of Boca Ciega Bay showed the objectionable features he spoke of, and showed the bulkhead line under consideration to be a straightening up of the shoreline which he said he did not object to so much as he objected to the stirring up of the bay bottoms and adding silt to the waters.

After hearing from all the interested parties and asking a number of questions, particularly about the method of dredging and filling to eliminate siltation of the waters of the bay, the Trustees indicated that they could understand the objections but that the bulkhead line, which was the only thing under consideration on this date, was not unacceptable in view of the circumstances.

Mr. Faircloth said that in view of the reports the Trustees had heard and considered - and conceivably there were arguments on both sides - he would move to approve the bulkhead line as recommended by the Staff on the grounds that it appeared that the applicant had moved forward in reliance on the policy of the Board, before there was any moratorium discussed or put into effect, and in the absence of overwhelming evidence to the contrary Mr. Faircloth thought approval was in order.

Mr. Dickinson seconded the motion, and unanimously the Trustees formally approved the bulkhead line in the Town of South Pasadena

as established by Pinellas County Water and Navigation Control Authority on October 4, 1966, and re-affirmed on January 10, 1967.

BREVARD COUNTY - The First National Bank of Merritt Island made application to construct a navigation channel in Newfound Harbor in Section 7, Township 25 South, Range 37 East, Brevard County. Under Trustees policy, navigation channels were permitted without charge up to 50 feet wide and 5 feet deep, for a length necessary to reach navigable water, but in this case the applicant's proposed channel was 8 feet deep. The applicant tendered payment in the amount of \$450.00, at five cents per cubic yard, for the material obtained from the overcut which would be placed on his upland property. Staff recommended approval.

Motion was made by Mr. Dickinson, seconded by Mr. Faircloth and adopted unanimously, that permit be issued as recommended by the Staff.

BREVARD COUNTY - File No. 1536-05-253.12. Under date of December 15, 1965, the Trustees authorized issuance of Purchase Contract 24146 for 16.59 acres, and Contract 24147 for 47.22 acres, both included in the referenced file number and accepted by the purchaser, Banana River Properties, Inc. Subsequently, the contract purchaser had the two areas resurveyed using very accurate methods, and submitted more accurate and precise legal descriptions preparatory to requesting deeds to be issued. The new survey descriptions showed an increase in area of the parcel in Contract 24146 from 16.59 to 16.82 acres; and the tract in Contract 24147 was increased from 47.22 to 53.40 acres. The increased acreages were included in the original overall descriptions advertised pursuant to Section 253.12 Florida Statutes.

The applicant submitted a sufficient amount to cover the recalculated acreages at the purchase price of \$436.80 per acre, to complete the purchase under the two contracts and obtain deeds.

Upon motion adopted without objection, the Trustees accepted the report for the record.

BREVARD COUNTY - Mr. Richard H. Miller, attorney for and on behalf of Crane Creek Drainage District of Brevard County, submitted request that the Trustees, as the Board of Drainage Commissioners of the State of Florida under provisions of Section 298.12 Florida Statutes, appoint Mr. Friley B. Knight to serve a three-year term as Supervisor of said District effective July 2, 1967, the date on which the term of Supervisor Kelley E. George will expire.

A meeting of the landowners of the District, duly advertised and held on May 12, 1967, resulted in a lack of sufficient representation or a majority of the acreage in the District and no legal election could be had. Those present instructed Mr. Miller to request the Trustees to appoint Mr. Knight.

Motion was made by Mr. Dickinson, seconded by Mr. Conner and adopted unanimously, that the Trustees, in their official capacity as the Board of Drainage Commissioners of the State of Florida, appoint Friley B. Knight as Supervisor of Crane Creek Drainage District for three years, effective July 2, 1967.

BROWARD COUNTY - File No. 2001-06-253.129. Motion was made by Mr. Dickinson, seconded by Mr. Faircloth and adopted unanimously, that the Trustees authorize issuance of disclaimer under the provisions of Section 253.129 Florida Statutes, to Roland K. Molinet, et ux, for handling charge of \$10.00, covering the 0.05 acre parcel of sovereignty land in Lake Mabel in Section 12, Township 50 South, Range 42 East, Broward County, which was filled prior to May 29, 1951.

DADE COUNTY - The Humble Oil and Refining Company requested permission to conduct a seismic survey across land in Section 6, Township 59 South, Range 38 East, Dade County, not within a designated water conservation area. The land was leased to Aerojet General Corporation which approved the survey. The operation would consist of drilling a pattern of holes ten feet deep by four inches in diameter, shooting a one-half pound charge of dynamite in each hole and recording the vibrations, and all holes would be promptly refilled and tamped following each shot. The Staff recommended 90-day permit be granted.

On motion by Mr. Conner, seconded by Mr. Dickinson, and adopted unanimously, the Trustees granted 90-day permit to Humble Oil and Refining Company to conduct the seismic survey.

REFUNDS - On motion made by Mr. Dickinson, seconded by Mr. Conner and adopted unanimously, the Trustees authorized issuance of refunds of the \$50.00 application fees submitted with the four applications listed below for purchase of submerged land. No further action having been taken to complete the requirements, the four applications were declared inactive.

(1) BREVARD COUNTY - File 1472-05-253.12. Application submitted February 20, 1964, by the Estate of Carmen Valicenti to purchase certain submerged land in the Indian River in the City of Titusville, Florida.

(2) DADE COUNTY - File No. 1168-13-253.12. Application submitted June 27, 1962, by Miami Lodge, Number 948, of the Benevolent and Protective Order of Elks, to purchase certain submerged land in Biscayne Bay in the City of Miami.

(3) DADE COUNTY - File 1468-13-253.12. Application dated February 11, 1964, by Maurice H. Connell & Assoc., Inc., for the upland owner, Fisher Island, Inc., to purchase certain submerged land in the Atlantic Ocean at Fisher Island.

(4) DADE COUNTY - File 1224-13-253.12. Application dated October 11, 1962, submitted by Brockway, Weber & Brockway Engineers, Inc., now incorporated under the name of Brockway, Owen & Anderson, Inc., for the upland owner, Alfred DeMaris, et al, to purchase certain submerged land in the abandoned right of way of the Florida East Coast Canal.

SUBJECTS UNDER CHAPTER 18296

On motion by Mr. Dickinson, seconded by Mr. Faircloth and adopted without objection, the Trustees approved Report No. 911 listing one regular bid for sale of land in Putnam County under provisions

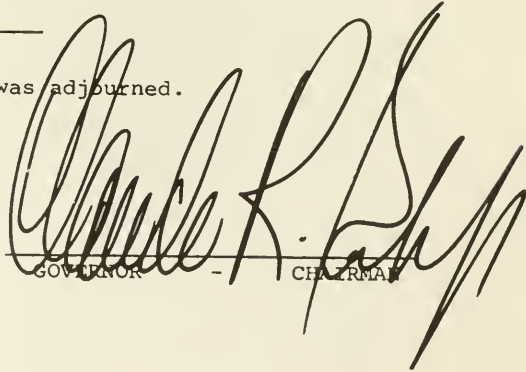
MARION COUNTY - Primas Rutledge III made application for conveyance under Chapter 28317, Acts of 1953, of a parcel of land certified to the State of Florida under tax sale certificate No. 60 of June 2, 1919, described as the NW¼ of SE¼ of NW¼ of Section 29, Township 12 South, Range 21 East, Marion County. The applicant, who is the grandson of the former owner on June 9, 1939, offers \$150.00 for the parcel. The application appears to qualify under the provisions of Chapter 28317, commonly called the Hardship Act. Staff recommended approval.

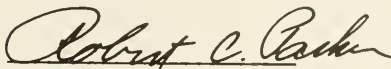
Motion was made by Mr. Conner, seconded by Mr. Dickinson and adopted unanimously, that the Trustees approve the application and authorize conveyance of the parcel for the price offered under Chapter 28317.

WAKULLA COUNTY - G. C. Whaley made application for conveyance of a tract of land certified to the State of Florida under provisions of Chapter 18296, Acts of 1937, by tax sale certificate No. 191 of December 5, 1932, described as Undivided 2/3 interest in 120 acres lying across south side of Lot 95 H. S. The applicant was one of the heirs of the former owner on June 9, 1939. He offered \$800.00 for conveyance under Chapter 28317, Acts of 1953, commonly called the Hardship Act. The application appeared to qualify under provisions of that chapter.

Motion was made by Mr. Dickinson, seconded by Mr. Conner and adopted unanimously, that the Trustees approve the application and authorize conveyance of the land for the price offered under Chapter 28317.

On motion duly adopted, the meeting was adjourned.


GOVERNOR - CHAIRMAN

ATTEST: 
DIRECTOR - SECRETARY

* * * * *

June 13, 1967

The Trustees of the Internal Improvement Fund met on this date in the Board Room of the office of the Governor, in the Capitol.

Present: Claude R. Kirk, Jr.	Governor
Fred O. Dickinson, Jr.	Comptroller
Broward Williams	Treasurer
Earl Faircloth	Attorney General
Doyle Conner	Commissioner of Agriculture

Robert C. Parker	Director
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On motion by Mr. Dickinson, duly adopted, the Trustees approved the minutes of the meeting of June 13, 1967.

PINELLAS COUNTY - Bulkhead Line. Representative A. S. "Jim" Robinson of St. Petersburg was present and asked that the Trustees give further consideration to a matter heard last week, the bulkhead line for the Town of South Pasadena which was formally approved after hearing from a number of proponents and opponents, including Mr. Robinson. As new and additional information, he discussed the report of Mr. Kenneth Woodburn, Marine Biologist of the Board of Conservation, which recommended that the bulkhead line be set at the mean high water line. Also, he had information and a letter from Dr. Harold Ledbetter setting out objections from the Sanitary Department of Pinellas County. However, the Director said that both reports were already in the record at the previous meeting, and no additional or different information was presented on this date. The reports had been considered at the local hearing, a transcript of which was in the file. The Director indicated on the transcript where the vote of the Pinellas County Commissioners was recorded, and it was noted that Commissioners Davis and Anderson had voted against the bulkhead line adopted on June 9, 1966, by the Town of South Pasadena.

Mr. Robinson said that while straightening out the bulkhead line did not appear bad on the map, the bulkhead line should be set at the mean high water line to prevent the filling and loss of seagrass beds in the 10½ acres within the bulkhead line as extended. He had not heard the reports mentioned and was not aware they were in the Trustees file, but he thought approval of the proposed bulkhead line was an incorrect decision by the Board. He said he had not attended the local hearing. The Director called attention to the number of times the line had been considered by Pinellas County Water and Navigation Control Authority and by the Trustees, and approved.

In view of the fact that no new information had been presented, the Trustees took no action and the formal approval of the bulkhead line was unchanged.

CHARLOTTE COUNTY - File No. 247-08-253.124. On motion by Mr. Dickinson, seconded by Mr. Faircloth and adopted unanimously, the Trustees formally approved the fill permit issued by the City Council of Punta Gorda, Florida, on May 18, 1967, to Punta Gorda Isles, Inc., under provisions of Section 253.124 Florida Statutes, to fill part of the 31.48 acre parcel of submerged land in Charlotte Harbor in

Section 11, Township 41 South, Range 22 East, Charlotte County, which was conveyed by the Trustees under the referenced file number.

CHARLOTTE COUNTY - Florida Bridge Company, holder of Trustees Easement No. 20840 dated December 30, 1954, for right of way across Gasparilla Sound for a causeway and bridge between Placida and Gasparilla Island, agreed and consented to the issuance of a subordinate easement to the Gasparilla Island Water Assoc., Inc., a non-profit organization, for construction of a potable water transmission pipe line on and across said right of way. Staff recommended issuance of the pipe line easement.

Motion was made by Mr. Conner, seconded by Mr. Dickinson, and adopted unanimously, that the Trustees authorize issuance of pipe line easement to the Gasparilla Island Water Assoc., Inc.

DADE COUNTY - Southern Bell made formal request that the Trustees authorize the Staff to advise Metro-Dade of approval of a variance application made by the firm to permit erection of a radio relay tower and facilities, for which the zoning requirements of Dade County for the area in Sections 17 and 20, Township 54 South, Range 36 East, required such a variance to be approved by Metro. Southern Bell planned to erect the structure on land owned by the Trustees situate adjacent to the Tamiami Trail in Dade County.

On motion by Mr. Faircloth, seconded and adopted unanimously, the Trustees approved the request.

ESCAMBIA AND SANTA ROSA COUNTIES - On May 5, 1964, the Trustees issued oil and gas drilling lease No. 2003 to M. F. Kirby and Edward T. Merry covering 48,771 acres of submerged land in Pensacola and Escambia Bays for a total consideration of \$9,854.20. Upon failure of the lessee to perform certain drilling obligations as required by the terms of the lease and to pay annual lease rental, said lease was cancelled by the Trustees on August 10, 1965. On September 21, 1966, Mr. Edward Merry requested refund of the consideration paid for the lease on the basis that the Trustees failed to comply with the requirements of Section 253.61 Florida Statutes, in the issuance of the lease and that there was a failure of title by reason of the failure to comply. The Attorney General had reviewed the matter and advised that the application for refund should, as a matter of law, be denied.

Attorney J. Lewis Hall, Jr., representing Messrs. Merry and Kirby, requested that the request for refund be presented to the Trustees for an official determination. He said that after his clients made the initial payment and had considerable expense they defaulted in what they considered as a lease, however it appeared that their lease was never complete without the formal approval by resolution of the municipality, and that the Trustees did issue refund to another company of the sum paid for an oil and gas lease when consenting resolutions of municipalities could not be obtained. He said that since no consenting resolutions were secured with respect to his client's lease, it was a nullity and his clients should be entitled to a refund, also.

The Director said that the Trustees did not get the consenting resolutions and the matter had been referred to the Attorney General for review and opinion. The Staff deferred to the opinion of the Attorney General that the application for refund should be denied,

6-20-67

and placed the matter on the agenda for determination by the Trustees.

Motion was made by Mr. Faircloth, seconded by Mr. Williams and adopted unanimously, that the request for refund to M. F. Kirby and Edward T. Merry be denied.

ESCAMBIA AND SANTA ROSA COUNTIES - On motion made by Mr. Conner, seconded by Mr. Dickinson and adopted unanimously, the Trustees granted to the State Road Department a temporary easement for dredging a tract of submerged land in the Escambia River in Sections 29 and 36, Township 1 North, Range 30 West, and Section 34, Township 1 North, Range 29 West, Escambia and Santa Rosa Counties, necessary for construction of State Road No. 10, Section 58010-2507. The easement would terminate on June 1, 1971.

HIGHLANDS COUNTY - The City Council of the City of Sebring, Florida, by resolution adopted June 6, 1967, requested dedication of a parcel of sovereignty land in Lake Jackson in Section 29, Township 34 South, Range 29 East, containing 1.79 acres, for recreation. The Florida Game and Fresh Water Fish Commission had approved the city's plan to fill and develop the parcel for beach improvement as an extension to upland owned by the city.

Motion was made by Mr. Dickinson, seconded by Mr. Williams and adopted unanimously, that the Trustees grant the request of the City of Sebring for dedication of the parcel for public recreational purposes.

HIGHLANDS COUNTY - Julian O'Neal requested three-year renewal of grazing lease No. 779 which expired February 14, 1967, covering thirty-three (33) acres in Lot 1, Section 21, Township 35 South, Range 30 East, on the north side of Lake Istokpoga in Highlands County. His renewal request had been delayed due to the interest of Highlands County in acquiring the tract for public recreation, until the county could plan the development and the financing.

The Outdoor Recreational Development Committee Staff recommended renewal of the grazing lease, after their field investigation revealed that access to the tract was difficult and a large amount of fill material would be required to make the land usable. The County Commission advised that funds were not available for a project of that nature at the present time. Therefore, Staff recommended issuance of a three-year grazing lease subject to the usual 30-day cancellation privilege, and with the annual rental increased from \$1 to \$2 per acre.

On motion by Mr. Conner, seconded by Mr. Dickinson and adopted unanimously, the Trustees authorized issuance of the lease as recommended by the Staff.

MANATEE COUNTY - The Town of Longboat Key, Florida, requested access easement fifty feet wide and about eight hundred feet long across Sarasota Bay from the main island to an offshore island which was conveyed by the Trustees in 1958 by Deed No. 22025 to the town for public purposes only. The Trustees in meeting January 21, 1964, agreed to dedicate the fifty-foot wide strip for public purposes subject to approval by the Staff of the design of the causeway as finally devised and approved by the United States Corps of Engineers. In 1965 when the town requested conveyance of 93 acres for a municipal complex, which the Board did not grant, there was an unfavorable

report made by the biologist of the State Board of Conservation citing loss of densely vegetated acreage.

Regarding the one acre, more or less, which the Town of Longboat Key by resolution adopted January 10, 1967, requested for access easement, the Board of Conservation reported that the proposed method of construction would reduce damage to grassy bay bottom compared with dredging and filling for causeway construction with the resulting damage to submerged land that would be caused by dredging and siltation. The current plan is to have concrete rubble and fill trucked in for a causeway with 4-foot culvert to provide increased tidal flow, a bridge with 30-foot horizontal clearance and 4-foot vertical clearance at mean high water.

The Staff reviewed the design of the causeway and recommended approval. The Corps of Engineers issued a permit (SAJSP 64-6) for this design.

Motion was made by Mr. Faircloth, seconded by Mr. Williams and adopted unanimously, that the Trustees dedicate the fifty-foot wide strip of submerged land to the Town of Longboat Key for public purposes only, for the causeway and bridge to the city-owned island.

MONROE COUNTY - File No. 1274-44-253.12. Staff requested authority for issuance of refund of the \$50.00 application fee submitted under date of January 28, 1963, by C. G. Bailey for Lee Shields, applicant to purchase certain submerged land in the Straits of Florida at Government Lot 4, Section 25, Township 66 South, Range 30 East, Monroe County. The application was not completed and has been declared inactive.

Motion was made by Mr. Dickinson, seconded by Mr. Conner and adopted unanimously, that refund of the application fee be approved.

OKEECHOBEE COUNTY - On May 7, 1925 by Deed No. 17212 the Trustees conveyed to the City of Okeechobee 11.9 acres of land for municipal purposes only for a consideration of \$5,000.00. The city by resolution dated June 6, 1967, requested release of the municipal purposes reverter clause insofar as it pertained to the west 10 feet of the tract, so that the city might grant an easement to the Okeechobee Beach Water Association, a non-profit corporation, for construction and maintenance of a water distribution line. Staff recommended approval.

Motion was made by Mr. Dickinson, seconded by Mr. Faircloth and adopted unanimously, that the public purpose clause be waived insofar as it applied to the west 10 feet of the city-owned tract, so that the city might grant the easement for water distribution line.

ESCAMBIA AND PINELLAS COUNTY - Dock Permits. On motion made by Mr. Conner, seconded by Mr. Williams and adopted unanimously, the Trustees authorized issuance of state commercial dock permits for \$100.00 each to the following three applicants:

Escambia County - F. W. Hofer (Pensacola Beach Pure Service Station) for construction of a wooden wharf in Sabine Bay at upland leased by Pure Oil Company from Santa Rosa Island

Authority and described as Lot 2 of Block A in First Addition to Villa Sabine Subdivision.

Pinellas County - Walter N. Todd, Jr. (SeaHorse Mobile Home Park) for a series of docks for individual trailer lots as needed in Boca Ciega Bay, starting at southeast corner of Government Lot 2 in Section 1, Township 31 South, Range 15 East. A blanket permit was approved by Pinellas County Water and Navigation Control Authority for a period not to exceed two years after approval by the U. S. Corps of Engineers.

Pinellas County - John R. Munz (Master Marine, Inc.) for after-the-fact permit for a dock in Masters Bayou in Section 16, Township 30 South, Range 17 East, which had been approved by Pinellas County Water and Navigation Control Authority.

VOLUSIA COUNTY - File No. 1838-64-253.124. Staff recommended formal approval of the fill permit issued by the City Council of the City of Edgewater, Florida, in regular meeting on June 5, 1967, to A. J. Frisch under the provisions of Section 253.124 Florida Statutes, to fill the 2.60 acres of submerged land in the Indian River North in Section 2, Township 18 South, Range 34 East, in Volusia County, which was conveyed by the Trustees under the referenced file number.

Motion was made by Mr. Dickinson, seconded by Mr. Williams and adopted unanimously, that the Trustees formally approve the fill permit issued by the City of Edgewater to Mr. Frisch.

TRUSTEES FUNDS - Mr. W. G. Hendricks, Business Manager of the Board of Regents, by letter of April 21, 1967, made formal request that the Trustees relieve the Board of Regents of further liability for the sum of \$126,788.17, the amount due and unpaid on an advance of Trustees funds in the amount of \$260,000.00, the sum of \$133,211.83 having been repaid on May 27, 1964.

On May 10, 1960, Representatives Ralph J. Blank, Jr., of Palm Beach County, Rupert J. Smith of St. Lucie County, L. B. (Buck) Vocelle of Indian River County and Senator George W. Tedder, Jr., of Broward County, appeared before the Trustees to request an advance of \$260,000.00 to the Board of Control to be used for the purpose of completing detailed planning for the new state university at Boca Raton. The planning was deemed urgent in order to permit the Board of Control to be able to submit the completed plans at the next session of the Legislature. Also present in support of request of the advance were State Superintendent of Public Instruction Thomas D. Bailey and Secretary of State R. A. Gray as members of the State Board of Education, Frank Buchanan, Member of the Board of Control, and J. Broward Culpepper, Secretary of the Board of Control.

After a thorough discussion of this application, the Trustees approved a motion committing up to \$260,000.00 of Trustees funds with the expectation of reimbursement by the Legislature through the cooperation offered by Mr. Blank and others on behalf of the delegations from Palm Beach, Broward, St. Lucie, Indian River and Okeechobee Counties.

As a result of this commitment the Trustees advanced to the State Board of Control the total sum of \$260,000.00 commencing on October 17, 1960 and completing the advance on June 14, 1961. In compliance with the commitments made at the time of application for the loan,

the elected officials to the Legislature have introduced legislation designed to reimburse the Trustees, but without success. In the 1965 session Representative Emmett Roberts introduced House Bill 429, and in the 1967 session House Bill 161 was introduced by Donald H. Reed, Jr., to accomplish appropriation to repay the amount less payments made on the loan by the now Board of Regents, which 1967 bill was reported unfavorably by the Committee on Higher Education of the House of Representatives. It appeared to the Trustees Staff, based on the history of the efforts up to this point, that the Legislature was not favorably disposed to enact legislation to appropriate funds for repayment of the balance due on the advance of Trustees funds.

The matter was submitted to the Trustees on this date for consideration of the request from the Board of Regents for relief of further liability as to the outstanding balance. In view of the fact that the issues involved concerned policy, the Staff did not feel it appropriate to make recommendation.

The members expressed opposition and some surprise that the loan applied for in good faith, with sincere pledges made for repayment, would not be considered an obligation to be paid back by the Board of Regents. Mr. Williams said the loan should be repaid, if it was necessary to work out some installment plan. Mr. Dickinson said it was still an obligation, and Mr. Conner said that perhaps the Trustees should start charging interest on loans to guarantee repayment.

Motion was made by Mr. Williams, seconded by Mr. Dickinson, and adopted unanimously, that the request of the Board of Regents be denied and that the Staff work out some plan for repayment, by installments if necessary, and report to the Trustees next week on the arrangements made for repayment of the outstanding balance on the outstanding balance on the advance of Trustees' funds committed on May 10, 1960, for the purpose of completing the planning for the new state university at Boca Raton.

TRUSTEES FUNDS - Request was received from the office of State Comptroller Fred O. Dickinson, Jr., that the Trustees approve a temporary loan in the amount of \$2,845,000.00 of the Trustees funds to be used for repayment of a temporary loan of the working capital fund to the Capitol Center Land Acquisition and Construction Fund. The transaction was necessary for the reason that under provisions of Chapter 215.18 Florida Statutes, which authorized the transfer from the working capital fund of this amount of money to the Capitol Center Land Acquisition and Construction Trust Fund, repayment of such transfer is required prior to the expiration of the fiscal year in which the transfer is made. It was anticipated that the temporary loan of Trustees funds would be repaid from the Capitol Center Land Acquisition and Construction Trust Fund shortly after commencement of the new fiscal year on July 1, 1967.

In order to make these funds available, it will be necessary for the working capital fund to purchase the entire inventory of bonds and treasury notes presently held by the Trustees, the sale to be consummated at the prevailing market price which will be established by the State Board of Administration. The arrangement was discussed with Mr. E. O. Roland, Director of the State Board of Administration, and he was in agreement with the procedure suggested. Staff reviewed the request and examined the procedure to be followed in securing sufficient funds to make the temporary loan, and recommended approval of the request.

Mr. Dickinson said that the Governor and the Comptroller had taken the necessary steps to see that the loan would be repaid shortly after July 1, 1967, to the Trustees.

Motion was made by Mr. Williams, seconded by Mr. Faircloth and adopted unanimously, that the Trustees approve the temporary loan in the amount of \$2,845,000.00 of Trustees' funds for the purpose explained, repayment to be made shortly after the beginning of the new fiscal year on July 1, 1967.

On motion duly adopted, the meeting was adjourned.

Claude R. Kirk, Jr.
GOVERNOR - CHAIRMAN

ATTEST: *Robert C. Parker*
DIRECTOR - SECRETARY

* * * * *

Tallahassee, Florida
June 27, 1967

The Trustees of the Internal Improvement Fund met on this date in the office of the Governor, in the Capitol.

Present: Claude R. Kirk, Jr. Governor
Fred O. Dickinson, Jr. Comptroller
Earl Faircloth Attorney General
Doyle Conner Commissioner of Agriculture

Robert C. Parker Director

DUVAL COUNTY - File Nos. 1617 and 1923-16-253.12. On June 13, 1967, the Trustees again heard presentations from objectors and applicants to purchase certain submerged land in the St. Johns River landward of the established bulkhead line, as follows:

File 1617-16-253.12: The Leitman Company, abutting upland owner, offered the appraised value of \$250.00 per acre for 9.68 acres in Section 29, Township 1 South, Range 27 East, and

File 1923-16-253.12: John T. Wood, abutting upland owner, offered the appraised value of \$250.00 per acre for 30 acres abutting uplands in Sections 29 and 53, Township 1 South, Range 27 East.

Action was deferred for further review of conservation aspects and for the Staff to review the appraised value of the land. The Board of Conservation reported that the submerged land lay largely within a spoil area, was not a sport or commercial fishing ground with no attached vegetation except a narrow fringe of marsh east of Reddie Point, and that the river was polluted in this section.

The value of the submerged land was again reviewed and the Staff Appraiser reported a negative value (cost of fill greater than the value of upland property), that real estate activity had been practically dormant for several years in the area, and that \$250.00 per acre was a reasonable and just price for the land applied for by Mr. Wood and the Leitman Company.

As there were no conservation values to be protected, and after making further investigation the Staff had recommended the appraisal as the correct value, Governor Kirk said that the Staff had followed through on the request of the Trustees for additional examination of these factors.

Motion was made by Mr. Dickinson, seconded by Mr. Faircloth and adopted unanimously, that the Trustees confirm the two sales of advertised land to the two abutting upland owners at the price offered.

DUVAL COUNTY - Bulkhead Line. The Board of County Commissioners of Duval County by resolution adopted March 27, 1967, established a bulkhead line around the major part of Blount Island in the St. Johns River in Section 25, Township 1 South, Range 27 East, and in Sections 18, 19, 20, 29 and 30 in Township 1 South, Range 28 East, Duval County. All required information and exhibits were furnished and no objections at the local level were reported. The Florida Board of Conservation advised that no harm to marine resources would result from development within the proposed bulkhead line, which was set for the Jacksonville Port Authority offshore from its uplands. The bulkhead line was described as being in Fulton-Dames Point Cut-off along the southerly and westerly side of the St. Johns River and on the northerly side of the Fulton-Dames Point Cut-off. The Staff recommended approval of the bulkhead line.

Motion was made by Mr. Faircloth, seconded by Mr. Dickinson and unanimously adopted, that the Trustees formally approve the bulkhead line adopted by Duval County on March 27, 1967.

DUVAL COUNTY - File No. 2003-16-253.12. The Jacksonville Port Authority, a body politic and corporate, existing under the provisions of Chapter 63-1447, Laws of Florida, made application for five (5) parcels of submerged land in the St. Johns River in Section 25, Township 1 South, Range 27 East, and in Sections 18, 19, 20, 29 and 30, Township 1 South, Range 28 East, Blount Island in Duval County, landward of the bulkhead line established by the county on March 27, 1967, and approved by the Trustees on this date. The Port Authority, the abutting upland owner, requested fee title for public purposes only, for improving and developing the public port facilities.

The Board of Conservation reported that no harm to marine resources would result from the proposed development within the bulkhead line.

Motion was made by Mr. Faircloth, seconded by Mr. Dickinson and adopted unanimously, that the Trustees authorize advertisement of the 127.23 acres for objections only.

BREVARD COUNTY - Edward M. Jackson, attorney for Canaveral Port Authority, requested permission for the Authority to grant a pipe line easement to Florida Storage and Pipeline Corporation over and across submerged land conveyed by the Trustees to the Authority by

Deed No. 19590 dated April 14, 1950. Said deed contained a restriction as to the use of the land conveyed, requiring that the land be used for public purposes only. Inasmuch as the pipeline would service the port's facilities, the Staff considered the request justified and recommended approval.

Motion was made by Mr. Faircloth, seconded by Mr. Dickinson and adopted unanimously, that permission be granted for the Authority to grant such easement as necessary for construction of the pipeline.

CHARLOTTE COUNTY - W. G. Gault of Placida, Florida, made application to construct a navigation channel in Gasparilla Sound and deposit the dredged material on his upland property. The policy of the Trustees was to permit navigation channels without charge, up to 50 feet wide and 5 feet deep for a length necessary to reach navigable water, however the applicant proposed to dredge a channel 10 feet deep. When advised that a charge would be made for the material obtained from the overcut, the applicant tendered payment in the amount of \$1,400 (5¢ per cubic yard). Staff recommended acceptance and approval for the channel in Section 12, Township 42 South, Range 20 East, Charlotte County.

Motion was made by Mr. Dickinson, seconded by Mr. Faircloth and adopted unanimously, that the Trustees approve the application.

HIGHLANDS COUNTY - The Benevolent and Protective Order of Elks No. 1529 of Sebring, Florida, made application for a state dock permit for construction of a concrete dock in Lake Jackson at the applicant's upland described as Lot 6, Block 91, Map of Town of Sebring. All required exhibits including \$100 processing fee were submitted, and the Staff recommended approval.

Motion was made by Mr. Conner, seconded by Mr. Dickinson and adopted, that the Trustees authorize issuance of state commercial dock permit.

MONROE COUNTY - File No. 1996-44-253.12. Staff requested authority to refund the amount of \$50.00 submitted as application fee with the above numbered application to purchase certain submerged land in Tom's Harbor Sections 16 and 21, Township 65 South, Range 34 East, Duck Key in Monroe County. The application, submitted under date of May 9, 1967, by Bailey, Mooney, Post Associates, Inc., for Duck Key, Inc., had been withdrawn by the applicant.

Motion was made by Mr. Faircloth, seconded by Mr. Dickinson and adopted unanimously, that the Board authorize issuance of \$50.00 refund to the applicant.

TRUSTEES FUNDS - On June 20, 1967, the Trustees directed the Staff to try to work out some plan for repayment by the Board of Regents to the Internal Improvement Fund of the sum of \$126,788.17, the amount due and unpaid on an advance in the amount of \$260,000.00 made in 1960 to the Board of Control to use for completing detailed planning for the new state university at Boca Raton. The Director said he had conferred with Mr. W. G. Hendricks, Business Manager of the Board of Regents, and as a result of their discussion Mr. Hendricks had submitted to the Budget Director a request for release of certain funds for making a payment on the loan balance. The funds

were unused operating funds and certain other monies which would revert to the general fund at the end of the fiscal year. The Budget Director had the request under study to determine whether it was appropriate for the unused funds to be used for this purpose.

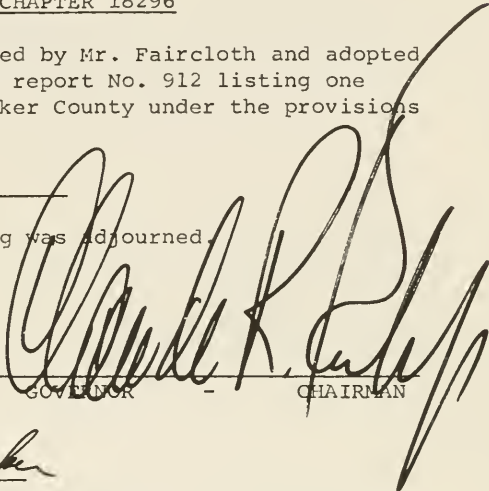
Governor Kirk commented that if it was appropriate to borrow money, it was appropriate to repay it. He requested that a report be made at the next meeting of the Trustees.

It was so ordered.

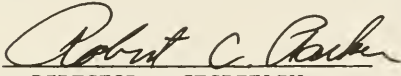
SUBJECTS UNDER CHAPTER 18296

On motion by Mr. Dickinson, seconded by Mr. Faircloth and adopted unanimously, the Trustees approved report No. 912 listing one regular bid for sale of land in Baker County under the provisions of Chapter 18296, the Murphy Act.

On motion duly adopted, the meeting was adjourned.



GOVERNOR - CHAIRMAN

ATTEST: 
DIRECTOR - SECRETARY

* * * * *

Tallahassee, Florida
July 11, 1967

The Trustees of the Internal Improvement Fund met on this date in the Board Room of the office of the Governor, in the Capitol.

Present: Claude R. Kirk, Jr. Governor
Fred O. Dickinson, Jr. Comptroller
Broward Williams Treasurer
Doyle Conner Commissioner of Agriculture

Robert C. Parker Director

On motion duly adopted, the Trustees approved the minutes of June 20 and 27, 1967.

HENDRY COUNTY - Sun Oil Company requested advertisement of the following described land for a five-year oil and gas drilling lease:

West half of Section 19 and All of Section 31, Township 46 South, Range 31 East, containing 480 net mineral acres.

The Trustees held an undivided one-half interest in the underlying petroleum products. Sun Oil Company offered annual rental of \$1.00 per net mineral acre, and submitted the \$50.00 application fee to cover advertising costs. Staff recommended advertising for competitive sealed bids for a five-year term lease covering the Trustees' interest, pursuant to law. The company was the holder of lease covering the other one-half interest.

Motion was made by Mr. Dickinson, seconded by Mr. Conner and adopted unanimously, that the Trustees authorize advertisement of the above described land for an oil and gas drilling lease as recommended.

HIGHLANDS COUNTY - Mrs. Katherin M. Waggaman, holder of Grazing Lease No. 1360 expiring on July 10, 1967, requested three-year renewal. The lease covered 1,415.08 acres in Township 35 South, Range 31 East, Highlands County, at an annual rental of \$1.50 per acre and 180-day cancellation clause. Only 30% of the entire tract was suitable for year-round grazing, the remainder being a swamp forest.

Staff recommended issuance of a new three-year grazing lease on the same terms and conditions but with the annual rental increased to \$1.75 per acre.

Motion was made by Mr. Williams, seconded by Mr. Dickinson, and adopted unanimously, that the new lease to Mrs. Waggaman be authorized with terms as recommended by the Staff at \$1.75 per acre annual rent.

SHELL LEASES - On motion made by Mr. Williams, unanimously adopted, the Trustees accepted as information the following report of remittances received by the Florida Board of Conservation from holders of shell leases:

<u>Lease No.</u>	<u>Name of Company</u>	<u>Amount</u>
1718	Radcliff Materials, Inc.	\$10,545.29
1788	Benton and Company, Inc.	4,711.84
1788	Benton and Company, Inc.	5,000.00
1788	Benton and Company, Inc.	4,466.66
1788	Benton and Company, Inc.	7,589.41
2233	Bay Dredging & Construction Co.	6,184.33
2235	Fort Myers Shell & Dredging Co.	718.95

FILL MATERIAL RATES - On June 26, 1962, the Trustees adopted Administrative Rules having application to the operations under the jurisdiction of the Trustees, as required by Chapter 21-280, Acts of 1961, now shown as Chapter 120 Florida Statutes. Rule 200-2.08 provides a schedule of rates for fill material from sovereignty land to improve upland, as follows:

First 10,000 cubic yards at 5¢ per cubic yard, second 10,000 cubic yards at 4¢ per cubic yard, third 10,000 cubic yards at 3¢, next 70,000 cubic yards at 2¢, and all over 100,000 cubic yards at 1¢ per cubic yard.

Staff has made an investigation and inquired of several of the southeastern states regarding their charge for such material. The advice of the Florida Engineering Society was also sought. As a result of review of the information obtained, the Staff recommended

that the rate structure be revised to provide a charge of 5¢ per cubic yard for all material recovered from sovereignty land to improve upland, and to require that the application for such material be accompanied by a certified statement from a land surveyor or engineer duly registered in the State of Florida as to the quantities to be recovered measured in place based on the plan submitted. It was further recommended that the rule be modified so as to require a minimum payment of \$25.00 in any case where the charge for the rate shown did not exceed that amount.

The Director said that the downward steps in rate should be eliminated. There was a variation found in the rate charged by other states, some not providing for sale of fill material.

Motion was made by Mr. Williams, seconded by Mr. Conner and adopted unanimously, that the recommendations be adopted and that the necessary steps be taken to effect the rule change as required by the office of the Secretary of State. (Effective August 24, 1967)

BAY COUNTY - File No. 1661-03-253.12. The Department of the Navy on behalf of the United States of America requested a restrictive easement over a parcel of sovereignty marsh land in St. Andrew Bay in Section 3, Township 4 South, Range 15 West, in Bay County, containing 3.3 acres abutting uplands owned by the United States. Easement in the form of a dedication was requested for security purposes in connection with the magazine restricted area of the Navy Mine Defense Laboratory. Staff recommended approval for as long as the land was needed for that purpose.

On motion by Mr. Dickinson, seconded by Mr. Williams and adopted unanimously, the Trustees authorized issuance of easement in the form of a dedication as recommended.

DADE COUNTY - Vernon W. Turner, attorney for the City of Homestead, Florida, requested duplicate assignment of mortgage No. 17292 dated September 1, 1949, for the purpose of recording the instrument in the public records. Recording the assignment will allow the city to proceed to satisfy the old mortgage.

On motion by Mr. Dickinson, seconded by Mr. Williams and adopted unanimously, the Trustees authorized issuance of duplicate assignment for \$10.00 handling charge.

FRANKLIN COUNTY - Formal request was made by the Southeastern Division Office of the Bureau of Sport Fisheries and Wildlife of the United States Fish and Wildlife Service, an agency operated under the jurisdiction of the United States Department of the Interior, for approval by the Trustees, in compliance with Section 372.771 Florida Statutes, of the acquisition and use of St. Vincent Island in Franklin County by that federal agency. The request indicated that the island was to be purchased (from private owners) for the specific use as a wildlife refuge under the jurisdiction of the Bureau of Sport Fisheries and Wildlife. W. L. Towns, Acting Regional Director, by letter of July 6, 1967, and William C. Ashe, present at the meeting on this date, both represented the U. S. Fish and Wildlife Service in this matter.

Resolution adopted on the 5th of July by the Board of County Commissioners of Franklin County approved the purchase of St. Vincent Island by the U. S. Department of the Interior, Bureau of Sport Fisheries and Wildlife, to establish a national wildlife refuge.

Motion was made by Mr. Williams, seconded by Mr. Dickinson, and unanimously adopted, that the Trustees approve the acquisition and use of St. Vincent Island by the above-named federal agency, such approval being in compliance with Section 372.771 Florida Statutes.

HILLSBOROUGH COUNTY - File No. 1931-29-253.124. On motion made by Mr. Williams, seconded by Mr. Dickinson, and adopted unanimously, the Trustees formally approved the revised fill permit issued by the Board of County Commissioners of Hillsborough County on June 19, 1967, to Francis J. Corr, Paul B. Dickman and Robert E. Lee & Co., Inc., under the provisions of Section 253.124 Florida Statutes, to fill the three separate tracts of submerged land in Tampa Bay in Sections 16, 17, 19, 20 and 30 in Township 31 South, Range 19 East, containing 350 acres, more or less, previously conveyed by the Trustees under the referenced file number.

MONROE COUNTY - On motion by Mr. Williams, seconded by Mr. Conner and adopted unanimously, the Trustees authorized issuance of a duplicate deed for \$10.00 charge, which was requested by Fred Tittle, attorney, to replace Trustees Deed No. 22363(27-44) dated January 13, 1960, issued to Iva Storm Davis, which deed was lost prior to recording in the public records of Monroe County.

MONROE COUNTY - File No. 2009-44-253.129. Motion was made by Mr. Dickinson, seconded by Mr. Williams and adopted unanimously, that the Trustees authorize issuance of disclaimer for handling charge of \$10.00 to the Estate of Iva Storm Davis under the provisions of Section 253.129 Florida Statutes covering two parcels of submerged land in the Bay of Florida in Section 9, Township 66 South, Range 32 East, at Key Vaca in Monroe County, filled prior to May 29, 1951.

MONROE COUNTY - Genevieve Blanchard, administratrix of the Estate of Iva Storm Davis, Marathon, Florida, made application for after-the-fact commercial dock permit, even though a permit was not required at the time the facility was constructed. The applicant submitted a plat showing the location of the structures and tendered the \$100.00 processing fee. Staff recommended approval.

Motion was made by Mr. Williams, seconded by Mr. Dickinson and adopted unanimously, that the Trustees authorize issuance of after-the-fact permit to the applicant.

PALM BEACH COUNTY - File No. 1953-50-253.36. Staff requested authority to issue a corrective deed to James A. Ball, Jr., et ux. On January 17, 1967, the Trustees approved issuance of a deed to the applicants conveying title to a parcel of reclaimed lake bottom land in Sections 13 and 24, Township 43 South, Range 36 East, containing 1.894 acres in Palm Beach County originally platted as right of way for an access road. The Palm Beach County Commission had disclaimed

all use rights in the parcel of reclaimed land. In preparing the description for the deed, the Staff inadvertently used the wording "a part of" certain lots rather than "lying between" those certain lots of the 1916 plat prepared by the Trustees of the Internal Improvement Fund.

Motion was made by Mr. Dickinson, seconded by Mr. Conner and adopted unanimously, that the corrective deed be issued.

PINELLAS COUNTY - Application was submitted by Pinellas County Water and Navigation Control Authority on behalf of Herman Pleus, Jr. (Pass-A-Grille Marina, Inc.) for a permit for a 75-foot pier in Boca Ciega Bay at Lots 23, 24 and 25, Block "H", Phillips Sub-division, St. Petersburg Beach, Florida. All required exhibits including \$100.00 fee were submitted, and Staff recommended approval.

Motion was made by Mr. Dickinson, seconded by Mr. Williams and adopted unanimously, that the Trustees authorize issuance of a commercial dock permit to the applicant.

VOLUSIA COUNTY - Ocean Front Estates made application for state permit for a 1200-foot pier in the Atlantic Ocean in Section 19, Township 16 South, Range 34 East, in the Town of Ponce Inlet in Volusia County. The applicant had applied for permit from the United States Army Corps of Engineers which was pending approval of permit by the Trustees. All required exhibits including \$100.00 processing fee were submitted and Staff recommended approval.

Motion was made by Mr. Dickinson, seconded by Mr. Williams and adopted unanimously, that the Trustees authorize issuance of the dock permit.

VOLUSIA COUNTY - File No. 2007-64-253.12(1) Application was made by W. Richard Every on behalf of William C. Buell, et ux, for conveyance under provisions of Section 253.12(1) Florida Statutes, of a parcel of sovereignty land in the Halifax River in Section 14, Township 14 South, Range 32 East, in the City of Ormond Beach, Volusia County, containing 0.30 acre which was filled subsequent to May 29, 1951 and prior to June 11, 1957. Applicant offered the appraised value of \$200.00 per acre or \$60.00, the value of the submerged land as it existed prior to filling.

Motion was made by Mr. Dickinson, seconded by Mr. Williams and adopted unanimously, that the Trustees authorize issuance of the instrument under provisions of Section 253.12(1).

VOLUSIA COUNTY - File No. 2010-64-253.12(1) Application was made by Edmund L. Wood on behalf of Earl W. Jones, et ux, for conveyance under the provisions of Section 253.12(1) Florida Statutes, of a parcel of sovereignty land in the Halifax River abutting uplands in Section 41, Township 13 South, Range 32 East, containing 0.11 acre located north of Ormond Beach in Volusia County. The parcel was filled subsequent to May 29, 1951, and prior to June 11, 1957. Applicant offered the appraised value of \$100.00 per acre or \$11.00, value of the submerged land as it existed prior to filling.

Motion was made by Mr. Conner, seconded by Mr. Williams and adopted unanimously, that the Trustees authorize issuance of the instrument under provisions of Section 253.12(1).

WALTON COUNTY - The State Road Department requested dedication of a tract of submerged land in Choctawhatchee Bay in Township 2 South, Range 19 West, Walton County, for road and bridge right of way purposes for State Road No. 83, Section 60040-2504.

Motion was made by Mr. Conner, seconded by Mr. Dickinson and adopted unanimously, that the parcel be dedicated to the Road Department for road and bridge right of way purposes.

On motion duly adopted, the meeting was adjourned.

ATTEST: Robert C. Parker
DIRECTOR - SECRETARY

* * * * *

Tallahassee, Florida
July 18, 1967

The Trustees of the Internal Improvement Fund met on this date in the Board Room of the office of the Governor, in the Capitol.

Present: Claude R. Kirk, Jr. Governor
Fred O. Dickinson, Jr. Comptroller
Broward Williams Treasurer
Earl Faircloth Attorney General
Doyle Conner Commissioner of Agriculture

Robert C. Parker Director

On motion duly adopted, the Trustees approved the minutes of the meeting of July 11, 1967.

PINELLAS COUNTY - File No. 1969-52-253.12. The Pinellas County Water and Navigation Control Authority advertised the parcel, approved the purchase application in meeting June 13, 1967, and referred to the Trustees the application by Byron T. Sauls on behalf of Maurice L. Hollins and wife, abutting upland owners, who offered \$500.00 per acre, the value approved by the Staff Appraiser, for purchase of a parcel of submerged land in Boca Ciega Bay in Section 13, Township 31 South, Range 15 East, in the City of St. Petersburg containing 0.74 acre, more or less, landward of the established

bulkhead line in Pinellas County. No objections were cited in the transcript of the county hearing.

The parcel, and several others, were inadvertently filled in 1961 without a dredge and fill permit as a result of unauthorized spoiling during the construction of the Florida Inland Waterway. The upland owner desired to correct the error and secure title to the filled land. Under such conditions a biological report was not necessary. The Staff recommended confirmation of the sale.

Motion was made by Mr. Faircloth, seconded by Mr. Williams and adopted unanimously, that sale of the advertised parcel be confirmed at the price offered by the abutting upland owners.

BROWARD COUNTY - Bulkhead Line and Application No. 2013-06-253.12. The City of Fort Lauderdale by Ordinance No. C-67-46 adopted on May 16, 1967, located a bulkhead line in New River Sound in Section 12, Township 50 South, Range 42 East, in downtown Fort Lauderdale, Broward County. All required exhibits were furnished. There were no objections at the local level, and the Board of Conservation Staff had no objection to an extension offshore in that heavily dredged and filled waterfront area. Staff recommended approval of the bulkhead line established under Chapter 253.122 Florida Statutes.

On motion made by Mr. Dickinson, seconded by Mr. Williams and adopted unanimously, the Trustees formally approved the bulkhead line established by the City of Fort Lauderdale by Ordinance No. C-67-46 on May 16, 1967.

File No. 2013-06-253.12. William Gundlach on behalf of August Urbanek, abutting upland owner, offered \$10,500.00 per acre, value approved by Staff Appraiser, for a parcel of submerged land in New River Sound in Section 12, Township 50 South, Range 42 East, containing 0.18 acres in the City of Fort Lauderdale landward of the bulkhead line approved above, adopted by the city on May 16, 1967.

The biological report of the Board of Conservation showed that there was no objection to the extension offshore in the heavily dredged and filled downtown waterfront. Staff recommended advertisement of the small parcel of submerged land for objections only.

Motion was made by Mr. Williams, seconded by Mr. Dickinson and adopted unanimously, that the parcel be advertised for objections only.

DUVAL COUNTY - File No. 2015-16-253.12. Application was made by Lonnie Wurn on behalf of St. Johns Shores, Inc., the abutting upland owner, with offer of \$250.00 per acre, value approved by the Staff Appraiser, for purchase of a tract of submerged land in the Mill Cove area of St. Johns River in Section 28, Township 1 South, Range 27 East, containing 43.0 acres landward of the established bulkhead line in Duval County, Florida. The tract was easterly of land sold by the Trustees on June 27th, in the area for which the biological report of the Board of Conservation showed that there was not a sport or commercial fishing area and the river was polluted. There being no conservation values to be protected, the Staff recommended advertisement of this tract for objections only. The Director said that applications for sales in the whole area within the bulkhead line were anticipated, with the possible exception of the Yacht Club area.

The Attorney General questioned whether the sale might relieve the polluted river, and the Director said that while it might not offer such relief it appeared to be no more damaging.

Motion was made by Mr. Faircloth, seconded by Mr. Williams and adopted unanimously, that the land be advertised for objections only.

MONROE COUNTY - File No. 1949-44-253.12. Phillips Surveying on behalf of Bayview Enterprises, Inc., the abutting upland owner, made application for two (2) separate parcels of submerged land in the Bay of Florida in Section 21, Township 67 South, Range 26 East, containing 32.18 acres at Rockland Key in Monroe County. The Staff Appraiser reported a value of \$325.00 per acre for the land.

Biologist of the Board of Conservation reported that the submerged land was rocky and very shallow, and did not support any marine vegetation. It was further reported that it was not a sport or commercial fishing area.

Motion was made by Mr. Dickinson, seconded by Mr. Conner and adopted unanimously, that the submerged land be advertised for objections only.

MONROE COUNTY - File No. 1975-44-253.12. Phillips Surveying on behalf of FEB Corporation, the abutting upland owner, made application to purchase a tract of 125.05 acres of submerged land in the Bay of Florida lying northerly of and abutting Wisteria Key in Township 67 South, Range 25 East, northwesterly of the Island of Key West, in Monroe County. The applicant offered \$300.00 per acre, the value approved by the Staff Appraiser.

The Attorney General questioned whether the price was adequate and the Director said an appraisal set a value of \$300 per acre for land in the zone under condemnation by the U. S. Navy which had another appraisal of \$100 made for the land. The Staff thought the value of \$300 should be maintained.

There were further questions regarding the location and the size of the tract applied for, which had been reduced from the original application area of 170 acres in order to conform to suggestions of the biologist of the Board of Conservation. Mr. Faircloth was concerned at the application to purchase, and subsequently dredge and fill, the large tract of submerged land. He asked that the application be postponed for two weeks in order to permit him to study it and to review the requirements of the new law.

Without objection, the Trustees postponed action on the application. During the discussion Attorney General Faircloth raised the question as to what new legislation would have application concerning disposition of submerged land such as that under consideration. After a short discussion and deferment of this application, he asked that a memorandum be prepared setting forth in detail what effect, if any, the new legislative acts would have with respect to this particular transaction.

PALM BEACH COUNTY - File No. 1963-50-253.12. Brockway, Owen and Anderson Engineers, Inc., on behalf of Marbet Corporation, abutting upland owner, offered \$1,800.00 per acre, value approved by Staff

Appraiser, for a parcel of submerged land on the westerly side of Lake Worth in Section 28, Township 42 South, Range 43 East, containing 1.19 acres in the City of Riviera Beach landward of the established bulkhead line, in Palm Beach County.

Prior to enactment of the Bulkhead Act on June 11, 1957, the Trustees, according to the policy in effect at that time, received payment in the amount of \$654.82 for material to be used in filling the subject parcel under provisions of Section 271.01 Florida Statutes. Since the owner had not used any of the material, the Staff recommended that credit be allowed the applicant at the time of the sale.

Board of Conservation biological study of marine life for the northerly portion of Lake Worth made in 1961 and reprinted in 1963 reported extensive siltation on both sides of the intracoastal waterway and that seagrass and nursery grounds for fish and shrimp appeared lacking in the area. September 1964 report by the biologist, made at the time of establishment of the Riviera Beach bulkhead line, showed that the area did not contain valuable seagrass or fishing grounds.

On motion by Mr. Dickinson, seconded by Mr. Faircloth, the Trustees authorized advertisement of the parcel for objections only.

PALM BEACH COUNTY - File No. 1970-50-253.12. Brockway, Owen and Anderson Engineers, Inc., on behalf of Hallie B. Hicklin, abutting upland owner, made application for a parcel of submerged land on the easterly shore of Lake Worth in Section 22, Township 43 South, Range 43 East, 0.575 acre in the Town of Palm Beach landward of the established bulkhead line in Palm Beach County. The value of \$5,234.86 per acre was approved by the Staff Appraiser.

The Board of Conservation biological study of marine life for the northerly portion of Lake Worth made in 1961 and reprinted in 1963 reported that the submerged bottoms were extensively silted on both sides of the intracoastal waterway and that seagrass and nursery grounds for fish and shrimp appeared lacking. At the time changes in the established bulkhead line were being considered, a conservation study reported that the area within the bulkhead line contained no valuable grassy bottoms.

On motion by Mr. Dickinson, seconded by Mr. Faircloth and adopted unanimously, the Trustees authorized advertisement of the parcel for objections only.

PALM BEACH COUNTY - File No. 1987-50-253.12. Brockway, Owen and Anderson Engineers, Inc., on behalf of Spencer Boat Company, Inc., abutting upland owner, offered \$2,430.00 per acre, approved by the Staff Appraiser, for a parcel of submerged land in Lake Worth in Section 10, Township 43 South, Range 43 East, containing 1.306 acres landward of the established bulkhead line in the City of West Palm Beach, Florida.

The Board of Conservation biological study of marine life for the northerly portion of Lake Worth made in 1961 and reprinted in 1963 reported that the submerged bottoms were extensively silted on both sides of the intracoastal waterway and that seagrass and nursery grounds for fish and shrimp appeared lacking. At the time changes in the established bulkhead line were being considered, a conservation study reported that the area within the bulkhead line

contained no valuable grassy bottoms.

On motion by Mr. Dickinson, seconded by Mr. Conner and adopted unanimously, the Trustees authorized advertisement of the parcel for objections only.

PALM BEACH COUNTY - File No. 2002-50-253.12. Adair and Brady, on behalf of County Builders' Association of Florida, Inc., abutting upland owner, offered \$1,795.00 per acre, the value approved by the Staff Appraiser for a parcel of sovereignty land in Lake Worth in Section 21, Township 42 South, Range 43 East, containing 0.47 of an acre in the Town of Lake Park which was filled subsequent to the date of enactment of the Bulkhead Act. The application was made to clear title in the upland owner to a strip of land thirty feet wide and approximately six hundred seventy-five feet long, landward of the established bulkhead line in Palm Beach County.

On motion by Mr. Conner, seconded by Mr. Williams and adopted unanimously, the Trustees authorized advertisement for objections only.

GLADES COUNTY - File No. 1954-22-253.36. The United States Sugar Corporation, the upland owner, offered \$350.00 per acre for 25.0 acres and \$150.00 per acre for 22.79 acres, the appraised values of reclaimed lake bottom land in Lake Okeechobee in Section 23, Township 42 South, Range 33 East, totalling 47.79 acres in Glades County. Although the Trustees at the request of the Central and Southern Florida Flood Control District withdrew from sale reclaimed lake bottoms in this area, the District by Resolution No. 690 dated August 12, 1966, did approve this particular sale.

Staff recommended confirmation of sale without advertising according to the Trustees' policy adopted July 7, 1953, for sale of reclaimed bottom lands to abutting owners. The Director called attention to the Attorney General's statement at the meeting on February 28 that he thought such land should be advertised and the Trustees should consider changing the policy. The Trustees took no action at that time to change the rules. Mr. Parker said that the statutes gave first right to purchase to any adjacent owner who desired to square up any fractional section he owned, in amounts not exceeding eighty acres, and that in 1953 the Trustees did not think it proper to deed such land to others and decided it was unnecessary to advertise.

The Trustees discussed whether such land should be sold or held for possible future use for public purposes, such as recreation, and were informed that there was no inventory of reclaimed lands or of submerged lands. Attorney General Faircloth said he would like to see the land advertised, and that he was concerned about selling anything that the state had in view of the population estimates and future needs for public use. Mr. Conner said the Board had followed the policy of selling to the upland owner, and unless the land did fit into a plan for public use it should be put on the tax rolls. He suggested that since an individual investigation of each parcel would be expensive, certain areas might be designated as land that might be needed for future public purposes and then the Trustees could use their discretion regarding applications to purchase.

The Governor asked about submerged land, and said the Board must take a closer look at land the state owned. The Director said

that he felt that adequate protection would be afforded by the procedure required by the new legislation before submerged land was sold.

Motion was made by Mr. Faircloth, and adopted without objection, that this application, and a similar one appearing next on the agenda, be deferred for a careful consideration of measures that might be taken to determine future needs before any more public lands are sold.

HENDRY COUNTY - File No. 1998-26-253.36. The application of C. W. Kimsey, upland owner, to purchase 0.29 acre parcel of reclaimed bottom land in the Caloosahatchee River in Section 32, Township 42 South, Range 29 East, Hendry County, at \$400.00 per acre, which the Staff recommended be sold without advertising according to the policy of the Trustees for sale of reclaimed bottom lands to abutting owners, was deferred as a result of the discussion regarding the preceding item in these minutes.

LEE COUNTY - Bulkhead Line. Staff recommended approval of a bulkhead line established by the Board of County Commissioners of Lee County by resolution adopted on May 17, 1967, in Matanzas Pass in Section 24, Township 46 South, Range 23 East, Lee County. All required exhibits were furnished and the file showed no local objections. The Lee County Bulkhead Line Committee, composed of the County Engineer, County Attorney and a Florida Board of Conservation Marine Biologist, reported that the proposed line would not adversely affect fish and wildlife and recommended approval. On the map it was noted that it was a conservative bulkhead line.

Governor Kirk expressed an approving opinion of the composition of the county bulkhead committee.

Motion was made by Mr. Faircloth, seconded by Mr. Williams and adopted unanimously, that the Trustees approve the bulkhead line established on May 17, 1967, by Lee County.

LEE COUNTY - Bulkhead Line. Staff recommended approval of a bulkhead line established by the Board of County Commissioners of Lee County on May 3, 1967, in the Caloosahatchee River in Section 36, Township 45 South, Range 23 East, Lee County. There was local objection to a proposed bulkhead line which extended further out into the river, not from the Lee County Bulkhead Line Committee, however, which reported that the line would not adversely affect fish and wildlife. The Committee, composed of the County Engineer, County Attorney and a Florida Board of Conservation Marine Biologist, approved the alternate line nearer the shoreline which was referred to the Trustees for consideration.

Motion was made by Mr. Dickinson, seconded by Mr. Williams and adopted unanimously, that the bulkhead line established on May 3, 1967, by Lee County, be approved.

MARTIN COUNTY - Bulkhead Line. The Board of County Commissioners of Martin County by resolution adopted on May 9, 1967, established an amended bulkhead line along the west side of Hutchinson Island in Section 5, Township 38 South, Range 42 East, Martin County. All

required exhibits were furnished, and there were no objections at the local level. The bulkhead line was amended in accordance with recommendations of the Florida Board of Conservation and was recommended by the Izaak Walton League.

Motion was made by Mr. Dickinson, seconded by Mr. Williams and adopted unanimously, that the Trustees approve the bulkhead line established on May 9, 1967 by Martin County.

SARASOTA COUNTY - Bulkhead Line. Staff recommended approval of the bulkhead line established by the City Commission of the City of Sarasota by resolution adopted October 3, 1966. The line was located in Sarasota Bay offshore from Lots 1 through 10, Block 3, Sunset Park Subdivision. All required exhibits were furnished and there were no local objections recorded. The Board of Conservation offered no objections to the proposed bulkhead line location.

Motion was made by Mr. Faircloth, seconded by Mr. Williams and adopted unanimously, that the Trustees approve the line.

CHARLOTTE COUNTY - Dock Permit. Application was made by Motels, Inc., for a commercial dock permit for construction of a concrete pier in the Peace River, southerly shore, west of State Road 45 (Barron Collier Bridge) in Section 6, Township 41 South, Range 23 East, in the City of Punta Gorda, Charlotte County. All required exhibits including \$100.00 processing fee were submitted, and the Staff recommended approval.

On motion by Mr. Dickinson, seconded by Mr. Williams and adopted unanimously, the Trustees authorized issuance of state commercial dock permit to the applicant.

LEE COUNTY - Public Fishing Pier. The Lee County Board of County Commissioners made application for a state permit for construction of a public fishing pier extending from the shoreline of the County Park on State Road 78 and extending into Matlacha Pass, at the south-east shoreline on West Island in Section 24, Township 44 South, Range 22 East, Lee County. Applicant requested that 120 days be allowed for completion of the work, rather than the usual 90-day period. All necessary exhibits were submitted.

Inasmuch as this was a public project, the Staff recommended that the processing fee be waived.

Motion was made by Mr. Williams, seconded by Mr. Dickinson and adopted unanimously, that the fee be waived for permit for the public pier with allowance for completion within 120 days.

MARTIN COUNTY - The Board of County Commissioners of Martin County on behalf of the United States of America applied for permanent spoil easement for the continued maintenance and improvement of the St. Lucie Inlet, covering a submerged area in the Atlantic Ocean in Township 38 South, Range 42 East, Martin County, containing 66 acres, more or less. This was an enlargement of a temporary spoil area previously used for which easement had expired. The Director said that disposition of the spoil material would be by a method which

would build up the eroded beaches on Jupiter Island. The Board of Conservation had no objection to the dredging and spoiling as proposed.

Motion was made by Mr. Dickinson, seconded by Mr. Williams and adopted unanimously, that the Trustees grant perpetual easement to the applicant for the purpose requested.

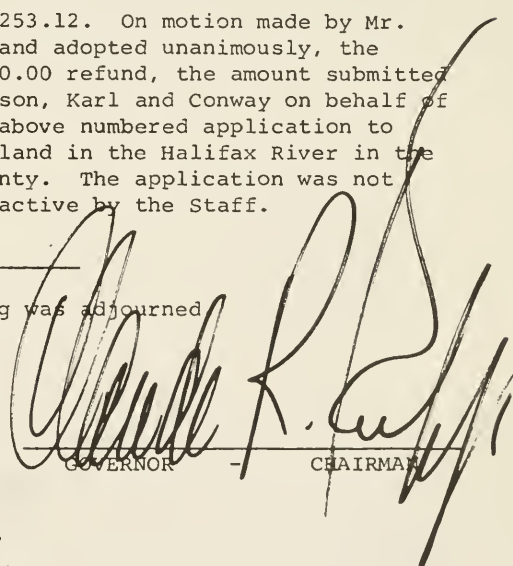
SARASOTA COUNTY - File No. 2016-58-253.12(1) Evans, Thomas, Boylston & Johnson on behalf of Searcy G. Koen and wife, made application for conveyance under the provisions of Section 253.12(1) Florida Statutes, of a parcel of sovereignty land in Little Sarasota Bay in Section 18, Township 37 South, Range 18 East, Sarasota County, filled subsequent to May 29, 1951 and prior to June 11, 1957, containing 8.1 acres. The applicant offered the appraised value of \$220.00 per acre, being the value of the submerged land as it existed prior to filling.

During the discussion, Attorney General Faircloth was concerned as to the effective date of new legislation requiring the affirmative vote of five members of the Trustees for disposition of submerged land under this new legislation. He asked for a week's deferment before the Board took action on this application.

Without objection, the Trustees deferred action for review of the questions raised by the Attorney General.

VOLUSIA COUNTY - File No. 1551-64-253.12. On motion made by Mr. Dickinson, seconded by Mr. Conner and adopted unanimously, the Trustees authorized issuance of \$50.00 refund, the amount submitted on August 6, 1964, by Raymond, Wilson, Karl and Conway on behalf of Waterways Estates, Inc., with the above numbered application to purchase two parcels of submerged land in the Halifax River in the City of Port Orange in Volusia County. The application was not completed and had been declared inactive by the Staff.

On motion duly adopted, the meeting was adjourned


GOVERNOR - CHAIRMAN

ATTEST: 
DIRECTOR - SECRETARY

* * * * *

The Trustees of the Internal Improvement Fund met on this date in the Board Room of the office of the Governor, in the Capitol.

Present: Claude R. Kirk, Jr.	Governor
Fred O. Dickinson, Jr.	Comptroller
Broward Williams	Treasurer
Earl Faircloth	Attorney General

Robert C. Parker Director

On motion duly adopted, the Trustees approved the minutes of the meeting of July 18, 1967.

PASCO COUNTY - File No. 774-51-253.12. Block M Incorporated, a non-profit corporation composed of investors and purchasers from Gulf Land Enterprises, Inc., and/or V. M. Clark, Jr., applied for reactivation of contract to purchase from the Trustees the remaining 46.11 acres of submerged land which was a portion of the Contract No. 22951 cancelled by the Trustees. The history of the land purchase was explained as follows.

On March 28, 1961, the Trustees sold to Gulf Land Enterprises, Inc., abutting upland owner, 93.0 acres of submerged land in the Gulf of Mexico in Sections 32 and 33, Township 24 South, Range 16 East, in Pasco County landward of the established bulkhead line, at \$150.00 per acre. No protests were received to the sale. On March 30, 1961, the Trustees entered into purchase contract with Gulf Land Enterprises, Inc., for sale of the 93 acres and on December 12, 1961, that firm assigned its contract to V. M. Clark, Jr. On January 9, 1962, Mr. Clark requested deed to 13.15 acres (about 14% of the contract area) and offered to make prepayment of \$500.00 on the balance due on Contract No. 22951. Mr. Clark reported that approximately 49 acres of the 80 acres to remain under contract was filled and accessible by road. Total purchase price for the 93 acres was \$13,950.00 plus interest, of which \$4,831.24 was paid. The Trustees conveyed the 13.15 acres in Deed No. 22951-A dated February 5, 1962.

Sometime in late 1962 or early 1963 Mr. Clark, after entering into agreement for deed with many people whereby he would sell finished waterfront lots, found himself in financial difficulties. He had made 4 payments on the contract which was declared forfeited and cancelled by the Trustees on September 3, 1963, by reason of failure of the contract holder to pay the fifth installment of principal and interest due March 30, 1963, in the sum of \$1,343.74 plus penalty interest. Purchasers under the agreements for deed with Mr. Clark lost cash equities amounting to many thousands of dollars.

A portion of the land under the original contract was involved in a mortgage foreclosure action brought by Benjamin Berkowitz. Parcels had been sold to several persons, Mr. Berkowitz held a mortgage, and under the provisions of the final decree in the foreclosure suit he was required to honor the rights of redemption as to those persons. He offered \$150.00 per acre (the original selling price) for 33.71 acres partially developed and platted in Section 33, Township 24 South, Range 16 East, and the Trustees on March 23, 1965, sold the 33.71 acres to Mr. Berkowitz so that purchasers of

lots in this portion of the original contract could perfect their titles. Trustees' Deed No. 24219(774-51) was dated February 23, 1966.

Approximately 46.11 acres of the original contract land remained vested in the Trustees. The area was unsightly, abandoned by Mr. Clark after partial development and containing stockpiles of dredged material to be levelled to grade. To permit purchasers from Gulf Land and/or Mr. Clark to recoup their investments, Block M Incorporated was formed in the latter part of 1964, met regularly, and had been in communication with the Trustees' office and the Florida Installment Land Sales Board in Tampa. The Staff recommended approval of the application for reactivation of the purchase contract on the same terms, at \$150.00 per acre for the 46.11 acres.

Board of Conservation reported that the tract had been largely dredged and filled, or affected by filling, that undisturbed sections of the bottom were largely unvegetated or rocky, and that sport fishing was done along dredge canals there at Hudson Beach. It was not a nursery or commercial fishing ground.

The Trustees raised the question of possible enhancement in value since the original sale. The Director was of the opinion that there had not been an increase in value and that the 125 or more purchasers of lots had an equity. Leon Whitehurst, Jr., the attorney for the non-profit corporation, said that land values had a marked decrease in 1961 and to this date, that the abandoned project was unsightly to both local residents and visitors to the general area, and that by self-help his clients had formed the corporation and were asking the state to permit them to purchase the balance of the contract on the same terms so that the blighted area might be developed into usable land. The file contained letters supporting completion of the development from the Board of County Commissioners, from County Commissioners of the Third and Fifth Districts (west coast of the county), and from members of the community of Hudson.

Attorney General Faircloth said there might be some legal questions involved. He felt that the applicants had a strong equity and under the circumstances he made a motion that the Trustees sell the land at the \$150 per acre price.

Mr. Dickinson concurred because in his opinion the facts in the case indicated that an inequity would result if the board did not approve. He suggested establishment of a policy as to future renewals although exceptions could be made.

On the motion made by Mr. Faircloth, seconded by Mr. Dickinson and unanimously adopted, the Trustees authorized reactivation of the contract on the same terms, in favor of Block M Incorporated for purchase of the 46.11 acres of land.

The Trustees discussed the current policy of allowing purchasers to pay on a contract plan for anything over \$1000.00, by making a 25% downpayment and nine (9) semi-annual payments at 6% interest. The Director said there were no other sales in the condition of the Gulf Land-Clark sale and only a very few in the past, that the Trustees in contract sales had a 25% equity and still held title to the land until issuance of the deed upon payment of the full contract amount. He advised the Governor that about half of the sales made were paid for under the contract plan.

Attorney General Faircloth said that he would like the Trustees to give future consideration to the advisability of engaging in installment land sales, and raised the question of requiring proof

of financial responsibility from purchasers. He said the Trustees might change this policy and that he was preparing some regulations for procedures to be followed under the new legislation (H. B. 1207 which became law on July 14, 1967) and also other matters of policy. The Director said the Staff had been thinking in terms of getting interpretation of some of the terms of the act before recommending changes in the rules.

After considerable discussion, no formal action was taken on the method of payment for land sales but the matter was taken under advisement.

PINELLAS COUNTY - File No. 1997-52-253.12. Application was made by Union Trust National Bank on behalf of Harold C. Anderson et ux, Robert O. Koehler et ux, Vance D. Bishop et ux, Elizabeth D. Rankin, Grover W. Austin, and Gordon M. Nichols et ux, abutting upland owners, who offered \$500.00 per acre, approved by Staff Appraiser, for 6 parcels of submerged land containing 3.48 acres, more or less, in Boca Ciega Bay in Section 13, Township 31 South, Range 15 East, in the City of St. Petersburg, Pinellas County, landward of the established bulkhead line. Parts of the parcels were inadvertently filled in 1961 without a dredge and fill permit, as a result of unauthorized spoiling during the construction of the Florida Inland Waterway. The upland owners desired to correct the error and secure title to the land out to the bulkhead line. The Director said that areas filled out beyond the bulkhead line would be removed.

Pinellas County Water and Navigation Control Authority advertised the land, approved the purchase applications in meeting on June 13, 1967, and transcript of the county hearing cited no objection to the sale. The Staff recommended approval of the sale.

The biologist of the Board of Conservation reported that the submerged bottoms of those areas not filled were not grassy nursery or fishing grounds and offered no objection to the sale.

Motion was made by Mr. Williams, seconded by Mr. Faircloth and adopted unanimously, that the Trustees confirm sale of the 3.48 acres at the appraised price.

MONROE COUNTY - File No. 1976-44-253.12. Bailey-Mooney-Post Associates, Inc., on behalf of Whitney Bourne Atwood, abutting upland owner, offered \$425.00 per acre, the value approved by the Staff Appraiser, for purchase of a parcel of submerged land in the Bay of Florida in Section 28, Township 63 South, Range 37 East, containing 0.26 acre at Upper Matecumbe Key in Monroe County. Biological report from the Board of Conservation offered no objection to sale of the parcel, and the Staff recommended advertisement for objections only.

Motion was made by Mr. Dickinson, seconded by Mr. Faircloth and adopted unanimously, that the land be advertised for objections only.

MONROE COUNTY - File No. 1995-44-253.12. Old Island Development, Inc., abutting upland owner, offered the appraised price of \$1000.00 per acre for purchase of a parcel of submerged land in Key West Harbor abutting uplands on the Island of Key West in Township 67 South, Range 25 East, in Monroe County. The biological report

offered no objections to sale of the parcel, and Staff recommended advertisement for objections.

Motion was made by Mr. Dickinson, seconded by Mr. Williams and adopted unanimously, that the land be advertised for objections only.

MONROE COUNTY - File No. 1912-44-253.12. Dr. Russell L. Scholl, abutting upland owner, offered \$425.00 per acre, approved by the Staff Appraiser, for purchase of a parcel of submerged land in the Bay of Florida in Section 5, Township 66 South, Range 33 East, containing 0.21 acre at Crawl Key No. 3 in Monroe County.

Biological report from the Board of Conservation based on a survey of the area completed in July of this year showed the small parcel to be a nursery area and feeding ground. However, because of the physical location and small size of the parcel (part of former railroad right of way) the Staff thought it would be in the best interests of the community for the "pocket" to be filled and developed. When the submerged area to the north, previously sold, was filled the subject parcel would create a very undesirable stagnant pocket if not filled. There was very little tidal action in the general area. Staff recommended advertisement for objections.

Motion was made by Mr. Dickinson, seconded by Mr. Williams and adopted unanimously, that the parcel be advertised for objections only.

MONROE COUNTY - File No. 1999-44-253.12. Bailey-Mooney-Post Associates, Inc., on behalf of J. H. Loverin, abutting upland owner, offered \$425.00 per acre, value approved by Staff Appraiser, for purchase of a parcel of submerged land containing 0.90 acre in Blackwater Sound in Section 14, Township 61 South, Range 29 East at Key Largo in Monroe County.

Biological report from the Board of Conservation, based on a survey of the area completed in July of this year, showed the parcel to be a nursery area and feeding ground for marine life. However, because of the physical location and small size of the parcel the Staff thought it would be in the best interests of the community for the "pocket" to be filled and developed. When the submerged lands on both sides, previously sold, were filled and developed, the subject parcel would create a very stagnant and undesirable pocket if not filled. There was very little tidal action in the area. Staff recommended advertisement for objections.

Motion was made by Mr. Williams, seconded by Mr. Dickinson and adopted unanimously, that the parcel be advertised for objections only.

MONROE COUNTY - Four applications to purchase parcels of submerged land were submitted with recommendation for denial and refund of the application fee. The Staff had referred the applications to the Board of Conservation for biological report and a survey made by the biologist in July 1967 of the four areas sought to be purchased showed the submerged land to be excellent nursery areas and feeding grounds for marine life and that sale and subsequent development of the parcels would not be in the best interests of conservation of Florida's marine resources.

On motion made by Mr. Faircloth, seconded by Mr. Williams and adopted

without objections, the Trustees denied the applications and authorized issuance of refund of the \$50.00 fee for each of the following applications, and refund of the amount of \$122.50 tendered as cash for deed by the applicant in File No. 1988-44-253.12:

1. File No. 1825-44-253.12. Strand Theatre of Key West, Inc., the abutting upland owner, offered \$300.00 per acre for a parcel of submerged land containing 4.48 acres in Bogie Channel in Section 25, Township 66 South, Range 29 East, Big Pine Key, Monroe County. \$50.00 application fee submitted by applicant was received on April 12, 1966.
2. File No. 1986-44-253.12. Harold F. Buckmaster, et ux, the abutting upland owners, offered \$300.00 per acre for a parcel of submerged land containing 0.59 acre in Bogie Channel in Section 19, Township 66 South, Range 30 East, No Name Key, Monroe County. \$50.00 application fee submitted by applicants was received on April 13, 1967.
3. File No. 1988-44-253.12. G. B. Adams on behalf of Earl Keene, abutting upland owner, offered \$350.00 per acre for a parcel of submerged land containing 0.35 acre in Buttonwood Sound in Section 28, Township 61 South, Range 39 East, Key Largo, Monroe County. \$50.00 application fee submitted by applicant was received on April 19, 1967, and also \$122.50 tendered as cash for deed.
4. File No. 1973-44-253.12. Klements and Associates on behalf of George M. Wilson, abutting upland owner, offered \$250.00 per acre for a parcel of submerged land containing 2.20 acres in the Atlantic Ocean in Section 29, Township 60 South, Range 40 East, Key Largo, Monroe County. \$50.00 application fee was submitted by applicant and received on February 20, 1967.

MONROE COUNTY - File No. 491-44-253.12. The application of Sea Farms, Inc., for 9.99 acres of submerged land in the Bay of Florida in Section 6, Township 66 South, Range 28 East, Tarpon Belly Keys in Monroe County, was listed on the agenda on this date, but was withdrawn for further study.

LAFAYETTE COUNTY - The Florida Board of Forestry requested the concurrence of the Trustees and the Governor in the sale of a surplus six-acre fire tower site approximately 5 miles northwest of Mayo, Florida, in Lafayette County. Prior to advertising for bids the Forestry Board contacted all state agencies for possible use of the land. No need having been reported, appraisal was made and the land offered to the high bidder with a base or starting bid of \$200.00 per acre. A high bid of \$328.00 per acre was received from Talmadge Lawson of Mayo, Florida. Staff recommended concurrence as required by Section 589.10 Florida Statutes.

On motion by Mr. Faircloth, seconded by Mr. Williams and adopted unanimously, the Trustees and the Governor concurred in the sale of the surplus property by the Florida Board of Forestry.

PALM BEACH COUNTY - George H. Salley, representing Talisman Sugar Corporation, requested the concurrence of the Trustees in a proposed loan to be secured by the leasehold interest held by Talisman in Agricultural Lease No. 2051 to the Northwestern Mutual Life Insurance Company. Staff recommended concurrence.

On motion by Mr. Dickinson, seconded by Mr. Faircloth and adopted unanimously, the Trustees concurred as requested.

CITRUS COUNTY - E. M. Nickerson of Gainesville, Florida, applied for after-the-fact dredge and fill permit to remove 1,500 cubic yards of material from Lake Tsala Apopka in Citrus County. The material was used to improve his upland property. Staff recommended acceptance of payment tendered by the applicant in the amount of \$75.00, at 5¢ per cubic yard.

On motion by Mr. Williams, seconded by Mr. Dickinson and adopted unanimously, the Trustees approved after-the-fact permit to Mr. Nickerson.

HIGHLANDS COUNTY - Demo Mandis of Avon Park, Florida, applied for after-the-fact dredge and fill permit and after-the-fact dock permit. He removed 772 cubic yards of state-owned lake bottom material from Lake Letta in Highlands County to improve his upland property and constructed a dock without a permit. Staff recommended acceptance of the amount of \$48.60 tendered by the applicant as payment for the material and dock permit.

On motion by Mr. Williams, seconded by Mr. Dickinson and adopted unanimously, the Trustees approved the two after-the-fact permits.

LEE COUNTY - Bulkhead Line. Dr. M. Lee Pearce, attorney for Gulf American Corporation, requested a place on the agenda and a hearing by the Trustees, and had placed a notice in the local newspaper of a hearing on this date by the Trustees with respect to a bulkhead line. Dr. Pearce filed a petition with the Staff on June 22, 1967, requesting the Trustees to set a bulkhead line along the eastern shore of Matlacha Pass and Charlotte Harbor in Sections 2, 11, 12 and 13, Township 44 South, Range 23 East, and in Sections 14, 23, 26 and 35 in Township 43 South, Range 22 East, Lee County. The basis for the filing of this petition for the Trustees to set the line was the failure of the Board of County Commissioners of Lee County to set a line within 60 days after application was filed by these owners, and Dr. Pearce was attempting to invoke the provisions of Chapter 253.122(3) Florida Statutes.

The Staff reviewed the petition and the bulkhead line as shown on the map attached to the petition, and it was learned that this line had not been submitted to the Board of County Commissioners of Lee County and was substantially different from the line considered by the local governmental agency. Upon making this determination, the Staff advised Dr. Pearce that his petition failed to meet the requirements of the language set forth in Section 253.122(3) Florida Statutes and consequently, it would not be appropriate for the Trustees to have a public hearing on this date as he had advertised.

Subsequent to the filing of the petition, Staff was advised that the local governmental agency did on Wednesday July 19, 1967, set a bulkhead line along the area, the location of which was one (1) foot off the line of mean high water. On July 24 the Trustees' office received from Lee County a copy of the bulkhead line resolution adopted on July 19, which found the line desired by the petitioner unreasonable and contrary to the public interest, and

set the bulkhead line one (1) foot offshore from the mean high water line of the property owned and described in the notice. By letter dated July 21 the county asked to be allowed to have legal representation at any hearing of the Trustees on the bulkhead line.

The Director had advised Dr. Pearce that he did not think the statutory requirements had been complied with and that Assistant Attorney General T. T. Turnbull concurred. Mr. Turnbull was handed the copy of the July 19th Lee County resolution, and after examination, he said that his position was that Dr. Pearce had only the right, and was so informed, to be present and ask for a hearing date. Since the action by the county on the one foot offshore bulkhead line, in his opinion Dr. Pearce had nothing to present and could only be present and object to the line set by the county when the Trustees considered that line.

Mr. Dickinson expressed the opinion that it was legally improper and unfair to give the applicant a hearing at this time, and then he would have to come back again. Mr. Faircloth agreed, pointing out that under the provisions of the law, when the local authority considers an application and refuses to act on it, then the applicant has the right to petition the Trustees. He said that the county on July 19 had set the line one foot offshore, and the petitioner was here on behalf of a particular line that he wanted but which the county refused to set. Instead the county set another line, and the Staff had determined that the line Dr. Pearce desired to present on this date was a different line substantially.

Dr. Pearce stated his position as follows: He was ready to ask the Trustees to set a bulkhead line on this date, he had followed the necessary procedure, in his opinion jurisdiction for setting the line had vested in the Trustees upon the filing of his petition before the county action of July 19, he had been present and objected vigorously at that county hearing, he thought that no one could say where the bulkhead line one foot offshore was located, and he objected to the whole hearing as it had occurred on this date but felt that was a matter under the jurisdiction of the Board.

Governor Kirk said he realized Dr. Pearce thought he had followed the necessary procedure but that under the circumstances the Board would not be able to make a decision on the bulkhead line. He would have a right to appear when the Trustees considered the Lee County proposal, Mr. Faircloth said. When asked the date, the Director said he thought it should not be presented until the county had furnished a map on which the location of the bulkhead line set on July 19 could be determined, that normally there would be a map showing the location of a line being considered. He said that in this case it would be difficult to locate the line because of the difficulty and engineering cost of locating the mean high water line in the area.

The Trustees informed the petitioner that he would be notified of the date when the bulkhead line would be considered. No further action was taken.

MONROE COUNTY - Ernest Leder of Marathon, Florida, applied for a permit to dredge a navigation channel in Sections 19 and 30, Township 65 South, Range 34 East, Monroe County. The Trustees' policy is to permit excavation of navigation channels without charge, up to 50 feet wide and 5 feet deep for a length necessary to reach navigable water. The applicant's proposed channel southerly of Grassy Key in Hawk Channel greatly exceeded these dimensions, and he tendered payment at 5¢ per cubic yard in the total amount of \$2,222.22 as payment for the 44,444.44 cubic yards of material that would be

obtained from the overcut. Staff recommended approval. The Director said there was no conservation problem, and the dredging was for navigation.

Motion was made by Mr. Williams, seconded by Mr. Dickinson and adopted unanimously, that issuance of the requested permit be authorized for the amount offered as payment for the material.

OKEECHOBEE COUNTY - Central and Southern Florida Flood Control District made application for additional right of way in connection with Structure 133 located in Lake Okeechobee covering 1.72 acres in Section 35, Township 37 South, Range 35 East, Okeechobee County. All affected state resource agencies were consulted and acquiesced in the proposed work. Staff requested authority to issue the easement.

Motion was made by Mr. Williams, seconded by Mr. Dickinson and adopted unanimously, that the Trustees authorize issuance of easement to the District for the right of way as requested.

PINELLAS COUNTY - Pinellas County made application for an artificial reef permit for construction off Bellair Beach in the Gulf of Mexico at Latitude 27° 55.6' and Longitude 83° 01.4' approximately 8 miles offshore in 40 feet of water. The Board of Conservation recommended the project. The Staff recommended that the \$50.00 processing fee be waived for the county application.

See
Minutes
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Motion was made by Mr. Williams, seconded by Mr. Dickinson and adopted unanimously, that the Trustees authorize issuance of the artificial reef permit to the Board of County Commissioners of Pinellas County without the usual charge.

SARASOTA COUNTY - File No. 2016-58-253.12(1) Evans, Thomas, Boylston and Johnson on behalf of Searcy G. Koen, et ux, made application for conveyance under the provisions of Section 253.12(1) Florida Statutes of a parcel of sovereignty land in Little Sarasota Bay in Section 18, Township 37 South, Range 18 East, Sarasota County, containing 8.1 acres which was filled subsequent to May 29, 1951, and prior to June 11, 1957. Applicant offered the appraised value of \$200.00 per acre, being the value of the submerged land as it existed prior to filling. Staff recommended issuance of the instrument at the meeting last week. The Attorney General had asked for a week's deferment pending his review of questions regarding new laws.

Mr. Faircloth said that September 1st was the date on which the law became effective placing all seven members of the Cabinet on the Trustees and requiring five votes for sale of submerged land. He said that this application was in order.

On motion by Mr. Faircloth, seconded by Mr. Williams and adopted unanimously, the Trustees authorized issuance of the instrument under Section 253.12(1) as recommended.

TRUSTEES' FUNDS - On June 16, 1967, the Canal Authority of the State of Florida adopted a resolution requesting the Trustees to advance an amount not to exceed \$1,600,000 as needed by the Authority, to be repaid on or before 5 years from the date of the loan agreement

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with interest at 3½% per annum. This advance would be in addition to the amount of \$1,200,000 loaned to the Authority by a loan agreement entered into between the Trustees and the Canal Authority on August 4, 1964, whereby funds would be advanced in an amount not to exceed \$1,200,000 to be used for purchase of rights of way for construction of the Cross-Florida Barge Canal, to be repaid on or before 5 years at 3% per annum, the loan to be secured by the pledge of excess property owned by the Authority which was appraised by the Staff Appraiser of the Trustees at \$1,500,000. The total amount of this loan had been advanced.

In view of the higher yield now being enjoyed on the more recent investments of Trustees' funds, the Staff suggested to Roger Bachman, Director of Waterways Development Division of the State Board of Conservation, that an interest rate of 4½% would not be unreasonable. However, the Canal Authority then offered only 4%. The request for this additional loan did not suggest a pledge of any property owned by the Canal Authority as collateral.

In view of the commitments made by our state officials in making requests for funds from the federal government for construction of the canal facility wherein the State of Florida was committed to provide funds for the acquisition of all needed rights of way for this Cross-Florida Barge Canal construction, the Staff recommended approval of the loan, not to exceed \$1,600,000, at an interest rate to be left to the discretion of the Trustees. It was called to the Trustees' attention that the loan to the Florida Industrial Commission approved November 15, 1966, for an amount not to exceed \$440,000 carried an interest rate of 4½%.

Mr. Dickinson said he thought the Trustees should ask 4½%. When the question of collateral was raised, the Director said that the Canal Authority had offered none. Mr. Williams mentioned the loan previously made to the Board of Regents, not repaid (see minutes of June 20, 1967).

Director Randolph Hodges of the Board of Conservation said that with the present levy, the Canal Authority will completely pay off both loans by 1973.

Motion was made by Mr. Dickinson, seconded by Mr. Williams and adopted unanimously, that the Trustees approve the advance of an additional loan to the Canal Authority of the State of Florida at 4½% in an amount not to exceed \$1,600,000, this approval being the basis for a loan agreement to be entered into between the Trustees and the Canal Authority which would define the obligations of the parties to the contract with respect to this loan.

SUBJECTS UNDER CHAPTER 18296

REFUNDS - Staff requested authority to refund the amount of \$10.00 submitted by Winifred Hayes, applicant for release of the state road right of way reservation contained in Hillsborough County Murphy Act Deed No. 392, for the reason that the State Road Department did not recommend release of the road reservation affecting the land in said deed. The state road right of way reservations were placed in Murphy Act deeds for the benefit of the State Road Department, and the Director said that the Trustees' office merely processed requests for release of the reservation for the Road Department. When the Road Department wishes to retain the reservation for future road needs, the Trustees' office does not release it as to that particular land.

Motion was made by Mr. Faircloth, seconded by Mr. Williams and adopted unanimously, that the amount of \$10.00 be refunded to the applicant.

On motion duly adopted, the meeting was adjourned.

Claude R. Kirk, Jr.
GOVERNOR - CHAIRMAN

ATTEST: *Robert C. Parker*
DIRECTOR - SECRETARY

* * * * *

Tallahassee, Florida
August 1, 1967

The Trustees of the Internal Improvement Fund met on this date in the Board Room of the office of the Governor, in the Capitol.

Present: Claude R. Kirk, Jr. Governor
Fred O. Dickinson, Jr. Comptroller
Broward Williams Treasurer
Earl Faircloth Attorney General

Robert C. Parker Director

On motion, duly adopted, the Trustees approved minutes of the meeting of July 25, 1967.

MONROE COUNTY - File No. 1975-44-253.12. On July 18 the Trustees considered the application from Phillips Surveying on behalf of FEB Corporation, the abutting upland owner, to purchase a tract of submerged land in the Bay of Florida lying northerly of and abutting Wisteria Key in Township 67 South, Range 25 East, 125.05 acres, more or less, lying northwesterly of the Island of Key West in Monroe County. Attorney General Faircloth had asked for deferment and further information.

The configuration of the tract sought for purchase was a modification of the original application for 170 acres, in order to conform to the suggestions of the biologist of the Board of Conservation. The Staff was advised by the applicant that the material for the development of the area would be taken from the channel and canals and no dredging outside of the boundaries of the subject parcel was anticipated except possibly two or three navigation channels.

The Director explained again that the applicant offered \$300.00 per acre, approved by the Staff Appraiser, which was the value set for land in the zone under condemnation by the U. S. Navy, although an appraisal made by the Navy was \$100.00 per acre.

Motion was made by Attorney General Faircloth, seconded by Mr. Dickinson and adopted unanimously, that the land be advertised for objections only.

MANATEE COUNTY - Bulkhead Line. The Board of County Commissioners of Manatee County referred to the Trustees for consideration and approval a bulkhead line adopted by the county on June 13, 1967. All required exhibits were furnished and there were no objections at the county public hearing. The bulkhead line was located along the north shore of Warners East Bayou and the south shore of the Manatee River, from Harbor Road (6th Avenue N.W.) to the west city limits of Bradenton (34th Street W.), to include McLewis Bayou, and was in Sections 20, 28 and 29, Township 34 South, Range 17 East, Manatee County.

Staff of the Board of Conservation recommended approval of the bulkhead line. Trustees' Staff recommended approval.

Motion was made by Mr. Williams, seconded by Mr. Dickinson and adopted unanimously, that the Trustees approve the bulkhead line established by the Board of County Commissioners of Manatee County by Resolution dated June 13, 1967.

FRANKLIN COUNTY - The Florida Board of Forestry requested the concurrence of the Trustees and the Governor, pursuant to Section 589.10 Florida Statutes, in return of a surplus 11-acre tower site to St. Joe Paper Company, successor to Apalachicola Properties, Inc. for no consideration, in accordance with the policy of that Board. The property known as Odena Towersite was obtained in 1937 from Apalachicola Properties, Inc., at no cost or a nominal cost to the State. A more desirable location has now been provided by St. Joe for relocation of the tower on a long-term lease at no cost, and the Board of Forestry recommends return of the surplus site and advertised its intent, receiving no objections. The office of the Attorney General reviewed and approved the matter.

Motion was made by Mr. Faircloth, seconded by Mr. Williams and adopted unanimously, that the Trustees and the Governor concur in return of the surplus tower site, as requested by the Board of Forestry.

DADE COUNTY - Request was made by S. Lee Crouch, attorney for Sunny Isles Reclamation and Water Control Board, a Drainage District created pursuant to Florida Statutes, Chapter 298, that the Trustees, as the Board of Drainage Commissioners of the State of Florida, approve issuance of bonds of said drainage district in order to carry out the District's Plan of Reclamation, shown in the minutes of the meeting of supervisors of the district held on June 2, 1967, in Resolution No. 1 as bonds in an amount not to exceed \$2,650,000.00. Such approval was required under provisions of Section 298.47, Florida Statutes.

The Director called attention to the fact that the statute named the five cabinet officials who were Trustees of the Internal Improvement Fund as Drainage Commissioners, and the 1967 legislation which named all seven cabinet officials as Trustees did not include the additional cabinet members as Drainage Commissioners.

The Trustees examined a map of the area in the Drainage District, located in North Dade County near Hallandale. The Plan of Reclama-

tion had been before the Circuit Court of the Eleventh Judicial Circuit which made a determination that the value to be received from the improvements would offset the money to be expended, Mr. Parker stated.

Motion was made by Mr. Faircloth, seconded by Mr. Williams and adopted unanimously, that the Trustees, in their official capacity as the Board of Drainage Commissioners of the State of Florida, under the provisions of Section 298.47 Florida Statutes, approve issuance of bonds in an amount not to exceed \$2,650,000.00 by Sunny Isles Reclamation and Water Control Board.

HILLSBOROUGH COUNTY - Request was received from Joanne E. Blackburn, Secretary of the Board of Supervisors of Southwest Tampa Storm Sewer Drainage District, on behalf of said district, that the Trustees, as the Board of Drainage Commissioners of the State of Florida, appoint Lem P. Woods to succeed himself as supervisor for a three-year term from the expiration of his current term on July 28, 1967. This was recommended by the fifty landowners attending the meeting of the District which was held on July 24, 1967, for the purpose of electing a supervisor; however at said meeting there was less than a quorum of owners present, less than fifty per cent of the land in the District was represented, and no legal election could be had.

Motion was made by Mr. Faircloth, seconded by Mr. Williams and adopted unanimously, that the Trustees, in their official capacity as the Board of Drainage Commissioners of the State of Florida, under the provisions of Section 298.12 Florida Statutes, appoint Lem P. Woods as a supervisor of said District for a term of three years.

PINELLAS COUNTY - The Pinellas County Water and Navigation Control Authority, on behalf of two applicants, submitted to the Trustees requests for state commercial dock permits. All required exhibits, including \$100 processing fee from each applicant, were submitted and the Staff recommended approval of the following applications:

1. W. Paul Resop (Velvet Cloake Apartments) applied for a permit authorizing construction of a dock in Tampa Bay at 650 Pinellas Point Drive South, St. Petersburg.
2. Edward Brockman (Lake Tarpon Mobile Homes, Inc.) applied for permit for a floating dock in Lake Tarpon at Lake Tarpon Mobile Home Village on U. S. Highway 19, Palm Harbor, in Sections 29 and 30, Township 27 South, Range 16 East, Pinellas County.

On motion made by Mr. Faircloth, seconded by Mr. Williams and adopted unanimously, the Trustees authorized issuance of the two state commercial dock permits.

TRUSTEES' OFFICE - Printing. In order to comply with the new legislation increasing the membership of the Trustees, it was necessary for the Trustees' office to have new stationery and deed forms printed. New forms were reviewed and approved by the office of the Attorney General and bids were invited pursuant to law and approval of the Purchasing Commission. Of the seven printers responding, only the following two submitted bids according to the specifications:

On motion by Mr. Dickinson, seconded by Mr. Williams and adopted unanimously, the Trustees accepted the low bid from Van Norren Printers, Inc., for the printing of stationery and deed forms for the office.

SUBJECTS UNDER CHAPTER 18296

Motion was made by Mr. Dickinson, seconded by Mr. Williams and adopted unanimously, that the Trustees approve Report No. 913 listing two (2) regular bids for sale of land in Marion and Okaloosa Counties under provisions of Chapter 18296, the Murphy Act, and authorize execution of deeds pertaining thereto.

On motion duly adopted, the meeting was adjourned.

ATTEST:
DIRECTOR - SECRETARY

* * * * *

Tallahassee, Florida
August 8, 1967

The Trustees of the Internal Improvement Fund met on this date in the Board Room of the office of the Governor, in the Capitol.

Present: Claude R. Kirk, Jr. Governor
Fred O. Dickinson, Jr. Comptroller
Broward Williams Treasurer
Earl Faircloth Attorney General

Robert C. Parker Director

On motion duly adopted, the Trustees approved the minutes of the meeting held on August 1, 1967.

DUVAL COUNTY - File No. 2003-16-253.12. On June 27, 1967, the Trustees considered the application from the Jacksonville Port Authority for conveyance of fee title to five (5) parcels of submerged land comprising 127.23 acres, more or less, in St. Johns River in Section 25, Township 1 South, Range 27 East, and in Sections 18, 19, 20, 29 and 30 in Township 1 South, Range 28 East, Blount Island, landward of the bulkhead line approved by the Trustees on June 27, 1967, in Duval County. The Port Authority request was for public purposes only under

the provisions of Chapter 63-1447, Laws of Florida, Acts of 1963. The land was advertised for objections only in the Florida Times Union, proof of publication filed and no objection received.

The Board of Conservation reported with reference to the bulkhead line that no harm to marine resources would result from development within the line.

The applicant agreed to pay the advertising cost. Staff recommended conveyance for public purposes only, for improvement and development of the public port facilities.

Motion was made by Mr. Williams, seconded by Mr. Faircloth and adopted unanimously, that the advertised parcels be conveyed to the Jacksonville Port Authority for public purposes only under the provisions of Chapter 63-1447, Laws of Florida.

PINELLAS COUNTY - File No. 2014-52-253.12. Bulkhead Line, Land Sale, and Fill Permit. The Pinellas County Water and Navigation Control Authority in meeting on June 6, 1967, approved a revised bulkhead line, an application to purchase land within that line by Andrew E. Mann and wife, Walter Smith and wife, and Col. M. W. Reed, abutting upland owners, and also approved dredge and fill permit. No objections were cited in the transcript of the county hearing, which stated that the Board of Conservation biologist approved the proposed filling as beneficial to the area and recommended the bulkhead line, reported that it was not a grassy nursery ground or sport or commercial fishing habitat and that the submerged land within the bulkhead line lay in a pocket between two filled sections of the Treasure Island shoreline.

The Pinellas Authority had advertised the land, all required exhibits were furnished, and there were no objections. The above-named upland owners offered \$1,150.00 per acre, value approved by the Staff Appraiser, for three (3) contiguous parcels landward of the relocated bulkhead line in Blind Pass in Section 25, Township 31 South, Range 15 East, in the City of Treasure Island, Pinellas County, containing a total of 0.71 acre, more or less.

Staff recommended approval of the bulkhead line as relocated in Blind Pass in Section 25, Township 31 South, Range 15 East, and also recommended the sale and approval of dredge and fill permit under the provisions of Section 253.124 Florida Statutes.

Attorney General Faircloth moved adoption of the staff recommendation, but he called attention to the rules and regulations now being revised to implement provisions of recent legislation and asked if a development plan had been filed for this application. The Director said the Staff did not anticipate development plans being required for such small parcels, in this case a total of 0.71 acre for three owners.

Motion was made by Mr. Faircloth, seconded by Mr. Williams and adopted unanimously, that the Trustees approve the bulkhead line as relocated by Pinellas County Water and Navigation Control Authority on June 6, 1967, confirm sale of the three contiguous parcels of submerged land to the abutting upland owners at \$1150.00 per acre, and approve the dredge and fill permit.

BREVARD COUNTY - Bulkhead Line. The City Council of the City of Eau Gallie referred to the Trustees for approval a bulkhead line established by City Ordinance No. 67-5 adopted on May 22, 1967. The bulkhead line was located offshore in the Indian River in Sections 5, 8, 9, 16, 20, 21, 22 and 28 in Township 27 South, Range 37 East, and in Section 32, Township 26 South, Range 37 East, in Brevard County. All required exhibits were furnished, there were no objections at the local hearing, and the Staff of the Board of Conservation recommended adoption of the line.

On motion by Mr. Faircloth, seconded by Mr. Williams and adopted unanimously, the Trustees approved the bulkhead line established by the City of Eau Gallie from the south city limit line to the north city limit line approximately one foot offshore from any existing lands bordering on the navigable waters within the corporate limits of the city.

PASCO COUNTY - File No. 2006-51-253.12. J. D. Brown, the abutting upland owner, applied to purchase a tract of submerged land in the Gulf of Mexico in Section 32 and 33, Township 24 South, Range 16 East, containing 77.77 acres landward of the established bulkhead line in Pasco County. The applicant offered \$200.00 per acre, the appraised value.

The biological report stated that dredging and filling according to the development plan would not materially affect marine resources in the tract which was described as rocky, bare bottom except for small patches of seagrass near the western limit, with no commercial fishing in the shallow area and sport fishing only in a canal bordering the parcel and the long fill to the north.

On motion by Mr. Dickinson, seconded by Mr. Faircloth and adopted unanimously, the Trustees authorized advertisement of the tract for objections only.

SHELL LEASES - On motion by Mr. Williams, duly adopted, the Trustees accepted as information the following report of remittances received by the Florida Board of Conservation from holders of shell leases:

<u>Lease No.</u>	<u>Name of Company</u>	<u>Amount</u>
1718	Radcliff Materials, Inc.	\$12,476.34
1788	Benton and Company, Inc.	6,692.74
1788	Benton and Company, Inc. (Arrears)	4,466.66
2233	Bay Dredging and Construction Co.	6,885.24
2235	Fort Myers Shell and Dredging Co.	492.90

GLADES COUNTY - Lease. Lykes Bros., Inc., holder of Grazing Lease No. 2130 expiring on August 25, 1967, applied for one-year renewal on the same terms and conditions. Annual lease rental on the 148 acres of land in Section 34, Township 40 South, Range 32 East, in Glades County, was increased to \$3.00 per acre following appraisal in 1965. The lease contains provision allowing Trustees to cancel after 90-day notice. The Staff recommended renewal.

On motion by Mr. Williams, seconded by Mr. Faircloth and adopted unanimously, the Trustees approved renewal of the lease for one year.

BREVARD COUNTY - File No. 2017-05-253.129. On motion by Mr. Dickinson, seconded by Mr. Williams and adopted unanimously, the Trustees authorized issuance of a disclaimer under the provisions of Section 253.129 Florida Statutes, covering 0.83 of an acre, more or less, of sovereignty land in Section 3, Township 22 South, Range 35 East, in the City of Titusville, Brevard County, which was filled prior to May 29, 1951, for \$10.00 charge which was remitted by John W. Scruggs, Jr., attorney on behalf of Riverbank Corporation.

DADE COUNTY - Southern Bell Telephone & Telegraph Company requested the use of 1.0 acre, more or less, in Sections 17 and 20, Township 54 South, Range 36 East, Dade County, adjacent to the Tamiami Canal, for the erection of a radio relay tower. The firm proposed to erect a 100-foot guyed tower with building to house radio and repeater equipment to be a part of a radio relay system between Ft. Myers and Miami. The State Road Department and Central and Southern Florida Flood Control District reviewed the request and interposed no objections with respect to their interest in the site. R K Petroleum Corp., holder of Oil and Gas Lease No. 1939 which included the site, offered no objections. Staff recommended perpetual easement for the \$750.00 consideration offered by the applicant.

Motion was made by Mr. Dickinson, seconded by Mr. Williams and adopted unanimously, that perpetual easement be issued for \$750.00.

DUVAL COUNTY - John E. Graham, holder of State Permit No. CD-557 issued on August 30, 1963, pursuant to approval by the Trustees on August 27, 1963, requested an amended permit for construction of a new shed and new commercial dock at his marina in the Ortega River at his upland property in Block 138 Lakeside Park, Duval County. All required exhibits, including \$100 processing fee, were submitted and the Staff recommended approval.

On motion by Mr. Williams, seconded by Mr. Faircloth and adopted unanimously, the Trustees authorized issuance of the amended permit.

LAKE COUNTY - Peter L. Webber made application to remove 10,000 cubic yards of fill material to improve his upland property on Lake Dora in Section 31, Township 19 South, Range 26 East, Lake County, for which he remitted \$500.00 in payment at the prevailing rate for such material. Florida Game and Fresh Water Fish Commission recommended issuance of the permit provided standard stipulations as to dredging were included. Staff recommended approval.

Motion was made by Mr. Williams, seconded by Mr. Faircloth and adopted unanimously, that the Trustees permit removal of the requested amount of fill material to be deposited on upland property, at the price offered.

OKEECHOBEE COUNTY - Central and Southern Florida Flood Control District requested a perpetual easement covering a .06 acre parcel of reclaimed lake bottom land in Section 36, Township 37 South, Range 35 East, in Okeechobee County lying within the right of way of Levee L-D4 on the north shore of Lake Okeechobee. Staff recommended approval.

Motion was made by Mr. Dickinson, seconded by Mr. Williams and adopted unanimously, that the Trustees authorize issuance of the perpetual easement to Central and Southern Florida Flood Control District.

MONROE COUNTY - Refund. On July 25, 1967, the Trustees approved issuance of a permit to Ernest Leder authorizing the excavation of an oversize navigation channel southerly of Grassy Key in Hawk Channel in Monroe County. The Trustees approved sale of 44,444.44 cubic yards of material obtained from the overcut. The applicant purchased the material at the rate of 5¢ per cubic yard, a new rate authorized by the Trustees on July 11, 1967. However, under the provisions of Chapter 120, Florida Statutes, this new rate should not have become effective until August 24, 1967.

Therefore, the Staff recommended refund of the overpayment in the amount of \$733.34, being the difference between the charge for 44,444.44 cubic yards computed at the new rate (\$2,222.22) and the charge at the old rate still effective at the time (\$1,488.88).

Motion was made by Mr. Dickinson, seconded by Mr. Williams and adopted unanimously, that the Trustees authorize refund be made to Mr. Leder of the overpayment in the amount of \$733.34.

MONROE COUNTY - Refund. Staff requested authority to correct the minutes of July 25, 1967, which inadvertently omitted approval by the Trustees of refund of the amount of \$122.50 together with refund of the \$50.00 application fee, both received by the Trustees' office on April 19, 1967, from G. B. Adams on behalf of Earl Keene with application to purchase submerged land in Monroe County numbered T.I.I.F. File No. 1988-44-253.12.

Motion was made by Mr. Williams, seconded by Mr. Faircloth and adopted unanimously, that the minutes of July 25, 1967, be corrected to show approval of refund of the \$50.00 application fee and also the amount of \$122.50 which had been tendered by the applicant as cash for deed.

PALM BEACH COUNTY - Refunds. File No. 1848-50-253.12, File No. 1849-50-253.12. Two applications to purchase parcels of submerged land were submitted with request for refund of the application fees for the reason that the applicants had withdrawn their purchase applications, as follows:

1. File No. 1848-50-253.12. \$50.00 fee submitted with application to purchase certain submerged land in Lake Worth in Section 10, Township 43 South, Range 43 East, Palm Beach County. The application was submitted under date of June 15, 1966, by Brockway, Owen and Anderson on behalf of A. Wachsmans, et ux, with application fee submitted by Yield Investments, Inc.
2. File No. 1849-50-253.12. \$50.00 fee submitted with application to purchase certain submerged land in Lake Worth in Section 10, Township 43 South, Range 43 East, Palm Beach County. The application was submitted under date of June 15, 1966, by Brockway, Owen and Anderson on behalf of A. Ferlach, et ux, with application fee submitted by Yield Investments, Inc.

Motion was made by Mr. Dickinson, seconded by Mr. Williams and adopted unanimously, that refund of the \$50.00 application fee be authorized to each applicant.

POLK COUNTY - Application was submitted by E. M. McCarty and Edward A. Kayworth to dredge a channel from adjacent upland properties into Lake Pierce, and to place the material removed from the channel on their upland in Section 17, Township 29 South, Range 28 East, in Polk County. All required exhibits were received and Staff recommended issuance of the permit upon receipt of payment for 575 cubic yards of fill material in the amount of \$27.75. The Florida Game and Fresh Water Fish Commission had no objection to issuance of the permit with standard stipulations as to dredging.

Motion was made by Mr. Dickinson, seconded by Mr. Williams and adopted unanimously, that the Trustees approve issuance of the permit requested for a charge of \$27.75 in payment for the fill material.

SARASOTA COUNTY - File No. 2018-58-253.129. Authority was requested by the Staff to issue disclaimers under the provisions of Section 253.129 Florida Statutes, for eight (8) lots in a platted subdivision in Section 34, Township 36 South, Range 17 East, in the City of Sarasota, in Sarasota County, which were filled prior to May 29, 1951, for which Michael J. Furen, attorney for Otto J. Benner, et al, remitted the \$10.00 charge for each of the three (3) disclaimers requested.

Motion was made by Mr. Dickinson, seconded by Mr. Williams and adopted unanimously, that the Trustees authorize issuance of the three disclaimers at \$10.00 each.

WAKULLA COUNTY - Jesse F. Warren, Jr., attorney, representing the McMillan Land and Development Company, applied to purchase 138,600 cubic yards of material to improve applicant's upland at Ochlockonee Point, Mash's Island, in conjunction with the restoration of the public beach on Ochlockonee Bay and Ochlockonee River in Township 6 South, Range 1 West, in Wakulla County. He offered \$2,986.00 for the material, at the prevailing rate.

Also, the applicant requested permit to remove 559,100 cubic yards of material to be used for restoration of the beach, and requested the Trustees to dedicate to Wakulla County for public use that area between the line of present mean high water and the newly created line of mean high water as shown by a plat of survey which would be attached and made a part of the instrument of dedication, the formal dedication instrument to be prepared by the office of the Attorney General.

The Board of County Commissioners of Wakulla County on August 7, 1967, adopted a resolution agreeing to accept the dedication from the Trustees for public use of the beach area to be restored and nourished by the developer, who has made a commitment to dedicate to Wakulla County a perimeter road as well as access roads to enable the public to have adequate access to the beach area being dedicated by the Trustees to the county.

The project was previously approved by the Board of Conservation.

8-8-67

Motion was made by Mr. Dickinson, seconded by Mr. Faircloth and adopted unanimously, that the Trustees approve permit to remove the 559,100 cubic yards of material for restoration of the beach, permit to purchase 138,600 cubic yards to improve upland property, and dedicate to the Board of County Commissioners of Wakulla the beach area for public use which would be restored and nourished by the developer, as well as access roads dedicated by the developer to the county.

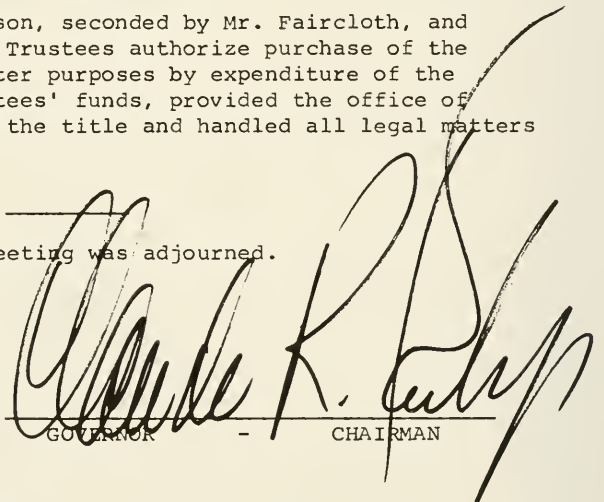
TRUSTEES' FUNDS - Capitol Center. On December 6, 1966, the Trustees authorized acquisition of property in the capitol center described as Tallahassee City Lot 250 Original Plan of the City of Tallahassee, owned by the heirs of John A. Clemons, for the sum of \$224,000.00 subject to approval of the title and handling of legal questions by the office of the Attorney General. Subsequently, negotiations were in progress between the attorneys of the Clemons heirs and Charles P. Barrier, Executive Director of the Capitol Center Planning Committee and T. T. Turnbull, Assistant Attorney General. Those negotiations resulted in agreement for sale of the property on that basis by all heirs with the exception of one.

By letter of August 4, 1967, Mr. Barrier advised that the heirs agreed to sell the property to the Trustees for the sum of \$228,000.00, with possession to be retained for a period of two (2) months following the month in which the transaction was concluded. That amount did not exceed the appraised value for the property as reported by one of the staff appraisers for the Trustees.

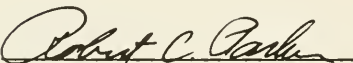
In view of the fact that acquisition of the parcel would complete state ownership of that entire block, Staff recommended acceptance of the proposal as being in the best interest of the state, and therefore recommended approval of the request for authority to expend Trustees' funds in the amount of \$228,000.00 for acquisition of the Clemons property, subject to approval of title by the Attorney General and the handling of all legal questions involved in the acquisition by the office of the Attorney General.

Motion was made by Mr. Dickinson, seconded by Mr. Faircloth, and adopted unanimously, that the Trustees authorize purchase of the said property for capitol center purposes by expenditure of the amount of \$228,000.00 of Trustees' funds, provided the office of the Attorney General approved the title and handled all legal matters involved in the acquisition.

On motion duly adopted, the meeting was adjourned.



GOVERNOR - CHAIRMAN

ATTEST: 
DIRECTOR - SECRETARY

* * * * *

The Trustees of the Internal Improvement Fund met on this date in the Board Room of the office of the Governor, in the Capitol.

Present: Earl Faircloth Attorney General, Acting Chairman
Fred O. Dickinson, Jr. Comptroller
Broward Williams Treasurer

Robert C. Parker Director

On motion, duly adopted, the Trustees approved minutes of the meeting of August 8, 1967.

BROWARD COUNTY - The City Commission of the City of Fort Lauderdale referred to the Trustees for approval a bulkhead line adopted in Ordinance No. C-66-60 on October 24, 1966, located along the west bank of Middle River in Section 25, Township 49 South, Range 42 East, Broward County. All required exhibits were furnished to the Trustees' office and the file showed that there were no objections at the local hearing. The area was described as adjacent to Lots 6 through 9, Block 9, Coral Ridge Galt Addition.

The Board of Conservation Staff had no objection to the bulkhead line, which connected with existing bulkheads on the north and on the south. Trustees' Staff recommended approval.

Motion was made by Mr. Dickinson, seconded by Mr. Williams and adopted unanimously, that the Trustees approve the bulkhead line as established by the City of Fort Lauderdale on October 24, 1966.

DADE COUNTY - Without objection, the Trustees deferred for further review, at the request of one member, consideration of Resolution No. R-182-67 adopted on February 21, 1967, by the Board of County Commissioners of Dade County changing and eliminating certain bulkhead lines in the unincorporated area of Dade County.

HIGHLANDS COUNTY - E. H. Johnson made application for a permit authorizing removal of approximately 500 cubic yards of fill material from Lake Jackson to place on his upland property known as Lot 14, Block "E", Lakeshore Drive. Applicant submitted all required exhibits including \$25.00 payment for the material. The Florida Game and Fresh Water Fish Commission had no objection to issuance of the permit provided standard stipulations were included in the permit. Staff recommended approval.

On motion by Mr. Dickinson, seconded by Mr. Williams and adopted unanimously, the Trustees authorized issuance of permit for removal of the requested amount of material.

POLK COUNTY - Application was submitted by Lake Bonny Properties, Inc., for after-the-fact permit for removal of 2,660 cubic yards of fill material from Little Lake Bonny which was placed on the applicant's upland described as Block "M" Sevilla-on-the-Lake Subdivision. The required exhibits were submitted, including \$133.00 in payment for the fill material removed. The Florida Game and Fresh Water Fish

Commission had no objection to issuance of the permit provided certain recommendations were included for restoring the lake to their specifications. Staff recommended approval.

Motion was made by Mr. Dickinson, seconded by Mr. Williams and adopted unanimously, that after-the-fact permit be issued as recommended.

POLK COUNTY - Application was submitted from W. Wm. Ellsworth, Jr., for after-the-fact permit for a 50-foot dock in Little Lake Bonny at applicant's upland Lots 1, 2 and 3, Block "A", Sevilla-on-the-Lake Subdivision in Section 21, Township 28 South, Range 24 East, Polk County. All required exhibits, including \$100.00 processing fee, were submitted, and Staff recommended approval.

Motion was made by Mr. Williams, seconded by Mr. Dickinson and adopted unanimously, that after-the-fact permit for the dock be issued as requested.

SARASOTA COUNTY - John Grout on behalf of E. W. Ogram, for Country Club Shores, Longboat Key, Florida, made application to remove 2,500 cubic yards of fill material to improve upland property in Section 36, Township 35 South, Range 16 East, on Sarasota Bay. Payment was tendered in the amount of \$125.00 for the material at the prevailing rate. Staff of the State Board of Conservation had no objection, and Trustees' Staff recommended approval.

Motion was made by Mr. Dickinson, seconded by Mr. Williams and adopted unanimously, that the Trustees authorize issuance of permit to remove the requested amount of fill material to improve upland property.

TRUSTEES' FUNDS - The East Central Florida Regional Planning Council requested a loan of \$25,000.00 to help meet Council commitments for the period September 1, 1967, through January 1, 1968. The Council was composed of representatives of 7 contiguous counties in the National Aeronautics Space Administration (NASA) area consisting of Brevard, Indian River, Lake, Orange, Osceola, Seminole and Volusia Counties. It was explained that there was a shortage of funds to carry on the operation of the Council due in large part to the fact that the Department of Housing and Urban Development was withholding payment of some twenty-seven thousand dollars for a project in which the Council had been conducting regional planning surveys for the area included within the Council for the past five years. Such withholding appeared to be a normal procedure pending completion and final audit of the project which was anticipated in the early part of 1968.

On February 2, 1965, the Trustees approved a loan of \$20,500.00 to the East Central Florida Regional Planning Council to be repaid within one year, and the loan was repaid prior to the maturity date. In recognition of the importance of the continued operation of the work of the Council in developing sound planning for the geographical area, the Staff recommended approval of the loan request, the agreement to be entered into as approved by the office of the Attorney General, and the interest rate to be 4½% per annum from date of advance of the funds until repaid.

Motion was made by Mr. Williams, seconded by Mr. Dickinson and adopted unanimously, that the Trustees approve loan of \$25,000.00 to the East Central Florida Regional Planning Council to be repaid on or before March 30, 1968, at 4½% interest, subject to approval of the loan agreement by the office of the Attorney General.

On motion duly adopted, the meeting was adjourned.

Earl Faircloth
ATTORNEY GENERAL - ACTING CHAIRMAN

ATTEST: Robert C. Parker
DIRECTOR - SECRETARY

* * * * *

Tallahassee, Florida
August 22, 1967

The Trustees of the Internal Improvement Fund met on this date in the Board Room of the office of the Governor, in the Capitol.

Present: Claude R. Kirk, Jr. Governor
Fred O. Dickinson, Jr. Comptroller
Broward Williams Treasurer
Earl Faircloth Attorney General

Robert C. Parker Director

On motion, duly adopted, the Trustees approved minutes of the meeting of August 15, 1967.

HENDRY COUNTY - Oil Lease. Upon consideration of the request from Sun Oil Company the Trustees on July 11, 1967, authorized advertisement for bids for a five-year term oil and gas drilling lease of the reserved one-half interest of the Trustees in the following described land:

½ of Section 19 and all of Section 31, Township 46 South, Range 31 East, containing 480 net mineral acres in Hendry County.

Legal notice published pursuant to law, in the Tallahassee Democrat and the Hendry County News, called for bids to be opened at 10:00 A.M. this date. Sun Oil Company, applicant and holder of lease on the remaining reserved interest in private ownership, submitted by sealed bid the offer of \$1,491.00 cash consideration and \$480.00 rental for the first year, or a check in the total amount of \$1,971.00, which was the only bid received. The company had previously submitted the \$50.00 application fee to cover cost of advertising.

The lease required royalty payments of one-eighth in kind or in value for oil and gas produced from said lands and fifty cents per long ton for sulphur, salt and/or brines produced from said lands, and an annual rental of \$1.00 per net mineral acre for the 480 net mineral acres, the annual rental to increase five per cent of such original amount of annual rental after the first two years. Lessee

is required to commence and complete the drilling of at least one test well within the first two and one-half years, all wells to be drilled to a depth of 6000 feet or to the top of the Lower Cretaceous, whichever is lower. The primary term of the lease was five (5) years.

Motion was made by Mr. Faircloth, seconded by Mr. Dickinson, and adopted unanimously, that the Trustees accept the bid of Sun Oil Company, a corporation, with an office at Dallas, Texas, for a five-year oil and gas drilling lease of the reserved one-half interest of the Trustees in the land described above.

BREVARD COUNTY - File No. 1547-05-253.124. Staff recommended approval of the fill permit issued by the Engineering Department of the Board of County Commissioners of Brevard County on May 26, 1967, to Norman A. Rossman as Trustee for House and Home, Ltd., under the provisions of Section 253.124 Florida Statutes, which granted permission to fill the 18.6 acre tract of submerged land in Newfound Harbor in Section 36, Township 24 South, Range 36 East, Brevard County. The land, previously conveyed by the Trustees under the referenced file number, was on Merritt Island north of State Road 520 and southwest of NASA. The Florida Board of Conservation biological report dated June 8, 1967, showed that no seagrasses were found in the borrow area from which the material would be taken.

Motion was made by Mr. Williams, seconded by Mr. Dickinson and adopted unanimously, that the Trustees approve issuance of the fill permit under Section 253.124 Florida Statutes.

BREVARD COUNTY - Permit. House and Home, Ltd., also applied for a permit authorizing removal of 400,000 cubic yards of fill material from Newfound Harbor outside the established bulkhead line to use for improvement of their upland property in Section 36, Township 24 South, Range 36 East, immediately north of State Road 520 in Brevard County. All required exhibits, including remittance in the amount of \$5,600.00 in payment for the fill material, were submitted. The Board of Conservation biological report dated June 8, 1967, stated that no seagrasses were found in the borrow area.

Motion was made by Mr. Dickinson, seconded by Mr. Williams and adopted unanimously, that the Trustees authorize issuance of the permit to House and Home, Ltd., to dredge the requested amount of material to deposit on their upland property upon payment of \$5,600 for the fill material.

BREVARD COUNTY - Permit. Development Corporation of America made application for a permit authorizing removal of 319,000 cubic yards of fill material from Newfound Harbor outside the established bulkhead line to use for improvement of their upland property in Government Lots 2 and 3 in Section 36, Township 24 South, Range 36 East, in Brevard County, immediately south of State Road 520. All required exhibits, including payment of \$4,790.00 for the material, were submitted.

The Florida Board of Conservation, in connection with establishment of a bulkhead line in this area, had reported that the submerged land within the bulkhead line supported a productive nursery and feeding ground for marine animals. However, inasmuch as the bulk-

head line establishment was necessary for development in connection with the construction of a critically-needed north-south road, the Trustees on March 7, 1967, after several hearings and the urging of officials of Brevard County, determined that the highway would be in the public interest and approved location of the bulkhead line and subsequent sale of submerged land. It was reported that pumping of fill material would be from deep water areas which would not cause damage such as when grassy areas were involved.

On motion by Mr. Dickinson, seconded by Mr. Williams and adopted without objection, the Trustees authorized issuance of the permit to the Development Corporation of America to dredge the requested amount of material to deposit on their upland property, upon payment of \$4,790.00 for the fill material.

Later in the meeting the Attorney General directed attention again to the preceding three applications for dredging fill material. He asked whether there was any information about the effect of such dredging from deep water on beach erosion. The Director said there were no beaches in that area and there had not been a hydrological survey made, that dredging operations up to now had not posed a problem as it was all interior water bottoms not involving tidal areas. The Governor noted that it was not a beach area but a waterway.

Mr. Faircloth asked if the fill would be pumped from the ocean, and upon being informed that it was all interior, on Merritt Island, southwest of NASA, he said perhaps his question was not relevant at this time. But even though there were no beaches now, he was concerned about pumping so much fill material.

Governor Kirk asked who could make an investigation of such effects, and Mr. Parker said that the Coastal Engineering Laboratory at the University of Florida in Gainesville might, and that it did entail considerable expense.

Mr. Faircloth asked for information about the effects on beach erosion and the Director said the Staff would make inquiry with respect to that particular aspect.

LEE COUNTY - Bulkhead Line. The Board of County Commissioners of Lee County, having been petitioned by Grafton Development Company to set a bulkhead line, adopted a resolution on May 19, 1967, locating a bulkhead line in Matanzas Pass along the northwest shore of Estero Island in Government Lot 1, Section 24, Township 46 South, Range 23 East, Lee County. There were no objections at the local level, and the Florida Board of Conservation had no objection to the location of the bulkhead line.

On motion by Mr. Dickinson, seconded by Mr. Williams and adopted unanimously, the Trustees approved the bulkhead line as adopted by Lee County on May 19, 1967.

CHARLOTTE COUNTY - Refund. On June 27, 1967, the Trustees approved a permit to W. G. Gault for excavation of an oversize navigation channel in Gasparilla Sound in Charlotte County. The 28,000 cubic yards of material obtained from the overcut was purchased at the rate of 5¢ per cubic yard, a new rate authorized by the Trustees

for purchase of fill material. However, under provisions of Chapter 120, Florida Statutes, the new rate should not have gone into effect until August 24, 1967. Therefore, Staff recommended refund of the overpayment of \$260.00, being the difference between the charge computed at the new rate (\$1,400.00) and at the old rate (\$1,140.00).

Motion was made by Mr. Dickinson, seconded by Mr. Williams and adopted unanimously, that the Trustees authorize issuance of refund of \$260.00 to Mr. Gault.

PALM BEACH COUNTY - Refund. File No. 1238-50-253.12. The Staff requested authority for issuance of refund of the \$50.00 application fee submitted with the above numbered application to purchase a parcel of submerged land in Palm Beach County, which was submitted under date of June 22, 1962, by Rusley C. Meeker on behalf of Joseph Bobrytzke and was never completed. The application was declared inactive by the Staff.

The Director explained that on information sheets distributed by the Trustees' office the application fee was shown as refundable, and was designed primarily to pay the advertising cost. He said that the Staff was reviewing and revising information and application sheets in accordance with provisions of recently enacted legislation, and new rules and regulations would be filed under provisions of Chapter 120 Florida Statutes.

Motion was made by Mr. Dickinson, seconded by Mr. Faircloth and adopted unanimously, that the Trustees authorize issuance of refund of the \$50.00 application fee.

PINELLAS COUNTY - File No. 2020-52-253.12(1) Carl O. Dunbar, Jr., on behalf of William J. Carper, Sr., and wife, applied for conveyance under the provisions of Section 253.12(1) Florida Statutes, of a 0.10 acre parcel of sovereignty land in Sutherland Bayou in Section 2, Township 28 South, Range 15 East, which was filled subsequent to May 29, 1951, and prior to June 11, 1957. The applicant offered the appraised value of \$100.00 per acre, being the value of the submerged land as it existed prior to filling. Staff recommended issuance of the required instrument.

Motion was made by Mr. Williams, seconded by Mr. Faircloth and adopted unanimously, that the Trustees authorize issuance of the instrument required under provisions of Section 253.12(1).

PINELLAS COUNTY - The Director asked the Board to rescind the action taken on July 25, 1967, of waiving requirement of the \$50.00 application fee for issuance of artificial reef permit to Pinellas County for construction off Bellair Beach in the Gulf of Mexico approximately 8 miles offshore. There had been certain expense involved in the investigation and biological report, the county had submitted the \$50.00 fee, and the Staff recommended that the permit be approved for the usual charge.

Motion was made by Mr. Faircloth, seconded by Mr. Williams and adopted unanimously, that the Trustees rescind the action taken on July 25 and on this date authorize the artificial reef permit to Pinellas County for the usual \$50.00 charge.

POLK COUNTY - Muriel I. Brobecker and Virginia W. Ornat made application for after-the-fact permit for removal of approximately 450 cubic yards of fill material from Lake Rosalie in Polk County for improvement of their upland property in Sections 21 and 22, Township 29 South, Range 29 East. All required exhibits, including remittance in the amount of \$25.00 in payment for the fill material were submitted.

The Director said the Staff worked with the Game and Fresh Water Fish Commission, whose field agents brought such operations without permits to the attention of the Trustees' office. He said the Staff considered it proper to require issuance of after-the-fact permits and felt that the public was becoming better acquainted with the need for regulations in order to protect the lakes.

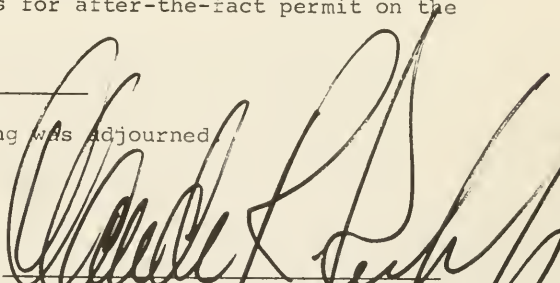
Attorney General Faircloth asked if there was any recommendation as to how the unauthorized pumping from lake bottoms could be stopped, and what might happen if the Board did not approve the permit. Mr. Parker said that the Staff had explored every area and he thought the dredge operator was where the most effective action might be taken, and that he had to have a permit to dredge. Also, the Board might require the material to be put back in the lake; however, in a case a few years ago illegal dredging was stopped and the Trustees took the case to Court with the result that the operation was stopped but the Court did not feel that the damage was so great that it would require the material to be put back in the lake. He said the primary concern was that damage might be caused to fish nursery grounds, and that the Game and Fish Commission required any pumping of material from far enough out in the lake to avoid grassy areas.

The Attorney General said that at some future time at the direction of the Board he would be glad to bring a suit, and that such action might violate the criminal code in that it was taking of property, in effect. He said there was something more involved than the value of the upland owner's property.

Governor Kirk suggested that the County Commissioners be notified and that those selling and using the hydraulic dredges to pump the material out of lakes should be alerted that such illegal work must be stopped.

The Attorney General asked that he be furnished complete information on the operation of the applicants for after-the-fact permit on the agenda on this date.

On motion duly adopted, the meeting was adjourned.



GOVERNOR - CHAIRMAN

ATTEST: 
DIRECTOR - SECRETARY

The Trustees of the Internal Improvement Fund met on this date in the Board Room of the office of the Governor, in the Capitol.

Present: Fred O. Dickinson, Jr. Comptroller, Acting Chairman
Broward Williams Treasurer
Doyle Conner Commissioner of Agriculture

Robert C. Parker Director

On motion by Mr. Conner, seconded by Mr. Williams and adopted unanimously, the Trustees approved the minutes of the meeting of August 22, 1967.

DADE COUNTY - File No. 1788-13-253.12. Kravitz, Dudley and Dean, on behalf of Bayshore Marina, Inc., offered \$7,217.00 per acre, the value reported by the Appraiser, for a parcel of submerged land in Biscayne Bay in Section 22, Township 54 South, Range 41 East, containing 1.15 acres in the City of Miami landward of the established bulkhead line in Dade County, Florida.

The Florida Board of Conservation reported that no seagrasses exist in the area and that the sale and development thereof would not be adverse to marine life.

On motion by Mr. Williams, seconded and adopted unanimously, the Trustees authorized advertisement of the parcel for objections only.

PALM BEACH COUNTY - File No. 2000-50-253.12. Mock, Roos and Searcy, Inc., on behalf of Francis J. Sullivan and wife, et al, abutting upland owners, offered \$1,500.00 per acre, the value approved by the Staff Appraiser, for a parcel of submerged land in Lake Worth in Section 10, Township 45 South, Range 43 East, containing 2.27 acres in the Town of Hypoluxo landward of the established bulkhead line in Palm Beach County, Florida.

The Florida Board of Conservation reported that no seagrasses exist in the area and that the sale and development would not be adverse to marine life.

On motion by Mr. Williams, seconded and adopted unanimously, the Trustees authorized advertisement of the parcel for objections only.

LEE COUNTY - Bulkhead Line. On July 25, 1967, at the request of Dr. M. Lee Pearce, attorney for Gulf American Corporation, for a place on the agenda, the Trustees heard his petition for the Board to set a bulkhead line but took no action. The matter was brought up for consideration on this date and the Board recognized the interested parties present to be heard but said that final action would not be taken on this date. It was reported that a member of the legislative delegation felt that further legal opinion from the Attorney General might be needed.

The Director exhibited a map with lines drawn to depict the situation, reviewed as follows. On June 22, 1967, Dr. Pearce had filed a petition with the Trustees' Staff requesting establishment of a bulkhead line along the eastern shore of Matlacha Pass in Charlotte Harbor in Sections 2, 11, 12 and 13 in Township 44 South, Range 23 East, and in Sections 14, 23, 26 and 35 in Township 43 South, Range 22 East, in Lee County. The petition was based upon the alleged failure of the county to establish this bulkhead line within a period of 60 days after application had been filed by the owner as required by Section 253.122(3) Florida Statutes. Subsequent to the filing of this petition, the Board of County Commissioners of Lee County adopted a resolution on July 19 establishing a bulkhead line one foot offshore from the line of mean high water. A certified copy of the resolution and a transcript of the hearing on July 19 were filed with the Trustees' office, but no map or drawing showing the location of the bulkhead line as it related to the line of mean high water. The original application of Gulf American Corporation to the Board of County Commissioners requested that the bulkhead line in the area be established along an engineered line located generally between the meander line as established by the U. S. General Land Office survey and the line of mean high water. In the petition filed with the Trustees' Staff the applicant requested a line some 180 feet landward of the meander line as established by the U. S. General Land Office, which location was substantially seaward of the location requested in the application to the county.

Dr. Pearce, applicant's attorney, contended that the county's action taken on July 19 in establishing the bulkhead line one foot offshore from the line of mean high water and the failure of the local governmental agency to submit a map showing the location of this bulkhead line as related to the line of mean high water did not comply with the statutory requirements, and that the Trustees had the authority to proceed to take jurisdiction in setting a bulkhead line.

Advice, requested by the Staff from the Attorney General, was that under the circumstances set forth the Trustees might take any one of four separate actions, namely: (1) accept or concur in the line set by the Board of County Commissioners of Lee County; (2) reject the line and return it to the Board for further consideration; (3) set the line as applied for by Gulf American; or (4) set any line the Trustees desire to set. After careful evaluation of all factors the Staff was of the opinion that the interest of all parties concerned would best be served by #2.

Present on this date were Dr. Pearce, representing Gulf American Corporation, and on behalf of the county, F. James DeLozier, Jr., County Engineer, and Frank Pavese, County Attorney. Roland Roberts of Ft. Myers Beach, the Vice-president of Lee County Conservation Assn., Inc., and Fred Lesser, president of the Audubon Society of Southwest Florida, were also present.

Dr. Pearce petitioned the Trustees to set the bulkhead line for Gulf American Corporation, which planned to establish a modern waterfront community in the area where he said the petitioner owned not only the waterfront but back for a depth of 8 to 10 miles, comprising over 50,000 acres and an investment of over \$10,000,000 in Lee County. In order to develop he said they would need access to the water and clearing out of the mangrove swamp, would need a bulkhead line which he said should be reasonable to allow development and that their line basically conformed to the shore line, being 180 feet landward of the government meander line. He said that the mean high tide line was not practical to use for measuring, that the swampy flats of West Florida and the mangroves had prevented progress, and it would be impossible to develop with swamp land between the petitioner's project and the water. He reviewed the local action and

said he did not think it was a legal action taken on July 19 when the bulkhead line was fixed one foot offshore from the line of mean high water - which could not be located. Jurisdiction had passed to the Trustees, he said, by failure of the county to act within 60 days. He mentioned the extreme hardship to his clients caused by the long delays, saying they had spent over 13 months and a huge investment in this area and still had no bulkhead line.

Mr. Pavese discussed the background of this matter, the fact that the county refers bulkhead line petitions to its bulkhead committee allowing 45 days for a report which included conservation factors, and did not know the petitioner was insisting on 60-day action, that the line submitted by the company did not show the mean high tide line as required by the rules and regulations from the Trustees, and a surveyor who appeared at the county hearing on behalf of the petitioner said it would be impossible to set an exact mean high tide line without an expenditure of forty to fifty thousand dollars but that he thought a reasonable line could be worked out. Mr. Pavese expressed the county's concern if they were expected to spend public funds to survey bulkhead lines for petitioners, pointed out that Lee County had over 800 miles of waterfront, and asked the Trustees to request an opinion from the Attorney General. He said the county thought that applicants for bulkhead lines were required by the rules and regulations to show on their plans the mean high tide mark as related to their proposed bulkhead line.

Mr. DeLozier, County Engineer, said the county had tried to cooperate with the petitioner as far as they could, knowing that the main difficulty was locating the mean high tide line, the line separating public land and private, and the county did not expect a precise line. He said a line could be drawn by establishing points at equal intervals by elevations or at the place of transition between the black mangrove and the red mangrove and then connecting these established points, which have been plotted on aerial photographs, by a smooth line drawn to follow the line of red mangrove as nearly as is practicable. He said the engineering problem in this petition was the establishment of this high tide line which was the responsibility of the petitioner. As a concession, the county would be willing, Mr. DeLozier, said, to create an along-the-shore channel for navigational needs, with intermittent channels to provide access to deep water. This would give waterfront access but not unobstructed view.

Mr. Lesser, Audubon Society representative, reaffirmed that the mean high tide line could be determined with reasonable accuracy by the method described by Mr. DeLozier, but which he thought could be drawn to correspond with conservation interests and the developers. He and Mr. Pavese both emphasized that the area was rich in marine life, used by commercial fishermen, and winter waterfowl. Mr. Lesser said it should remain as sovereignty lands of the State of Florida.

Mr. Roberts, representing Lee County Conservation Association, with a membership of thousands, said the area was a natural heritage. He discussed boundary definitions used in deeds and said he did not understand why the high tide line could not be established when surveyors had used it as boundaries determining acres of land purchased by deeds. He thought that meander lines were in error when not representing the true shore line. Pictures taken last Sunday on an out-going tide in areas behind the meander line, which he said Gulf American claimed to own, were examined by the Trustees. He said his group felt that the Trustees would consider this matter very carefully before making a determination.

Mr. Dickinson said that Representative Ted Randell was unable to attend the meeting because he was required for legislative business.

It was again suggested that the Attorney General make some determination as to whether Lee County could expend public funds to set the mean high tide mark for a developer.

Upon motion duly adopted, the Trustees deferred decision on this matter until some future time.

PALM BEACH COUNTY - Bulkhead Line. On April 24, 1962, the Trustees rejected a portion of a bulkhead line on the east shore of Lake Worth and directed that the rejected portion be referred back to the City of Riviera Beach with recommendation that consideration be given to conforming the bulkhead line to the offshore limits of those submerged lands conveyed by Trustees' Deed No. 17146 dated April 22, 1924. The City Council, in recognition of the private ownerships in the area, did locate a bulkhead line along the line of conveyance and it was placed on the agenda for the Trustees to consider on this date.

Mr. Dickinson said that Governor Kirk had requested that this matter be held over until the next meeting.

It was so ordered.

DADE COUNTY - Conwal, Inc., holder of commercial dock permit issued by the Trustees on August 31, 1965, made application for modification of the permit to allow construction of three additional finger piers. All required exhibits, including \$100.00 processing fee, were submitted and Staff recommended approval.

Staff also requested authority to issue permit for removal of approximately 18,000 cubic yards of material for navigational requirements in the marina expansion. The dredging was an expansion of an area previously dredged, therefore Staff recommended that the biological survey be waived.

Motion was made by Mr. Williams, seconded by Mr. Conner and adopted unanimously, that issuance of modified dock permit be authorized; also the Trustees approved the request for dredging for navigation.

PINELLAS COUNTY - Application was submitted by the Pinellas County Water and Navigation Control Authority on behalf of George W. Fruehauf for a permit authorizing construction of a dock in Boca Ciega Bay at the applicant's upland described as Lot 3, Block J, Boca Ciega Bay at Treasure Island in Pinellas County. All required exhibits, including \$100.00 processing fee, were submitted and Staff recommended approval.

On motion by Mr. Williams, seconded and adopted unanimously, the Trustees authorized issuance of the commercial dock permit.

PUTNAM COUNTY - Cove Investments, Inc., made application for a permit for a fishing pier in the St. Johns River (Hermit's Cove) in Government Lot 6, Section 33, Township 10 South, Range 26 East, in Putnam County. All required exhibits, including \$100.00 processing fee, were submitted and Staff recommended approval.

On motion by Mr. Williams, seconded by Mr. Conner and adopted unanimously, the Trustees authorized issuance of the commercial dock permit.

POLK COUNTY - The Polk County Engineering Department applied for permission to remove approximately 1,000 cubic yards of fill material from Crooked Lake to use for improvement of an area in Section 25, Township 31 South, Range 27 East, Polk County, for recreation purposes. The Florida Game and Fresh Water Fish Commission had inspected the site and had no objection. Inasmuch as this would be a public project, Staff recommended approval with waiver of payment for the fill material.

On motion by Mr. Williams, seconded and adopted unanimously, the Trustees granted permission for the county to remove the material without charge.

POLK COUNTY - College Friends, Inc., by application submitted by Dr. Leslie W. Ratzlaff, applied for a permit for removal of 8,000 cubic yards of material from Crooked Lake in the construction of a navigation canal. All required exhibits, including remittance in the amount of \$400.00 in payment for the fill material to be placed on the applicant's upland, were submitted. Florida Game and Fresh Water Fish Commission had inspected the site and had no objections to issuance of permit with the standard stipulations. Staff recommended approval.

Motion was made by Mr. Williams, seconded by Mr. Conner and adopted unanimously, that the Trustees approve issuance of the permit as recommended.

MONROE COUNTY - Refunds. Two applications for authority to issue refund were presented by the Staff, as follows:

1. File No. 1700-44-253.12. Under date of August 2, 1965, Dan Navarro submitted the \$50.00 application fee with his application to purchase submerged land as described in said file. However, the application was not completed and was declared inactive by the Trustees' Staff.
2. File No. 1905-44-253.12. Under date of September 19, 1966, A. J. Ryan, Jr., on behalf of Holiday Travel Trailer Parks, Inc., submitted \$50.00 fee with application to purchase two parcels of submerged land as described in said file. The applicant requested that the application be withdrawn from further consideration at this time.

Motion was made by Mr. Williams, seconded and adopted unanimously, that the Trustees authorize issuance of \$50.00 refund to each of the above two applicants.

MONROE COUNTY - File No. 1782-44-253.12. On March 22, 1966, the Trustees confirmed sale to Honorable Bernie C. Papy and wife, and Mrs. Pauline B. Papy, of the two contiguous tracts of submerged land as described in the above numbered file. Subsequently, the applicants requested that the purchases be made under the Trustees' standard contract-to-purchase procedure; these contracts were prepared and forwarded to said applicants under date of April 6, 1966, but were not executed. The applicants requested cancellation of the transaction without prejudice and the Staff asked for authority to cancel the two contracts.

On motion by Mr. Williams, seconded and adopted unanimously, the Trustees authorized cancellation of the two purchase contracts.

On motion duly adopted, the meeting was adjourned.

Tom Adams
COMPTROLLER - ACTING CHAIRMAN

ATTEST: *Robert C. Parker*
DIRECTOR - SECRETARY

* * * * *

Tallahassee, Florida
September 5, 1967

The Trustees of the Internal Improvement Fund met on this date in the Board Room of the office of the Governor, in the Capitol.

Present:	Claude R. Kirk, Jr.	Governor
	Tom Adams	Secretary of State
	Fred O. Dickinson, Jr.	Comptroller
	Broward Williams	Treasurer
	Floyd T. Christian	Superintendent of Public Instruction
	Doyle Conner	Commissioner of Agriculture
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	Robert C. Parker	Director
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As a result of the provisions of Chapter 67-269, Acts of 1967, two new members have been added as Trustees of the Internal Improvement Fund, which are the Secretary of State, Honorable Tom Adams, and the Superintendent of Public Instruction, Honorable Floyd T. Christian.

Another provision of this act requires affirmative vote of at least five (5) members of the Trustees for confirmation of sale of any parcel of submerged land.

The effective date of this act was September 1, 1967. Mr. Adams and Mr. Christian were recognized officially as members of the Trustees.

On motion duly adopted, the Trustees approved the minutes of the meeting of August 29, 1967.

LEE COUNTY - File No. 2022-36-253.12. Sheppard and Woolslair on behalf of John P. Moss, et ux, abutting upland owners, made application for a parcel of submerged land in the Matanzas Pass in Section 24, Township 46 South, Range 23 East, 0.25 acre at Estero Island landward of the established bulkhead line in Lee County. The applicants offered \$2,000.00 per acre, which was more than the appraised value. The biological report received from the Florida Board of Conservation at the time the bulkhead line was established stated that the bulkhead line and subsequent development would have no adverse effects on fish and wildlife in the area. Staff recommended advertisement of the parcel.

Motion was made by Mr. Dickinson, seconded by Mr. Williams and adopted unanimously, that the parcel be advertised for objections only.

MONROE COUNTY - File No. 1983-44-253.12. Mrs. Myrtle Gibson, the abutting upland owner, made application for a parcel of submerged land in Tropical Bay in Section 23, Township 66 South, Range 29 East, containing 0.86 acre at Big Pine Key in Monroe County. The applicant offered \$300.00 per acre, the established appraised price in the area.

The biological report received from the Board of Conservation based on a survey of this area completed in August of this year suggested that the 0.86 acre sale area be reduced approximately by one-half to exclude beds of turtle grass and attached algae lying offshore about 75 feet from the mean high water mark. However, the applicant's intended use of the subject area is for the construction of a marina to accommodate small boats for sport fishing in the bay, requiring the entire parcel for the docks and necessary breakwater to protect the marina. It was also noted that previous sales and developed areas extended bayward to a limit of 175 feet as established by the Staff. Therefore, the Staff thought that any cutback in the parcel would not be in the best interest of the development of this section of Big Pine Key and recommended advertisement for objections only.

Motion was made by Mr. Dickinson, seconded by Mr. Williams and adopted unanimously, that the suggestion of a cutback be overruled and the parcel be advertised for objections only.

PALM BEACH COUNTY - File No. 1918-50-253.12. Brockway, Owen and Anderson on behalf of Cedar Lane Developers, Inc., the abutting upland owner, offered \$1,383.75 per acre, the value approved by the Staff Appraiser, for a parcel of submerged land in Lake Worth in Section 35, Township 44 South, Range 43 East, 0.501 acre in the Town of Palm Beach landward of the established bulkhead line, in Palm Beach County.

The biological study of marine life for the northerly portion of Lake Worth made by the Florida Board of Conservation in 1961 and reprinted in 1963 reported that submerged bottoms were extensively silted on both sides of the intracoastal waterway, and that sea grass and nursery grounds for fish and shrimp appeared to be lacking in the area. Staff recommended advertisement of the parcel.

Motion was made by Mr. Dickinson, seconded by Mr. Williams and adopted unanimously, that the parcel be advertised for objections only.

MONROE COUNTY - File No. 2011-44-253.12. Bailey, Mooney, Post Associates on behalf of Williams S. Shary, et ux, abutting upland owners, offered \$350.00 per acre, the established appraised value of land in this area, for a parcel of submerged land in the Bay of Florida in Section 12, Township 62 South, Range 38 East, containing 0.48 acre at Key Largo in Monroe County.

The biological report received from the Florida Board of Conservation, after they surveyed the area in August 1967, showed that it was an excellent nursery area and feeding ground for small fish and recommended that the sale and subsequent development of the parcel sought for purchase would not be in the best interests of conservation of Florida's marine resources. Therefore, the Staff recommended denial

of the application and requested authority to refund the \$50.00 application fee submitted for the applicant by Bailey, Mooney, Post Associates and received by the Trustees' office on July 10, 1967.

Motion was made by Mr. Williams, seconded by Mr. Dickinson and adopted unanimously, that the application to purchase the submerged land be denied and that the \$50.00 application fee be refunded, as recommended.

LEE COUNTY - File No. 1353-36-253.12. Staff requested authority to issue refund of the \$50.00 application fee submitted under date of July 2, 1963, by Frank B. Watson, Jr., on behalf of Jack H. Brazier, with application to purchase a parcel of submerged land as described in the above numbered file. The application was not completed and was declared inactive by the Staff.

Motion was made by Mr. Williams, seconded by Mr. Dickinson and adopted unanimously, that the \$50.00 application fee be refunded.

BREVARD COUNTY - Bulkhead Line. The Board of County Commissioners of Brevard County by Resolution adopted on April 27, 1967, amended the existing bulkhead line along the east shore of the Banana River in Sections 22 and 27, Township 26 South, Range 37 East, in Brevard County. The bulkhead line was located in accordance with the recommendations of staff members of the Trustees and the Florida Board of Conservation. There were no objections locally, and all required exhibits were furnished. Staff recommended approval.

On motion by Mr. Williams, seconded by Mr. Adams, and adopted unanimously, the Trustees approved the amended bulkhead line as located by the Board of County Commissioners of Brevard County on April 27, 1967.

BREVARD COUNTY - Bulkhead Line. The City Council of the City of Satellite Beach by Ordinance No. 112 adopted April 25, 1967, and as amended by Ordinance No. 113 adopted August 22, 1967, amended and relocated the existing bulkhead line along the east shore of the Banana River in Sections 27 and 34, Township 26 South, Range 37 East, Brevard County. The line was fixed in accordance with the recommendations of staff members of the Trustees and the Florida Board of Conservation. There were no objections locally, and all required exhibits were furnished. Staff recommended approval.

On motion by Mr. Williams, seconded by Mr. Adams, and adopted unanimously, the Trustees approved the amended bulkhead line as located by the City of Satellite Beach by Ordinance No. 112 and Ordinance No. 113.

DADE COUNTY - Bulkhead Lines. The Board of County Commissioners of Dade County by Resolution No. R-182-67 adopted on February 21, 1967, eliminated and changed some bulkhead lines previously established in Townships 55 and 56 South, Range 42 East. The lines were amended in accordance with recommendations of the Florida Board of Conservation and the Trustees' Staff. All required exhibits were furnished. Thomas Dewolf, representing Paul Helliwell, had objected to a proposed change at the local level, but no objector was present on this date. The Staff recommended approval.

On motion by Mr. Adams, seconded by Mr. Conner and unanimously adopted, the Trustees approved the amended bulkhead line at Mashta Point along the east side of Biscayne Bay, and approved the elimination of bulkhead lines from Bear Cut to the north limit of the City of Islandia.

Also, on motion by Mr. Williams, seconded by Mr. Adams and unanimously adopted, the Board approved the elimination of existing bulkhead line around Soldier Key in the unincorporated area of Dade County in Township 56 South, Range 42 East, in Dade County.

PALM BEACH COUNTY - Bulkhead Line. On April 24, 1962, the Trustees rejected a portion of a bulkhead line on the east shore of Lake Worth and directed that the rejected portion be referred back to the City of Riviera Beach with recommendation that consideration be given to conforming the bulkhead line to the offshore limits of those submerged lands conveyed by Trustees' Deed No. 17146 dated April 22, 1924. The City Council of Riviera Beach by Ordinance No. 749 on May 3, 1967, adopted a bulkhead line along this line of conveyance (with a small variance at the southerly end where the relocated line would meet a previously established line), running from the Village of North Palm Beach to the north line of Palm Beach Isles No. 3.

The Florida Board of Conservation in report dated September 25, 1964, recommended that the bulkhead line be pulled back to the line of outer limits of private ownership. In their report dated January 16, 1967, it was stated that the relocated line was a decided improvement over the old one lying as much as 850 feet beyond the private parcels of submerged land. It was noted in both reports that dredging to get fill material in this area would severely damage the last undisturbed nursery ground in Lake Worth.

The Izaak Walton League registered strenuous objections to this bulkhead line.

However, in recognition of the private ownerships in this area, the City of Riviera Beach located the bulkhead line along the line of conveyance, and the Staff recommended approval.

Governor Kirk said he would vote against the line. Mr. Dickinson asked whether they would go beyond the line to get fill material. Mr. Adams pointed out that dredging to get fill material would be damaging, according to the conservation reports. In the absence of Mr. Faircloth, Mr. Williams suggested that this matter be deferred.

On motion by Mr. Williams, duly adopted, the Trustees deferred consideration until a time when the Governor and the Attorney General were present.

BREVARD COUNTY - Permit. Jim Rathman Enterprises, Inc., applied for a state permit for construction of four commercial docks in the Indian River at the applicant's upland described as Lots 45 through 54, Section "B", Riverside Drive Subdivision in Section 34, Township 27 South, Range 37 East, Brevard County. All required information and \$100.00 processing fee were submitted, and Staff recommended approval.

On motion by Mr. Dickinson, seconded by Mr. Williams and adopted unanimously, the Trustees authorized issuance of commercial dock permit.

DIXIE AND LEVY COUNTIES - Russell Bourkard of Bonifay, Florida, made application to secure a contract from the Trustees authorizing him to conduct a "deadhead" log operation in the Suwannee River southerly of the bridge on U. S. 19 at Fannin Springs. He offered to pay \$5,00 per thousand on all logs recovered and processed into lumber. He had an agreement with Georgia Pacific to deliver a supply of pine lumber cut from recovered logs on a trial basis and was most anxious to commence operations, but he indicated that total recoveries would not exceed perhaps 5 or 6 thousand feet per month since his operation would be quite small.

The Director said that another similar request was received from Davis Elmore, and that both small operations appeared to offer no damage. A review of the files indicated that the Trustees had authorized several similar agreements, none of which was of long duration, and the \$5.00 per thousand offer was not out of line. Staff recommended award of contract to each applicant covering the Suwannee River and perhaps other rivers upon request, based on provisions and conditions as approved by the office of the Attorney General, and subject to condition that the agreements be so worded as to provide adequate protection to the state for collection of the payments that would be due under the terms of the agreements for recovery of these logs and processing into lumber.

Motion was made by Mr. Williams, seconded by Mr. Conner and adopted unanimously, that the Trustees authorize contracts with the two parties applying to remove "deadhead" logs subject to the above conditions recommended by the Staff.

ST. LUCIE COUNTY - Lease. Indian River Broadcasting Company was the holder of Lease No. 1010 covering a parcel of submerged land in St. Lucie County consisting of 4.9 acres, more or less, on which was situate their radio tower. Rental of \$150.00 per year was paid for the lease, which expires on August 19, 1970. Frank Fee, attorney for the company, requested renewal of the lease for a period of 15 years with a modified description of 1.36 acres. Both the City of Fort Pierce and the Board of County Commissioners of St. Lucie County waived objection to extension of the lease. The county was owner of upland property adjacent to the tower installation.

Staff recommended approval upon condition that the annual rental be increased to \$175.00 subject to review of the lease upon the expiration of each 5-year period to determine appropriate rental to be charged for the ensuing 5-year period.

Mr. Adams raised questions regarding the amount of rent and whether the installation blocked use of the area for recreation, and Mr. Conner asked if it was a safety hazard. After discussion and in view of the fact that the radio tower was already in place and no objection was made by the city or county, motion was made by Mr. Williams, seconded by Mr. Adams, and adopted unanimously, that the Trustees authorize renewal of the lease for 15 years at \$175.00 annual rent, subject to review each 5-year period as recommended by the Staff, for the reduced area, now 1.36 acres.

VOLUSIA AND INDIAN RIVER COUNTIES - Permits. The following two applications were presented, with request for consideration by the Trustees of policy regarding procedure the Staff should follow in such navigation and public works projects:

1. The City of Daytona Beach applied for permission to install a 16-inch water main buried in a trench across the Intra-coastal Waterway 1.1 miles south of the Orange Avenue Bridge, in Volusia County.
2. Archie Smith of Sebastian, Florida, applied for permission to dredge a navigation channel 100 feet long by 40 feet wide and 4 feet in depth. This channel met the criteria set by the Trustees.

In the past, action on valid navigation and other public works projects was taken at staff level. The Florida Board of Conservation had followed a policy of not objecting to navigation and public works projects when they conformed to rules or criteria adopted by the Trustees.

Chapter 67-393 Laws of Florida provides that the Trustees may require a Florida Board of Conservation report on all navigation and public works projects unless waived by the Trustees. Under the new law, Section 253.13 Florida Statutes prohibits any type of operation seaward of the bulkhead lines, except that works under 2(a) "For the construction, improvement or maintenance of navigation channels and drainage and water control facilities," and 2(b) "For the construction of trenches for the burial or installation of water, sewer, gas, oil, gasoline, fuel, electric, telegraph or telephone lines, cables or mains" shall be undertaken after receipt of a permit from the Trustees, which permit shall be granted after consideration of a biological or ecological study unless waived by the Trustees, upon a showing of the public interest which will be served by such works.

The Trustees were requested to authorize the Staff to issue permits for such projects at the staff level as in the past, upon the applications conforming to rules or criteria for navigation channels or serving the public interest. The Director said that quite a number of such applications were received, and it was uncertain whether the Trustees desired each to appear on the agenda.

Mr. Adams said he knew that some of the applications were comprehensive and he would like to become better informed on such matters. Governor Kirk requested that the applications be presented to the Trustees for a while.

Motion was made by Mr. Dickinson, seconded by Mr. Williams and adopted unanimously, that the applications of the City of Daytona Beach and Archie Smith be approved, with the understanding that all such applications for construction and installations beyond the bulkhead line be brought to the Trustees for consideration.

PALM BEACH COUNTY - SS Amaryllis. The U. S. District Court for the Southern District of Florida entered an order authorizing the Trustees to proceed with removal of the stranded vessel, the SS Amaryllis, which had been on the beach in the City of Riviera Beach in Palm Beach County since hurricane Betsy in 1965. All efforts to require removal by the owner, McIntosh Steamship Company, were unsuccessful, the owner had abandoned the vessel, and the Staff was initiating efforts to have it removed at the earliest possible date. No specific plans were formulated at this time, but working with all governmental agencies having an interest, it was hoped that a satisfactory plan could be implemented in the near future to accomplish the objective of removing the vessel.

The Trustees were greatly concerned that the ship with its remaining

The Trustees of the Internal Improvement Fund met on this date in the Board Room of the office of the Governor, in the Capitol.

Present:	Tom Adams	Secretary of State, Acting Chairman
	Earl Faircloth	Attorney General
	Broward Williams	Treasurer
	Floyd T. Christian	Superintendent of Public Instruction
	Doyle Conner	Commissioner of Agriculture

Robert C. Parker Director

The Director requested approval of minutes of the meeting of September 5, 1967, with the last item recorded to be changed, however, to read that the Trustees authorized continued use of Trustees' funds to discharge these responsibilities under the over-all supervision of either the Florida Board of Antiquities or the Board of Archives and History, whichever agency is charged with these responsibilities on or after September 1, 1967.

On motion by Mr. Conner, adopted without objection, the correction was accepted and the minutes of September 5, 1967 were approved.

Before commencing to consider the agenda, the Director said that the Trustees might wish to give consideration to a question he would like to pose with reference to the fact that under new legislation, being Chapter 67-269, one provision was that the Trustees shall not sell or dispose of any lands the title to which is vested in the Trustees except by vote of at least five of the seven Trustees. In case there were only five members present, and one vote against a sale would deny the application which might be construed as final action, the applicant might request that the matter be deferred until all members of the board were present.

Mr. Adams said that when a sufficient number of members were present to constitute a quorum, he thought the Trustees should proceed to act; and if a request were made for reconsideration of an item he was sure the board would be glad to have the matter presented. The applicant could request another hearing, or an absent member of the board might ask for reconsideration.

Mr. Faircloth said he understood the point but thought that the Trustees would do whatever was fair as the situations arose.

MONROE COUNTY - File No. 1949-44-253.12. On July 18, 1967, the Trustees considered application made by Phillips Surveying, on behalf of Bayview Enterprises, Inc., the abutting upland owner, with offer of \$325.00 per acre, the value reported by Staff Appraiser, for purchase of 2 separate parcels of submerged land in the Bay of Florida in Section 21, Township 67 South, Range 26 East, Rockland Key, containing 32.18 acres, more or less, in Monroe County. Notice of sale was published in the Key West Citizen, proof of publication filed, and no objection to the sale was received by the Trustees' office. Staff recommended the sale.

The biological report stated that the parcels were rocky, very

shallow, did not support any marine vegetation, were not sport or commercial fishing areas.

Motion was made by Mr. Faircloth, seconded and adopted, that sale of the advertised parcels be confirmed in favor of the abutting upland owner.

MONROE COUNTY - File No. 1976-44-253.12. On July 25, 1967, the Trustees considered application made by Bailey, Mooney, Post Associates, on behalf of Whitney Bourne Atwood, the abutting upland owner, with offer of \$425.00 per acre, approved by the Staff Appraiser, for purchase of a parcel of submerged land in the Bay of Florida in Section 28, Township 63 South, Range 37 East, Upper Matecumbe Key, containing 0.26 acre, more or less, in Monroe County. The parcel was advertised for objections only in the Key West Citizen, proof of publication filed and no objection received. Staff recommended the sale.

The biological report offered no objection to sale of the parcel of submerged land.

Motion was made by Mr. Faircloth, seconded and adopted, that sale of the advertised parcel be confirmed in favor of the applicant.

MONROE COUNTY - File No. 1995-44-253.12. On July 25, 1967, the Trustees considered application made by Old Island Development, Inc., the abutting upland owner, with offer of the appraised price of \$1000 per acre for purchase of a parcel of submerged land in Key West Harbor, northwesterly of and adjacent to a part of Square 1 in the City of Key West, abutting uplands on the Island of Key West in Township 67 South, Range 25 East, containing 0.6 acre, more or less, in Monroe County. Notice of sale was published in the Key West Citizen, proof of publication filed and no objection received. Staff recommended the sale.

The biological report offered no objection to sale of the parcel of submerged land.

Motion was made by Mr. Conner, seconded and adopted, that sale of the advertised parcel be confirmed in favor of the applicant.

MONROE COUNTY - File No. 1999-44-253.12. On July 25, 1967, the Trustees considered application made by Bailey, Mooney, Post Associates on behalf of J. H. Loverin, abutting upland owner, with offer of \$425.00 per acre, value approved by Staff Appraiser, for purchase of a parcel of submerged land in Blackwater Sound in Section 14, Township 61 South, Range 39 East, Key Largo, containing 0.90 acre, more or less, in Monroe County. Notice of sale was published in the Key West Citizen, proof of publication filed, and no objection from individuals was received.

Although the biological report showed the parcel contained grasses and was a nursery and feeding ground for marine life, the Staff felt that because of its location between two areas previously sold, and its small size, it would be in the best interest of the community for the parcel to be filled and developed. This parcel, if not filled and developed, would create a pocket to catch and hold debris. There is very little tidal action in the general area. Staff

9-12-67

recommended approval of the sale, as it did not appear that the public interest would suffer as much from sale of the small parcel as from an undesirable pocket.

Mr. Adams said he would be against the sale.

Motion was made by Mr. Faircloth, seconded and adopted without objection, that the sale be denied.

PALM BEACH COUNTY - File No. 1963-50-253.12. On July 18, 1967, the Trustees considered application from Brockway, Owen and Anderson Engineers, on behalf of Marbet Corporation, the abutting upland owner, with offer of \$1,800.00 per acre, approved by the Staff Appraiser, for a parcel of submerged land in Lake Worth in Section 28, Township 42 South, Range 43 East, containing 1.19 acres, more or less, in the City of Riviera Beach landward of the established bulkhead line in Palm Beach County. Notice of sale was published in the Palm Beach Post, proof of publication filed, and no objection received.

The Board of Conservation biological study of marine life in the northerly portion of Lake Worth made in 1961 and reprinted in 1963 reported that submerged bottoms were extensively silted on both sides of the intracoastal waterway and that sea grass and nursery grounds for fish and shrimp appeared to be lacking in the area. September 1964 report by the biologist made at the time of establishment of the Riviera Beach bulkhead line showed no valuable sea grass or nursery grounds.

Staff recommended the sale and that credit in the amount of \$654.82 be allowed to the owner. Prior to the date of enactment of the Bulkhead Act on June 11, 1957, and according to the policy in effect at that time, the Trustees received payment of that amount for the material to be used in filling the subject parcel under Section 271.01 Florida Statutes. The owner had not used any of this material.

Motion was made by Mr. Conner, seconded and adopted without objection, that sale of the 1.19 acres be confirmed and credit of \$654.82 be allowed, as recommended by the Staff.

PALM BEACH COUNTY - File No. 1987-50-253.12. On July 18, 1967, the Trustees considered application made by Brockway, Owen and Anderson on behalf of Spencer Boat Company, the abutting upland owner, with offer of \$2,480.00 per acre, value approved by Staff Appraiser, for purchase of a parcel of submerged land in Lake Worth in Section 10, Township 43 South, Range 43 East, 1.306 acres, more or less, in the City of West Palm Beach, Palm Beach County, landward of the established bulkhead line. Notice of sale was published in the Palm Beach Post, proof of publication filed and no objection to the sale was received.

The Board of Conservation biological study of marine life for the northerly portion of Lake Worth made in 1961, reprinted in 1963, reported that the submerged bottoms were extensively silted on both sides of the intracoastal waterway, and that sea grass and nursery grounds appeared to be lacking in the area. May 1963 report made when changes in the bulkhead line were being considered showed that the area within the line did not contain valuable sea grasses. Staff recommended approval of the sale.

Motion was made by Mr. Christian, seconded and adopted unanimously, that the Trustees confirm sale of the advertised parcel to the abutting upland owner.

PALM BEACH COUNTY - File No. 2002-50-253.12. On July 18, 1967, the Trustees considered application from Adair and Brady on behalf of County Builders' Association of Florida, Inc., the abutting upland owner, with offer of \$1,795.00 per acre, value approved by Staff Appraiser, for purchase of a parcel of sovereignty land in Lake Worth in Section 21, Township 42 South, Range 43 East, in the Town of Lake Park, containing 0.47 acre, more or less, which was filled subsequent to the enactment of the Bulkhead Act, being a strip of land 30 feet wide and approximately 675 feet long, landward of the established bulkhead line. The application was made to clear title in the upland owner.

Notice of sale was published in the Palm Beach Post, proof of publication filed in the Trustees' office, and no objection filed. Staff recommended confirmation of sale of the small filled parcel.

On motion adopted without objection, the Trustees approved the recommended sale to clear the title.

BROWARD COUNTY - File No. 2013-06-253.12. On July 18, 1967, the Trustees considered application from William Gundlach on behalf of August Urbanek, the abutting upland owner, with offer of \$10,500.00 per acre, value approved by Staff Appraiser, for purchase of a parcel of submerged land in New River Sound in Section 12, Township 50 South, Range 42 East, landward of the established bulkhead line in the City of Fort Lauderdale, Broward County, lying easterly of and across SE 26th Avenue from Lots 1, 2, 3, 29, 30, 31 and 32, Block 12 of Idlewyld Subdivision as recorded in Plat Book 1, Page 19, Public Records of Broward County, containing 0.18 acre, more or less. Notice of sale was published in Fort Lauderdale News, proof of publication filed.

Objections were received from several individuals, from Idlewyld Improvement Association, from one riparian owner who stated that the area should be preserved for public use, and from Representative George L. Caldwell, attorney, who requested deferment to allow investigation of the riparian interest of the applicant.

The applicant had placed on record an instrument restricting the use of this area, if acquired, for the residents of the condominium building to be constructed on the upland.

In view of the questions and objections raised after preparation of the printed agenda, the Staff requested deferment.

The biological report offered no objection to the extension offshore in the heavily dredged and filled waterfrontage of downtown Fort Lauderdale.

On motion by Mr. Williams, adopted without objection, the Trustees postponed further consideration of the application.

DUVAL COUNTY - File No. 2015-16-253.12. On July 18, 1967, the Trustees considered application made by Lonnie Wurn, attorney, on

behalf of St. Johns Shores, Inc., the abutting upland owner, with offer of \$250.00 per acre, the value approved by the Staff Appraiser, for purchase of a tract of submerged land in the St. Johns River in the Mill Cove area in Section 28, Township 1 South, Range 27 East, containing 43.0 acres, more or less, landward of the established bulkhead line in Duval County. Notice of sale was published in the Florida Times Union, proof of publication filed in the Trustees' office.

The Florida Board of Conservation report made for other sales in the area stated that it was not a commercial or sport fishing zone, there was no vegetation except a narrow fringe of marsh in the cove each of Reddie Point, that the river was polluted, and that the two parcels recently sold in the area lay largely within a spoil area for Jacksonville harbor dredging.

Objections were received from George Fish for LaVilla Investment Company, owner of the east portion of Lot 14, Bennett Park, and from Eugene Wallace, riparian owner of nearby property. Mr. Fish's objections, largely on conservation grounds, were previously set forth in his objection to another recent application. Also, he and Mr. Wallace mentioned a creek and drainage which might be affected.

There being no conservation values to be protected, and other sales having been made in the area after re-examination of the bulkhead line by the county and reconsideration of the appraised price, the Staff recommended on the printed agenda that the objections be overruled and the sale confirmed. After preparation of the agenda, a number of objections were received apparently as a result of a short article in the local newspaper calling attention to the sale and to conservation of natural resources in a general manner, but without specific detail to the particular conditions in this area. On the sale date a petition was received requesting a hearing.

Objections were received on September 8 from the Izaak Walton League.

The Director said he had been requested by two State Senators from the area to postpone the matter.

Mr. Wurn, on behalf of his client, the applicant, said he had practiced in Jacksonville for many years, that this was an application for purchase which was started in 1961 by requesting the county to set the bulkhead line, that a bulkhead line for a long shoreline area was located by the county engineer, approved by the Board of County Commissioners of Duval County, approved by the Trustees and more than 50% of the land along this line had been approved for sale by the Trustees. He said the State Board of Conservation had surveyed the area which was a spoil area with no fish or oysters.

Also, Mr. Wurn pointed out the shallow depth noted on the map prepared by the U. S. G. S., indicating mud flats, said his client owned about one-half mile frontage on the river, his land was swampy and development would be expensive. He showed the members a number of photographs to substantiate his description of the land. He recalled that last December when two sales in this vicinity were being considered, the Trustees deferred action and the bulkhead line was re-examined and re-affirmed by the county engineer and the Board of County Commissioners of Duval County. He expressed the opinion that the objections were unfounded, probably based on a newspaper story appearing three days ago which did not contain the correct information.

Mr. Adams said he thought the Staff recognized that and had recommended that the sale be confirmed. But in the light of the recent objections the matter would be taken under advisement.

Motion was made by Mr. Faircloth, and adopted without objection, that further action be postponed because of the large number of objections received.

MONROE COUNTY - File No. 1912-44-253.12. On July 25, 1967, the Trustees considered application from Dr. Russell L. Scholl, abutting upland owner, who offered \$425.00 per acre, approved by Staff Appraiser, for purchase of a parcel of submerged land in the Bay of Florida in Section 5, Township 66 South, Range 33 East, 0.21 acre at Crawl Key No. 3 in Monroe County. Notice of sale was published in the Key West Citizen, proof of publication filed.

Because of certain questions raised by Mr. Ralph E. Cunningham, Jr., involving the validity of the title to the uplands held by the applicant, the Staff recommended that action be deferred.

It was so ordered.

PALM BEACH COUNTY - File No. 1970-50-253.12. On July 18, 1967, the Trustees considered the application from Brockway, Owen and Anderson Engineers, on behalf of Hallie B. Hicklin, abutting upland owner, with offer of \$5,234.86 per acre, approved by the Staff Appraiser, for purchase of a parcel of submerged land in Lake Worth in Section 22, Township 43 South, Range 43 East, Town of Palm Beach, containing 0.575 acre, more or less, in Palm Beach County landward of the established bulkhead line. Notice of sale was published in the Palm Beach Post, proof of publication was filed in the Trustees' office.

The Board of Conservation biological report offered no objections to the sale. Objections were received from J. M. Ballentine, a riparian owner near the application parcel, and from Margaret and Avy B. Smith, citing the beauty of the area near a Lake Trail and loss to other property owners along said trail. One party raised a legal question regarding the Lake Trail and the applicant's right to purchase. The Staff recommended deferment.

Without objection, the Trustees deferred action on this application.

MONROE COUNTY - File No. 1950-44-253.12. Henry E. Coleman, attorney, on behalf of Fred P. Henning et ux, abutting upland owners, offered \$425.00 per acre, the established price, for a parcel of submerged land in Hawk Channel lying southerly of Stock Island in Township 67 South, Range 25 East, Monroe County.

The original application submitted by the applicant was for 26.65 acres lying southerly of his upland. He agreed to reduce his application to 3.47 acres when the biological report received under date of January 16, 1967, recommended a cutback so as not to extend more than 250 feet offshore from his present property line. Staff recommended advertisement of the 3.47 acre parcel.

Motion was made by Mr. Conner, seconded and adopted, that the 3.47 acres be advertised for objections only.

MARTIN COUNTY - File No. 1959-43-253.12. Crary, Crary and Crary, attorneys, on behalf of F. W. Michaux, the abutting upland owner, offered \$425.00 per acre, approved by Staff Appraiser, for purchase

of a parcel of submerged land in the Indian River in Section 1, Township 38 South, Range 41 East, containing 0.54 acre in the Town of Sewall's Point in Martin County, landward of the established bulkhead line.

The applicant agreed to reduce his original application from 1.19 acres to 0.54 acre. The biological report from the Board of Conservation received on July 17, 1967, recommended that no sale of submerged land be made beyond a line 60 feet parallel to the shore line, so as to preclude filling the grassy area serving as nursery grounds. Staff recommended advertisement for objections.

Motion was made by Mr. Conner, seconded and adopted, that the 0.54 acre parcel be advertised for objections only.

DADE COUNTY - Bulkhead Line. The Board of County Commissioners of Dade County on May 3, 1966, adopted Resolution No. R-451-66 locating the bulkhead line for the west shore of Card Sound and Barnes Sound in the reach from Mud Point to the north bank of Manatee Creek at U. S. Highway No. 1 in the unincorporated areas of Dade County. There were six objectors at the local level, the basic objection to this alignment being that the line was too close to shore. One objector filed suit against the Board of County Commissioners objecting to the bulkhead line as established in Section 13, Township 59 South, Range 39 East. Subsequent to the filing of this suit, the Board of County Commissioners on December 5, 1966, vacated and rescinded that portion of Resolution No. R-451-66 insofar as it related to bulkhead lines in said Section 13, and directed a rehearing on that portion of the line.

The bulkhead line presented for approval represented the culmination of conferences and field trips by Dade County Planning and Engineering personnel, members of the Staffs of the Trustees and of the Florida Board of Conservation. The Staff recommended approval of the bulkhead lines in Resolution No. R-451-66, excepting therefrom the portion vacated and rescinded by the county. Board of Conservation biologist Kenneth D. Woodburn was at the meeting on this date and confirmed the approval of the Board of Conservation Staff.

Mr. Faircloth called attention to a portion of the conservation report regarding shallow grassy productive bottoms which the Director said had reference to the next item on the agenda in which it was recommended that bulkhead lines be eliminated around the Arsenicker Keys.

Motion was made by Mr. Faircloth, and adopted unanimously, that the Trustees approve the bulkhead lines set by Dade County in Resolution No. R-451-66 excepting therefrom the portion vacated and rescinded by the county in Section 13, Township 59 South, Range 39 East.

DADE COUNTY - Bulkhead Line. The Board of County Commissioners of Dade County on February 21, 1967, adopted Resolution No. R-182-67 which eliminated the bulkhead lines around the Arsenicker Keys in the unincorporated area of Dade County. All required exhibits were furnished, and there were no objections at the local level. It was learned that Dade County intended to make application to the Trustees for acquisition of the Arsenicker Keys to be held in trust by Dade County.

Motion was made by Mr. Faircloth, and adopted unanimously, that the Trustees approve the action of the Board of County Commissioners of Dade County eliminating the bulkhead lines as shown in the county Resolution No. R-182-67.

LEE COUNTY - The Board of County Commissioners of Lee County on behalf of the United States of America made application for additional right of way for channel improvement for the Fort Myers Beach Boat Harbor located in Sections 13 and 14, Township 46 South, Range 23 East, Lee County, containing 3.05 acres to be added to allow a greater turning area for the entrance channel. For this important commercial and pleasure boat channel project, the Staff recommended that the making of a biological study of the area be waived and the additional easement be granted.

Mr. Faircloth commented that there was no question but that such work would be adverse to biological values, but the project would be in the public interest for navigation. Mr. Adams said there would be no way to do it without some biological damage.

Motion was made by Mr. Williams, and adopted unanimously, that the application for additional right of way be approved.

LEON COUNTY - In order to construct and maintain the Indian Mound Road (Sec. 55524-2601) on land title to which is held by the Trustees for the use and benefit of the Outdoor Recreational Development Council, the State Road Department requested (1) dedication of a 0.17 acre parcel of land in Section 10, Township 1 North, Range 1 West, for road right of way, and (2) perpetual drainage easement over a 0.10 acre parcel in said Section 10.

Also, the State Road Department requested subordination of encumbrance covering the interests held by the Trustees, being an easement across lands owned by Lowell D. Crowder in this same area, in connection with the said access road to the Indian mounds.

Staff recommended that authority be granted to process all the instruments requested by the State Road Department.

On motion by Mr. Faircloth, adopted without objection, the Trustees approved the recommendation.

MANATEE COUNTY - File No. 274-41-253.124. In recognition of the request from the Town of Longboat Key in Manatee County, Florida, staff recommended approval of fill permit issued by the town on August 25, 1967, to said Town of Longboat Key under the provisions of Section 253.124 Florida Statutes as amended by Chapter 67-393, Laws of Florida, Acts of 1967, to fill one of the three mangrove flats in Sarasota Bay in Section 31, Township 35 South, Range 17 East, containing approximately 10 acres, which were conveyed to the town by action of the Trustees on November 25, 1958.

The Florida Board of Conservation marine biologist, K. D. Woodburn, by letter of August 30 to the Town of Longboat Key reported on the permit to dredge and fill (U. S. Corps of Engineers SAJSP Permit 67-510) not unfavorably, as the dredging for material would be from existing and proposed channels with diking of fill areas to minimize siltation. It was pointed out that some productive, grassy bottom

would be eliminated and a suggestion was made that bulkhead lines be redrawn to contain only each of the three town islands individually.

After preparation of the printed agenda, many objections were received based on conservation of natural resources, and some mentioned economic factors involved in the town's plan. In the file were several letters from Samuel Y. Gibbon objecting to the fill permit on behalf of Longboat Key Estates Club Assoc., Inc.

Mr. Adams asked if the town was represented at the meeting and there was no response.

Town Commissioner Michael Brescia, who was not in favor of the project, said there was no report on the advisability of the plan, no source of funds for the project which would be very expensive, and as he had no information on which to base his decision he had abstained from voting at the special commission meeting. He felt there was land on the main island for the municipal complex so that the 10-acre island would not have to be used.

Attorney William H. Namack represented property owners who live on Longboat Key and also Leroy Smith, in opposition to this municipal complex proposal. In his opinion the dredge and fill permit was not issued properly nor requirements of the new law complied with as he understood the provisions.

Secretary of State Adams said he knew that the Trustees did approve a bulkhead line embracing the three islands, that the Trustees refused to grant the city's application for conveyance of 93 acres of submerged land, which made it appear to him as if the 3 islands were conveyed to be held in trust. However a right of way for a causeway was granted, he said, with apparently no determination of the cost of the development desired by the city or how it will be financed. He did not know the original intent of the town when they acquired the 3 islands.

Mr. Conner said that in view of the lack of any definite plan and the statement by a city official that there is adequate area on the main island for the municipal buildings, he made a motion that the application be denied. Motion was seconded by Mr. Williams and unanimously adopted.

MONROE COUNTY - By resolution adopted in meeting August 18, 1967, the Florida Board of Parks and Historic Memorials made application for dedication from the Trustees of the submerged lands lying between the westerly boundary of John Pennekamp Coral Reef State Park and Key Largo, including the submerged land in Largo Sound and the various inlets along the easterly coast of Key Largo, for use in connection with the operation and maintenance of the park.

Staff recommended that dedication be authorized, but to contain the provision that the statutory riparian rights and the right to purchase the riparian bottom lands by any affected upland owner not be impaired in any manner.

Motion was made by Mr. Conner, seconded and adopted, that the requested submerged land be dedicated to the Florida Board of Parks and Historic Memorials for use in connection with the John Pennekamp Coral Reef State Park, with provision in the instrument as recommended by the Staff.

SHELL LEASES - The Trustees accepted as information the following report of remittances to the Florida Board of Conservation from holders of shell leases:

<u>Lease No.</u>	<u>Name of Company</u>	<u>Amount</u>
1718	Radcliff Materials, Inc.	\$11,718.80
1788	Benton and Company	4,466.68
2233	Bay Dredging & Construction Company	6,403.69
2235	Ft. Myers Shell & Dredging Co.	440.47

PALM BEACH COUNTY - The Division of Corrections requested use of additional land for extending the east-west runway of the Belle Glade State Airport an additional 1290 feet. The present airport, located on 93.94 acres in the SW $\frac{1}{4}$ of Section 29, Township 43 South, Range 37 East, Palm Beach County, is under Lease No. 1851 to the Board of Commissioners of State Institutions for the use and benefit of the Division of Corrections. The Division has the primary responsibility of management and maintenance of the airport, and the surrounding land is devoted to cattle grazing by the Glades Correctional Institution. The Institution advised that extension of the runway would have little effect on their cattle grazing.

Staff recommended modification of Lease No. 1851 to include the S $\frac{1}{2}$ of SW $\frac{1}{4}$ of SE $\frac{1}{4}$ of Section 29, Township 43 South, Range 37 East, for extension of the runway.

Motion was made by Mr. Faircloth, seconded by Mr. Christian and adopted unanimously, that the Trustees grant the request and authorize modification of Lease No. 1851 to include the additional area for the airport runway.

PINELLAS COUNTY - The City of Clearwater by Resolution No. 67-80 adopted August 28, 1967, requested permission to remove certain shoal areas located in St. Joseph Sound and Mandalay Channel in Township 29 South, Range 15 East, in said city in Pinellas County. Removal of the shoal areas will improve navigation and water recreation facilities, and the dredge material will be placed on fill area designated by SAJSP Permit 56-17 for Island Estates in Big Mangrove Island and Pope Island-Cow Section.

Biological survey made by the Florida Board of Conservation offered no objection to the dredging project. Modification of the dredge area was requested by the city as an emergency item, as it was imperative that work begin by September 15, 1967, if the city was to accomplish the work at no cost. City Engineer Max G. Battle and Wallace Skinner were present, and in answer to question by Mr. Christian the former said there had been no local objections to the proposed dredging.

On motion by Mr. Christian, adopted without objection, the Trustees approved the request of the City of Clearwater.

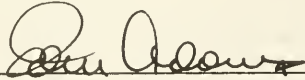
ST. LUCIE COUNTY - Under date of May 28, 1929, the Trustees executed Deed No. 17895 under authority of Chapter 13667, Laws of Florida, Acts of 1929, conveying to the City of Fort Pierce a 475.63 acre tract of submerged land in the Indian River in Sections 34 and 35, Township 34 South, Range 40 East, St. Lucie County, for \$125.00 per

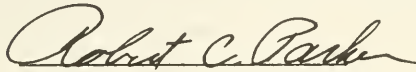
acre consideration. As provided by said Act, the deed contained restrictive covenant that said city shall at all times retain this property for municipal purposes only and shall in no case dispose of it to private interests.

House Bill 2484 enacted into law during the past Legislative Session authorized the Trustees to execute a good and sufficient deed of conveyance to the city describing said land, or an instrument in the nature of a disclaimer, to eliminate the restrictive covenant. The Director said that the city had paid a good price for the land in 1929.

On motion by Mr. Christian, seconded and adopted unanimously, the Trustees authorized issuance of an instrument which would eliminate the restrictive covenant in Deed No. 17985.

On motion duly adopted, the meeting was adjourned.


SECRETARY OF STATE - ACTING CHAIRMAN

ATTEST: 
DIRECTOR - SECRETARY

* * * * *

Tallahassee, Florida
September 19, 1967

The Trustees of the Internal Improvement Fund met on this date in the Board Room of the office of the Governor, in the Capitol.

Present: Tom Adams Secretary of State, Acting Chairman
Earl Faircloth Attorney General
Fred O. Dickinson, Jr. Comptroller
Broward Williams Treasurer
Doyle Conner Commissioner of Agriculture

Robert C. Parker Director

On motion by Mr. Conner, duly adopted, the Trustees approved the minutes of the meeting of September 12, 1967.

LEE COUNTY - File No. 2025-36-253.12. Application was submitted by Richard D. DeBoest on behalf of Grafton Development Company, abutting upland owner, with offer of \$2,000 per acre, more than the appraised value, for purchase of a parcel of submerged land in Matanzas Pass in Section 24, Township 46 South, Range 23 East, containing 0.311 acre in Lee County landward of the established bulkhead line. Staff recommended advertisement for objections only.

The Board of Conservation in their biological reports of the area dated March 17 and May 16, 1967, offered no objections to the establishment of the bulkhead line and the proposed improvements landward thereof.

Mr. Adams asked how the values were determined, saying this was one phase he thought the board was concerned about in the sale of land.

The Director said the Staff made every effort to secure correct valuations, sometimes using records in the files with respect to similar property, or ordering appraisals made.

Motion was made by Mr. Conner, seconded by Mr. Faircloth and adopted unanimously, that the parcel be advertised for objections only.

MONROE COUNTY - File No. 491-44-253.12. Application was presented from Sea Farms, Inc., abutting upland owner, with no offer made, for purchase of a parcel of submerged land in the Bay of Florida in Section 6, Township 66 South, Range 28 East, containing 9.99 acres in Tarpon Belly Keys, Monroe County. The application was withdrawn from the agenda on July 25 for further study. Although it lay wholly within the Great White Heron Refuge which was created by action of the Trustees August 12, 1936, by appropriate resolution in which it was stated that the area located within the boundaries as described in the resolution was withdrawn and would be subject to the purpose and conditions set forth in the resolution. It was further stated in the resolution that all areas located within the boundaries of the sanctuary were dedicated to become part of an inviolate sanctuary for all forms of bird life under the supervision of the United States Biological Survey. For the reason that the executive order establishing the refuge had not become effective in 1936, the action of the Trustees was reaffirmed by a resolution adopted on January 31, 1940. The executive order had become effective on October 27, 1938.

Upon receipt of the application the Staff requested advice of the Attorney General as to the legal authority to make a sale of submerged land located within the sanctuary, and by letter of June 23, 1967, Attorney General Faircloth advised the Director that the Trustees, being the owners of the submerged land involved, have full right and authority to convey the same in accordance with existing laws and rules and regulations but that such a conveyance of submerged lands located within the sanctuary should be subject to the dedication, and any conveyance of submerged land within the sanctuary should be upon condition that the grantee or purchaser, or its successors and assigns, could not violate or use and occupy the property in any manner that would be detrimental to the rules and regulations or directions prescribed or given by the Federal Government in connection with this wildlife reservation.

The Director said this was an unusual situation, that the applicants desired to use the subject land for shrimp farms, but that some reservations were expressed by Mr. Robert Ingle of the Board of Conservation.

Mr. Adams said the members should look into the matter very carefully as it is in a dedicated area, but that the applicant proposed to use techniques of producing shrimp as done in Japan, that can only be done where there is a sufficient area and water flow, and if successful it would be a great boon to the State of Florida.

On motion adopted without objection, the Trustees authorized advertisement of the parcel for objections only.

POLK COUNTY - File No. 1984-53-253.36. Peterson, Peterson & Harris on behalf of Skinner Groves, Inc., abutting upland owner, offered the appraised value of \$500.00 per acre for a parcel of reclaimed lake bottom land in Lake Bonny in Section 20, Township 28 South,

Range 24 East, containing 5.13 acres in the City of Lakeland in Polk County. Staff made inquiry as to possible public use of the parcel. No interest was expressed locally, the site offered relatively little outdoor recreation potential, and the Outdoor Recreational Development Council Director advised that there was no objection to the application for purchase by the riparian upland owner. Staff recommended conveyance without advertising in accordance with the usual policy of the Trustees for sale of reclaimed land of this kind to the abutting upland owner.

The Director said that such land had not been advertised in the past, that since the statute gives the upland owner preferential right to buy if the Trustees sell, the Staff felt that advertisement was unnecessary. He said that was a matter of policy which the Trustees might decide; but if such land were to be advertised, should be same procedure be used as in sales of submerged lands? Answering Mr. Adams' question regarding bottom lands around lakes at low stages, he said that sale was considered only when the lake was permanently lowered and stabilized, and the land permanently reclaimed.

Attorney General Faircloth said he thought, regardless of the legal right of the upland owner, that it should be brought to the public attention that the land was going to be sold and he would like to see it advertised. He said that sovereignty lands were being disposed of, and the same procedure should be followed as other sovereignty land sales, with adjacent owners notified.

Motion was made by Mr. Faircloth, and adopted without objection, that the parcel applied for by Skinner Groves, Inc., be advertised for objections, and that the Trustees change the policy and require advertisement of reclaimed land to be sold, complying with all procedures now used for the sale of submerged sovereignty land.

CITRUS COUNTY - The Trustees under date of August 5, 1964, granted to the Canal Authority of the State of Florida a temporary spoil disposal easement covering fifteen areas in the Gulf of Mexico in Townships 17 and 18 South, Ranges 14, 15 and 16 East, needed in connection with the Cross-Florida Barge Project, said easement to terminate July 1, 1968. The United States through the Corps of Engineers has undertaken to improve the original spoil islands created by excavation of the present channel for recreation purposes, and has requested that the easement covering seven of the spoil islands be extended to December 31, 1969. Staff recommended approval.

Motion was made by Mr. Conner, seconded by Mr. Williams and adopted unanimously, that the Trustees grant the request for extension of the termination date to December 31, 1969.

LEE COUNTY - The West Coast Inland Navigation District on behalf of the United States of America requested an easement covering an additional parcel of submerged land in San Carlos Bay in Section 11, Township 46 South, Range 22 East, containing 8.96 acres, abutting the present right of way of the Intracoastal Waterway. The additional right of way was needed for the transition angle between Cut L-2 and Cut L-4 of the channel. For this important waterway along the West Coast of Florida, the Staff recommended that the additional easement be granted without requirement of a biological study, which may be waived under provisions of the new act.

On motion unanimously adopted, the Trustees granted the request for easement over the additional parcel of submerged land.

SARASOTA COUNTY - File No. 2026-58-253.129. Staff requested authority to issue a disclaimer under the provisions of Section 253.129 Florida Statutes covering 2 lots in a platted subdivision in Section 34, Township 36 South, Range 17 East, in the City of Sarasota, Sarasota County, which were filled prior to May 29, 1951. Michael J. Furen, attorney for Allan L. Mandell, et ux, the owners, remitted the \$10.00 handling charge.

On motion by Mr. Williams, adopted without objection, the Trustees authorized issuance of the disclaimer for the usual charge.

PINELLAS COUNTY - Pinellas County Water and Navigation Control Authority on behalf of Galt Construction Co., Inc., submitted application for two permits for construction in Boca Ciega Bay in Pinellas County of (1) a 36-foot dock for Shore Plaza Apartments at 1893 Shore Drive South in South Pasadena, and (2) two 48-foot docks for Shore Manor Apartments at 1898 Shore Drive South in South Pasadena. All required exhibits, including \$100 processing fee for each permit, were submitted and the Staff recommended approval.

On motion by Mr. Faircloth, duly adopted, the Trustees authorized issuance of the two state commercial dock permits.

HIGHLANDS COUNTY - Application was made by A. E. Austin, Jr., for a permit to remove approximately 2,000 cubic yards of fill material from Lake Clay in Highlands County. All required exhibits, including \$100.00 in payment for the material, were submitted. The Florida Game and Fresh Water Fish Commission inspected the site and offered no objection to issuance of the permit to include the standard stipulations as to dredging. Staff recommended approval.

On motion adopted without objection, the Trustees authorized issuance of permit for removal of the requested amount of fill material.

POLK COUNTY - William Ellsworth applied for a permit authorizing the removal of approximately 400 cubic yards of fill material from Little Lake Bonny in Polk County. All required exhibits, including \$25.00 in payment for the fill material, were submitted and the Staff recommended approval. The Florida Game and Fresh Water Fish Commission inspected the site and offered no objection to issuance of the permit.

On motion by Mr. Conner, adopted without objection, the Trustees authorized issuance of permit for removal of the requested fill material.

POLK COUNTY - On August 22, 1967, the Trustees took no action pending review by the Attorney General of the application made by Muriel I. Brobecker and Virginia W. Ornat for after-the-fact permit for removal of approximately 450 cubic yards of fill material from Lake Rosalie in Polk County for improvement of their upland property in Sections 21 and 22, Township 29 South, Range 29 East.

Motion was made by Mr. Faircloth, and adopted unanimously, that the Trustees authorize issuance of the permit, the applicants having paid \$25.00 for the fill material removed.

LEE COUNTY - Bulkhead Line. Dr. M. Lee Pearce, attorney for Gulf American Corporation, had requested submission to the Trustees for final determination with respect to the petition that the Trustees establish a bulkhead line along the Easterly shore of Matanzas Pass in Charlotte Harbor in Sections 2, 11, 12 and 13, Township 44 South, Range 23 East, and in Sections 14, 23, 26 and 35, in Township 43 South, Range 22 East, Lee County. The Trustees had considered the matter on July 25 and August 29, 1967, and deferred action.

It was suggested that action not be taken on this date. Mr. Adams said several members would like to hold the matter in abeyance, and that in discussing the application it had become apparent to him that not only a conservation question was involved but also legal considerations which he would recommend that the Attorney General be asked to pursue on behalf of the Trustees.

Mr. Faircloth expressed concern not only regarding the negative conservation report but also with respect to a legal situation involving decision of the Supreme Court and rights which might have accrued to owners who had paid taxes for many years based on original government surveys.

The Director said that normally the courts had held that the dividing line of ownership was the line of mean high water and that efforts of owners to claim beyond that would not be superior for the reason that the Trustees did not have authority to sell beyond that line at that time.

Without further discussion, the Trustees referred the application for a bulkhead line to the Attorney General for study and recommendation.

PALM BEACH COUNTY - SS Amaryllis. On September 5, 1967, the Trustees had asked for a report on progress to have the stranded vessel SS Amaryllis removed from the beach in the City of Riviera Beach, and the two weeks being up, the Secretary of State mentioned the matter again. The Director reported having been in touch with a number of people and the office of the Governor, and said the matter would be pursued to the fullest, trying not to prejudice the rights of the state as to damage or our efforts with the United States Army Corps of Engineers.

Mr. Adams said it was good to have a report as public information.

CAPITOL CENTER PROPERTY - Trustees' Funds. Upon motion of the Attorney General, seconded by the State Treasurer, and adopted unanimously, the Trustees did adopt a resolution (an executed copy of which is placed in the Trustees' files) incorporated below in these minutes, assuming the obligation of the Board of Commissioners of State Institutions to repay to the working capital fund \$2,514,646.18, advanced to pay for the acquisition of the following described real property:

Lots 161-168 inclusive of the original plan of the City of Tallahassee, Florida, as recorded in the public records of Leon County, Florida, in the office of the Clerk of the Circuit Court, Leon County, Florida.

Transfer of Title. Upon motion of the Attorney General, seconded by the State Treasurer, and adopted unanimously, the Trustees did adopt a resolution (an executed copy of which is placed in the

Trustees' files) incorporated below in these minutes, agreeing to accept title to the above described real property and agreeing to transfer title to said real property to the Florida Development Commission.

R E S O L U T I O N

WHEREAS, the Board of Commissioners of State Institutions has obligated itself to repay certain monies in the total amount of \$2,514,646.18 advanced from the working capital fund to pay for the acquisition of the following described real property:

Lots 161-168 inclusive of the original plan of the City of Tallahassee, Florida, as recorded in the public records of Leon County, Florida, in the office of the Clerk of the Circuit Court, Leon County, Florida, and

WHEREAS, the Trustees of the Internal Improvement Fund are now desirous of assuming this obligation, now therefore,

BE IT RESOLVED by the Trustees of the Internal Improvement Fund that the Trustees of the Internal Improvement Fund do hereby agree to and hereby do assume the aforesaid obligation.

IN WITNESS WHEREOF, we place our hands and seals this 25th day of September, 1967.

(s) CLAUDE R. KIRK, JR. (SEAL)
Governor

(s) TOM ADAMS (SEAL)
Secretary of State

(s) EARL FAIRCLOTH (SEAL)
Attorney General

(s) FRED O. DICKINSON, JR. (SEAL)
Comptroller

(s) BROWARD WILLIAMS (SEAL)
Treasurer

(s) FLOYD T. CHRISTIAN (SEAL)
Superintendent of Public
Instruction

(s) DOYLE CONNER (SEAL)
Commissioner of Agriculture

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R E S O L U T I O N

WHEREAS, on September 19, 1967, the Board of Commissioners of State Institutions did pursuant to the provisions of Chapter 67-269, Laws of Florida, as amended, authorize a transfer of title to the following described real property to the Trustees of the Internal Improvement Fund:

Lots 161-168 inclusive of the original plan of the City of Tallahassee, Florida, as recorded in the public records of Leon County, Florida, in the office of the Clerk of the Circuit Court, Leon County, Florida, and

WHEREAS, Chapter 67-269, Laws of Florida, as amended, provides that the Trustees of the Internal Improvement Fund shall be charged with the responsibility of acquiring, administering, controlling, managing, supervising, conserving, protecting, and disposing of all lands accruing to the State from any source save as excluded therein, and

WHEREAS, the Trustees of the Internal Improvement Fund are desirous of accepting title to the above described property, and

WHEREAS, the Trustees of the Internal Improvement Fund conclude and agree that the best interests of the State of Florida would be served in transferring title to the above described property to the Florida Development Commission in order to facilitate and permit the issuance of revenue bonds for the purpose of financing the construction of legislative facilities to be located on the above described property pursuant to the provisions of Chapter 65-385, Laws of Florida, and Senate Concurrent Resolution No. 438, as passed by the 1967 Session of the Florida Legislature, now, therefore,

BE IT RESOLVED by the Trustees of the Internal Improvement Fund:

That the Trustees of the Internal Improvement Fund do hereby agree to accept title to the above described real property and do hereby agree to the transfer of title to said property to the Florida Development Commission upon receipt of such title from the Board of Commissioners of State Institutions;

That the Director of the Trustees of the Internal Improvement Fund upon receipt of appropriate deed or deeds conveying title to the above described property to the Trustees of the Internal Improvement Fund immediately commence the preparation of all instruments necessary to transfer such title to the Florida Development Commission;

That such instruments be presented to the Attorney General for the purpose of determining their legal sufficiency;

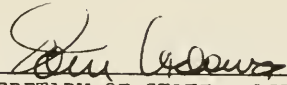
That thereupon the aforesaid instruments be properly executed by the Trustees of the Internal Improvement Fund and be delivered to the Florida Development Commission.

IN WITNESS WHEREOF, we place our hands and seals this 25th day of September, 1967.

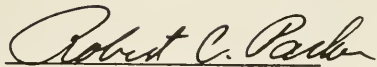
(s)	<u>CLAUDE R. KIRK, JR.</u>	(SEAL)
	Governor	
(s)	<u>TOM ADAMS</u>	(SEAL)
	Secretary of State	
(s)	<u>EARL FAIRCLOTH</u>	(SEAL)
	Attorney General	
(s)	<u>FRED O. DICKINSON, JR.</u>	(SEAL)
	Comptroller	
(s)	<u>BRCWARD WILLIAMS</u>	(SEAL)
	Treasurer	
(s)	<u>FLOYD T. CHRISTIAN</u>	(SEAL)
	Superintendent of Public Instruction	
(s)	<u>DOYLE CONNER</u>	(SEAL)
	Commissioner of Agriculture	

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On motion duly adopted, the meeting was adjourned.



SECRETARY OF STATE - ACTING CHAIRMAN

ATTEST: 
DIRECTOR - SECRETARY

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Tallahassee, Florida
September 26, 1967

The Trustees of the Internal Improvement Fund met on this date in the Board Room of the office of the Governor, in the Capitol.

Present:	Claude R. Kirk, Jr.	Governor
	Tom Adams	Secretary of State
	Earl Faircloth	Attorney General
	Fred O. Dickinson, Jr.	Comptroller
	Doyle Conner	Commissioner of Agriculture

_____	_____
Robert C. Parker	Director

On motion by Mr. Conner, seconded by Mr. Adams and duly adopted, the Trustees approved the minutes of the meeting held on September 19, 1967.

PALM BEACH COUNTY - SS Amaryllis. The Director commented on the memorandum he had sent to each member this morning containing the latest information concerning the plans to remove the steamship Amaryllis now resting partially on sovereignty submerged land and partially on upland property privately owned which presented legal problems. Due to the litigation involving the vessel the owners cannot be required to share in the cost of removing the ship. The U. S. Army Corps of Engineers, after lengthy discussion and negotiations, suggested the following alternate procedures:

(1) The State of Florida can assume full responsibility for the removal of the ship. In this connection, the State has received proposals to accomplish this removal which range from \$88,000 up to \$135,000, with a time lapse to complete the removal of from 6 to 10 weeks;

(2) The State may elect to have the U. S. Army Corps of Engineers assume full responsibility for the removal of the ship and the oil. If this course is followed, the District Engineer, Colonel R. P. Tabb, will prepare specifications and advertise for bids to accomplish the removal and select the qualified low bidder, with all supervisory work to be done by the Corps. The estimated time to accomplish the removal under this procedure is 14 to 18 weeks, with the State sharing in the cost of the removal in this manner on a 50-50 matching basis;

(3) The State may wish to contract with a reputable marine

salvage company to pump the oil from the ship without delay, and with the U. S. Army Corps of Engineers to handle all details for the removal of the ship. The best estimates available from the Corps and other reliable sources for the cost of the removal of the oil range from \$5,000 to \$10,000. This matter has been discussed with the Corps and it meets with their approval, and they have indicated they can participate with the State in the cost of this project on a 50-50 matching basis.

The Director had talked to several parties that made offers to the State, had worked closely with Mr. Nathaniel Reed of the Governor's office, and both recommended the procedure under (3) above.

Mr. Adams said he thought the third procedure was advisable, that the oil should be removed at the earliest possible moment to remove the threat of the ship breaking up and the oil damaging the beaches, and he made a motion that Mr. Reed and those involved proceed with the utmost dispatch.

Mr. Dickinson appreciated being kept informed, and agreed that the suggestion in (3) which was recommended by the Director and Mr. Reed should be followed for the greatest protection not only to the beaches in the immediate vicinity, but also the Palm Beach Inlet, Lake Worth and many cities to the south of the beached ship and along the inland waterway. He said that the hurricane season created more of a crisis and prompt action should be taken. He was sure that Mr. Reed and the Director would recommend the most economical approach consistent with promptness.

Mr. Reed said that Mr. Al Johnson was present, representing General Marine Service and Transportation, Inc., a very reputable company. He had obtained a complete plan of the hull and bunkers of the ship, had been in touch with Belcher Oil Company, and would have a proposal to submit without delay. Mr. Reed said it was not known whether the oil was clean, or polluted and worthless, whereupon Mr. Conner said the Department of Agriculture could take samples. Mr. Reed thought the board might negotiate with Mr. Johnson on a contract with a cost-plus basis, and the company could proceed next week.

The motion by Mr. Adams that the procedure under (3) be followed and that the Staff and the Governor's office negotiate for a contract on a cost-plus basis with General Marine Service and Transportation, Inc., was seconded by Mr. Dickinson and unanimously adopted. The Trustees are to be kept informed, and a special meeting would be called, if needed.

MONROE COUNTY - File No. 1975-44-253.12. On August 1, 1967, the Board authorized advertisement for objections only of 125.05 acres of submerged land in the Bay of Florida lying northwesterly of the Island of Key West in Township 67 South, Range 25 East, and lying northerly of and abutting a spoil island locally known as Wisteria Island, for which tract Phillips Surveying on behalf of FEB Corporation, the abutting upland owner, offered \$300.00 per acre, the price approved by the Staff Appraiser. No objection to the sale was received. Notice of sale was published in the Key West Citizen, proof of publication filed in the Trustees' office.

The configuration of the tract was a modification of the original application area of 170 acres, in order to conform to suggestions of the biologist of the Board of Conservation to protect certain grassy areas. The applicant advised that material would be taken from the channel and canals, and dredging outside of boundaries of

the tract was not anticipated except possibly two or three navigation access channels. Staff recommended the sale.

The Attorney General asked to see the biological report, and requested that he be furnished copies of such reports for his files.

On motion by the Attorney General, seconded by Mr. Adams and adopted unanimously, the Trustees confirmed sale of the advertised land to the applicant at the price offered.

PASCO COUNTY - File No. 2006-51-253.12. On August 8, 1967, the Trustees considered application from J. D. Brown, the abutting upland owner, with offer of the appraised value of \$200.00 per acre for a tract of submerged land in the Gulf of Mexico at the community of Hudson in Sections 32 and 33, Township 24 South, Range 16 East, Pasco County, landward of the established bulkhead line. Notice of sale was published in the New Port Richey Press, proof of publication filed, and no objection to the sale was received.

The biologist of the State Board of Conservation reported that the advertised 77.77 acre tract was dominated by rock and bare bottom except for small patches of seagrass near the western limit, that no commercial fishing was done in the very shallow parcel, and except for fishing in a canal bordering the parcel and the long fill to the north it was not a sport fishing area. The report also stated that dredging and filling according to the development plan would not materially affect marine resources. Staff recommended the sale.

The appraisal for the area had been up-dated by the local appraiser, and the Staff considered the price offered a reasonable return for the land, the Director advised in answer to questions by the Governor and the Attorney General.

On motion by Mr. Adams, seconded by Mr. Dickinson, and adopted unanimously, the Trustees confirmed sale of the advertised land to the riparian owner at the price offered.

MANATEE COUNTY - File No. 455-41-253.12. At the request of the attorney for the applicant, Clyde C. Goebel for the Estate of Bessie Richards, abutting upland owner, the Trustees postponed consideration of the purchase application for 39.97 acres of submerged land in the Manatee River and in Terra Ceia Bay in Section 16, Township 34 South, Range 17 East, landward of the established bulkhead line in Manatee County.

BREVARD COUNTY - The following two applications were presented from abutting upland owners for purchase of submerged land:

1. File No. 1993-05-253.12. Spielvogel & Goldman on behalf of Wendall O. Yount offered the appraised value of \$400.00 per acre for a parcel of submerged land in the Banana River in Section 19, Township 24 South, Range 37 East, containing 11.94 acres landward of the established bulkhead line.

2. File No. 2008-05-253.12. Hall, Hartwell, Hall & Canada on behalf of Wendall O. Yount offered the appraised value of \$400.00 per acre for a parcel of submerged land in the Banana

River in Section 19, Township 24 South, Range 37 East, containing 0.49 acre landward of the established bulkhead line.

The biological report dated October 26, 1965, received from the Board of Conservation at the time the bulkhead line for the area was being considered by the Trustees, was not considered adverse to the sale of these parcels of submerged land. Attorney General Faircloth noted the language, "was not considered to be adverse", and the Director said that some conservation reports did not conform to the requirement to give a recommendation, which was being requested by the Staff. At this time there was a backlog of requests for biological reports and the Staff had advised the biologist of the Board of Conservation there was no rush.

Motion was made by Mr. Adams, seconded by Mr. Conner and adopted unanimously, that the two above applications for purchase of land in Brevard County be approved for advertisement for objections only.

PALM BEACH COUNTY - File No. 1980-50-253.12. Application was made by William G. Wallace, Inc., for Henry T. Goode, the abutting upland owner, with offer of the appraised value of \$1,937.50 per acre for a parcel of submerged land containing 0.29 acre in the Jupiter River (Hobe Sound) in Section 30, Township 40 South, Range 43 East, Gomez Grant, landward of the established bulkhead line in Palm Beach County.

Although the biological report received from the Board of Conservation under date of August 24, 1967, showed the area to be a nursery ground and feeding area for marine life, the Staff felt that because of the physical location and the consent of the upland owners to the relocation of State Road No. 707 and the numerous sales of bottom lands beyond or westerly of the road right of way already confirmed by the Trustees, this sale should be authorized for advertisement for objections.

The Director also advised the Board that the county had made a deed to this right of way for the relocation of the highway, and included in the deed a number of parcels of submerged land title to which was in the Trustees. A number of the owners had granted consent for the right of way under Section 253.126, and to protect their riparian rights the Staff felt that overruling of conservation factors might be justified.

Mr. Dickinson made a motion that the recommendation of the Staff be accepted.

Mr. Adams commented he understood that the federal government had placed a value of \$25,000 for nursery purposes. He said that the bulkhead line had been established locally, approved and sales made by the Trustees, but that to continue to sell in conservation areas would nullify the values we were trying to establish. He suggested that it was a bad bulkhead line. In the future he would propose that the Staff of the Trustees and of the Board of Conservation develop means of reviewing bulkhead lines to determine if errors in judgment were made and how they might be corrected.

Mr. Faircloth said the Legislature had declared a new policy, and each application should be considered on its merits alone without reference to errors which might have been made in the past, that without the change in policy there might be an equitable consideration.

Mr. Faircloth made a motion that this application be denied. Mr. Adams seconded the motion, which was adopted with Mr. Dickinson voting "No".

Mr. Dickinson said he shared in the concern to preserve submerged bottoms where needed for public purposes, but he voted against denial because in this case the upland owners had consented to the relocation of the road; further, approval of the application would authorize advertisement of the parcel only, and any objections and recommendations could then be considered at a later date.

APPLICATIONS FOR PURCHASE OF SUBMERGED LAND - Staff suggested that consideration be given to a change in processing applications for purchase of land, which heretofore were placed on the agenda for approval of advertising for objections only. In reviewing the files, the Staff concluded that it would be appropriate to recommend that such applications be processed for advertisement for objections only at the Staff level, inasmuch as none of the merits of an application were determined at that stage of the purchase application. Approval of this procedure by the Trustees would eliminate a number of agenda items which the Staff considered as merely routine. The same notice of sale now being used would be utilized under the suggested procedure.

Mr. Faircloth said the Director was right in that it had been rather routine in the past with respect to advertisement for objections only, which ran up a flag to see who would object. He would oppose the change, however, because it would remove from the public one step in the notification that a sale was being considered. He said that he believed the intent of the Legislature was to so change the policy regarding public lands that a buyer would have to show good cause why he should be allowed to buy, and he would like to see a change in the Staff recommendations.

The Director said that when there were no adverse conservation reports, the Staff had taken the position that an upland owner had the right to apply, and only he had the right to purchase land riparian to his upland property.

Governor Kirk said the Trustees were under no obligation to sell.

Mr. Adams also thought the procedure should not be changed, that the agenda item on impending applications for sale gave the Trustees time to look into the matter, which was a help to him, as a new member on the Board of Trustees of the Internal Improvement Fund.

Mr. Parker said it was submitted as a suggestion only, and Mr. Faircloth thanked him for it.

The Governor stated the decision of the Trustees as directing that the policy be continued for applications to be placed on the agenda for authority to advertise proposed sales for objections only.

PALM BEACH COUNTY - The State Road Department requested dedication of approximately 2.53 acres of submerged bottoms in Section 31, Township 40 South, Range 43 East, Palm Beach County, within Intra-coastal Waterway right of way for road right of way purposes, for a high level bridge to be constructed. No dredging or filling was contemplated within the dedication area; therefore, no bulkhead line or biological survey report was required.

Staff recommended authorization be granted for dedication for use by the Road Department which designated the parcel as No. 103.1, Section 93090-2504, State Road 707.

On motion by Mr. Dickinson, seconded and duly adopted, the Trustees granted the request of the State Road Department for dedication of the parcel of submerged land for road right of way purposes.

BREVARD COUNTY - Application was submitted by Fischer's Seafoods for a permit for a floating dock in the Canaveral Barge Canal in Canaveral Harbor, at upland leased from the Canaveral Port Authority in Section 10, Township 24 South, Range 37 East, Brevard County. The Authority had granted the applicant permission for the dock, all required exhibits including \$100 processing fee were submitted, and the Staff recommended approval.

On motion made by Mr. Adams, seconded by Mr. Dickinson, and duly adopted, the Trustees authorized issuance of the state commercial dock permit.

HIGHLANDS COUNTY - Application was made by F. W. Farr, on behalf of Horace McDonald, for authority to remove 5 cubic yards of sovereignty land in front of his upland property on Lake Jackson in Highlands County. The Florida Game and Fresh Water Fish Commission reported that the removal of this material, described as 6 inches of muck, would enhance the suitability of the beach substrate for spawning fish during high water periods, and there was no objection to the project. Applicant tendered check in the minimum amount, \$25.00. Staff recommended approval.

Motion was made by Mr. Dickinson, seconded by Mr. Adams and adopted unanimously, that the application be approved.

LAKE COUNTY - The Florida Game and Fresh Water Fish Commission requested permission to construct an artificial fishing reef in Lake Eustis in Section 3, Township 19 South, Range 26 East, Lake County. The reef was to be constructed of discarded automobile bodies after all contaminants (oil and grease) were removed, would cover approximately 1 acre of lake bottom, 5 feet below water level and properly marked. Staff recommended approval.

Motion was made by Mr. Dickinson, seconded by Mr. Adams and adopted unanimously, that the application be approved.

LEE COUNTY - The West Coast Inland Navigation District on behalf of the United States of America requested a permanent spoil disposal easement covering the relocation of six disposal areas formerly granted by the Trustees to the U. S. A. by Easement No. 22436 dated April 6, 1960. The six areas originally included therein were released by quitclaim deed from the U. S. A. dated June 9, 1967. The District Engineer, U. S. Corps of Engineers, advised that the State Board of Conservation and the U. S. Fish and Wildlife Service had recommended the relocations. Staff recommended approval.

On motion by Mr. Dickinson, seconded by Mr. Adams, and adopted unanimously, the Trustees authorized issuance of the requested easement.

PALM BEACH COUNTY - Bulkhead Line Description. The Board of County Commissioners of Palm Beach County by resolution adopted September 5, 1967, corrected three clerical errors in the legal description of a bulkhead line adopted on August 28, 1961, which was approved by the Trustees of the Internal Improvement Fund on September 12, 1961. Memorandum Opinion of the Attorney General dated September 16, 1959, states "...an administrative body may make such changes as to clerical errors as do not change the form or substance of a decision or order."

This was presented to the Trustees as information regarding correction by the Staff in the legal description of the bulkhead line approved by the Trustees on September 12, 1961, conforming to the correction of clerical errors by the county. On motion by Mr. Dickinson, seconded by Mr. Adams and duly adopted, the Trustees accepted the information.

PINELLAS COUNTY - The Pinellas County Water and Navigation Control Authority on August 8, 1967, granted a Dredge-Only Permit No. DO-156 to William F. Arelt to dredge 550 cubic yards of material from St. Joseph Sound near Piney Point to improve his upland property described as a portion of Lots 55 and 57 of Seabreeze Island subdivision in Pinellas County. Applicant tendered \$27.50 as payment for the material. The Board of Conservation marine biologist reported that the dredging would not adversely or materially affect marine conservation, and the Staff recommended approval.

Motion was made by Mr. Adams, seconded by Mr. Dickinson and adopted unanimously, that the permit be approved by the Trustees.

PINELLAS COUNTY - The Town of South Pasadena made application to bulkhead and fill submerged land behind the established bulkhead line to provide recreational park facilities. The bulkhead will connect two existing concrete bulkheads 131 feet apart, and will be 50 feet, more or less, bayward from an existing disintegrating wooden seawall. Closing of this gap and filling the pocket will eliminate an existing area of debris accumulation and stagnation, and the fill material will be secured from upland utilities and street excavation now in progress. The biological survey made by the Florida Board of Conservation with respect to the Town of South Pasadena bulkhead line reported that this area did not contain attached seagrasses and was not a valuable marine habitat.

The town requested review of the project by the Pinellas County Water and Navigation Control Authority, which concurred in the application. U. S. Corps of Engineers Permit SAJSP 67-292 was pending approval by the Trustees.

Mr. and Mrs. Rudy Wolf, adjacent property owners to the south, filed objections to the proposed public park and all fills in Boca Ciega Bay. Staff recommended that objections be overruled and the project be approved by the Trustees.

On motion by Mr. Adams, seconded by Mr. Dickinson and adopted unanimously, the Trustees approved the application of the Town of South Pasadena.

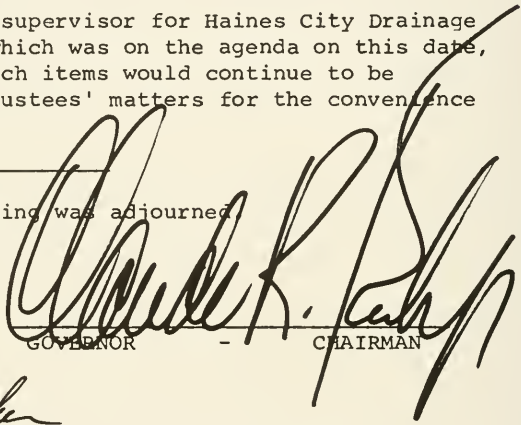
POLK COUNTY - Refund. On August 29, 1967, the Trustees approved the application submitted by College Friends, Inc., to remove 8,000 cubic yards of material from Crooked Lake in Polk County in the construction of a navigation channel in the S½ of Section 35, Township 30 South, Range 27 East, lying East of State Road 25 (U. S. Highway 27). However the channel limitation of only 4 feet deep set by the Florida Game and Fresh Water Fish Commission will reduce the material obtainable to 4,000 cubic yards. The applicant requested modification of the permit and refund of overpayment based on the reduced yield of material. Staff recommended approval and refund of \$200.00.

Motion was made by Mr. Conner, seconded by Mr. Dickinson and adopted unanimously, that modified permit be issued and the amount of \$200.00 be refunded to the applicant.

POLK COUNTY - The Director said that separate minutes would be prepared for the Board of Drainage Commissioners of the State of Florida, for the reason that Chapter 298 Florida Statutes was not amended to provide that all seven of the cabinet members now composing the Trustees of the Internal Improvement Fund would be on the Board of Drainage Commissioners. That board will continue to consist of the Governor, Comptroller, Treasurer, Attorney General and Commissioner of Agriculture.

Therefore, the appointment of a supervisor for Haines City Drainage District No. 1 in Polk County, which was on the agenda on this date, would be recorded elsewhere. Such items would continue to be shown on the same agenda with Trustees' matters for the convenience of the board members.

On motion duly adopted, the meeting was adjourned.



GOVERNOR - CHAIRMAN

ATTEST: 
DIRECTOR - SECRETARY

* * * * *

Tallahassee, Florida
October 3, 1967

The Trustees of the Internal Improvement Fund met on this date in the Board Room of the office of the Governor, in the Capitol.

Present: Tom Adams Secretary of State, Acting Chairman
Earl Faircloth Attorney General
Fred O. Dickinson, Jr. Comptroller
Broward Williams Treasurer
Floyd T. Christian Superintendent of Public Instruction

On motion duly adopted, the Trustees approved the minutes of the meeting held on September 26, 1967.

BREVARD COUNTY - File No. 1990-05-253.12. Buckner Realty and Surveying, Inc., on behalf of Eddie D. Thomas, et ux, the abutting upland owners, offered the appraised value of \$943.90 per acre for a parcel of submerged land in the Indian River in Section 21, Township 29 South, Range 38 East, 1.09 acres landward of the established bulkhead line in Brevard County.

The biological report received from the Board of Conservation on July 19, 1967, covering this area of submerged land was not adverse to the sale and development of the parcel. Staff recommended advertisement for objections only. Mr. Adams noted some comments in the biological report regarding dredging and filling. The Director said that would be in the record when the fill permit was considered.

Motion was made by Mr. Christian, seconded by Mr. Williams and adopted unanimously, that the parcel be advertised for objections only.

MANATEE COUNTY - File No. 455-41-253.12. Application was made by Clyde C. Goebel, attorney, on behalf of the Estate of Bessie Richards, abutting upland owner, for purchase of 2 parcels of submerged land, one in the Manatee River containing 5.47 acres appraised at \$450 per acre, and the other in Terra Ceia Bay containing 34.5 acres appraised at \$375 per acre, in Section 16, Township 34 South, Range 17 East, landward of the established bulkhead line in Manatee County.

Based on an unfavorable biological report received from the Board of Conservation under date of February 17, 1966, which showed that the areas were nursery grounds and supported commercial and sport fishing, and that sale would not be in the best interest of conservation, the Staff recommended denial of the application and requested authority to refund the \$50 application fee received March 1, 1967, from the attorneys for the applicant. At the request of the applicant's attorney, the matter was deferred from last week.

The Director pointed out the parcels on a right of way map from the State Road Department, which he said did not appear to have anything in their files from the county with respect to that particular parcel of land which was condemned by the county and was now state road right of way.

Several interested parties, county officials and Mr. Goebel, attorney for the applicant, were present. Mr. Goebel reviewed actions taken over a number of years, including condemnation about ten years ago for continuation and widening of a road, discussion and agreement with Mrs. Bessie Richards, now deceased, that the county would assist and pay for the bay bottoms for her application to purchase from the Trustees. He said the county was an active participant in the application to purchase. The bulkhead line was set by the county in 1958, approved by the Trustees in 1963, and the applicant had felt there was no question but that the submerged land could be purchased. Mr. Goebel said

that it was Section 16 land patented to the state in 1845, that by a deed from the Board of Education 49 acres of land were conveyed to a predecessor in title and paid for, but now the state contended that the boundary line was the mean high water line.

The Director said it was not unusual because of the old surveys, that it was established that sovereignty land boundary was the mean high water line and not a meander line.

Mr. Goebel said that after commitments were made by the county, no money had been paid for the condemned land, that now the applicant was faced with another conservation report which was adverse and threatened to undo what the county considered was in the public interest. He pointed out how development had progressed on both sides of the application area, and that several offers had been made, the most recent appraisal being about a year ago.

County Attorney Richard A. Hampton affirmed the facts as alleged by Mr. Goebel, and on behalf of the Board of County Commissioners requested approval of the application for which the county made a commitment of \$15,000 for the land.

Motion was made by Mr. Williams and seconded by Mr. Christian that the application be approved subject to approval of the Attorney General as to any legal questions involved.

Mr. Adams called attention to the Board's responsibility as required by the 1967 Legislature in conservation, and since it was recognized as valuable property with highway and water frontage he questioned whether the price was adequate. Mr. Dickinson asked whether any interested parties or county officials felt there was need for a reappraisal.

In view of the additional questions, Mr. Faircloth made a substitute motion that the matter be postponed for any legal questions to be cleared and then, that it be brought back to the Trustees for a determination of value.

The substitute motion was seconded by Mr. Christian and upon vote, unanimously adopted.

Mr. Christian stated that even with an unfavorable conservation report, he did not think the matter should be deferred indefinitely. Based on the approval of the County Commission and previous actions and facts, he felt that approval was indicated. Mr. Dickinson said he shared that opinion.

Mr. Adams said it should be understood that the Trustees were not approving the application contingent on the Attorney General's opinion, that there might be votes against it on conservation grounds.

PALM BEACH COUNTY - File No. 1980-50-253.12. In meeting September 26, 1967, the Trustees denied the purchase application made by William G. Wallace, Inc., on behalf of Henry T. Goode, et ux, abutting upland owners, for 0.29 acre of submerged land in the Jupiter River (Hobe Sound) in Section 30, Township 40 South, Range 43 East, Gomez Grant, landward of the bulkhead line in Palm Beach County. Denial was based on an unfavorable biological report from the Board of Conservation under date of August 24, 1967, which stated that the area was a nursery ground and feeding area for marine life.

Staff requested authority to issue refund of the \$50.00 application fee and the \$561.88 consideration for deed submitted by the applicant, Henry T. Goode, with the application.

On motion made by Mr. Dickinson, seconded and adopted unanimously, the Trustees authorized refund of the above amounts.

MANATEE COUNTY - The Board of County Commissioners of Manatee County by Resolution adopted September 26, 1967, in compliance with Chapter 67-393, Laws of Florida, reconfirmed their Resolution of June 27, 1967, locating a bulkhead line along the east shore of Tampa Bay from Bishops Harbor north to the Manatee-Hillsborough County line. All required exhibits were furnished and the Staff recommended approval of the bulkhead line.

Transcript of the local hearing showed that Bob Bender, representing the Izaak Walton League, offered no objection. No objections were cited for the line which was for the Port Manatee, Piney Point area. The Florida Board of Conservation reported that the submerged lands within the line were 5% or less vegetated by seagrasses, that the entire project area could not be considered a grassy nursery ground. It is not a sport fishing area, however commercial netting operations were carried on primarily north and south of there.

The Director said the county had set a line for a substantial distance which was very conservative except in the area where a deep port project was being developed and there was considerable county ownership. He said the county would request dedication of submerged land for the port. Study had not been made of the anticipated dredging operations.

The Manatee County Attorney, Richard A. Hampton, on behalf of the county and Manatee Port Authority, said the important port project had been under development a number of years, eight and one-half million dollars of public funds were committed and validated, there was no local objection recorded in the file, and the county would come back with an application for filling at a later date. He pointed out that under the procedure required, the county had to become the upland owner by acquiring certain property before applying for final approval for filling and dredging; therefore it was extremely important to the county that the Trustees look carefully at this application. He said the biological survey and report appeared to be as negative as one could be with respect to damage to conservation values.

Secretary of State Adams expressed the opinion that, especially under the new laws, the Trustees should examine bulkhead lines closely in view of dredging for fill and the implication to make sales. He said he was not raising an objection to this application, but requested postponement for one week to give him an opportunity to see what was involved.

Upon motion adopted without objection, the Trustees postponed further consideration for one week.

BREVARD COUNTY - Staff recommended dedication to the State Road Department of a parcel of swamp and overflow land containing 17.41 acres in Section 31, Township 27 South, Range 35 East, Brevard County, for construction and/or improvement and maintenance of a portion of State Road No. 500 across Lake Washington, identified

as Parcel Number 110.1, Section Number 70050-2503. The road had been in place for several years.

Motion was made by Mr. Williams, seconded and adopted, that the parcel be dedicated to the State Road Department as requested.

DADE COUNTY - Robert V. Celette, on behalf of Colony Bay Harbor Corp., of Bay Harbor Islands, Florida, made application for a commercial dock permit for a construction adjacent to Lots 19 and 20, Block 2, Bay Harbor Islands, in Indian Creek Lake in Section 34, Township 52 South, Range 42 East, Dade County. All required exhibits including \$100 processing fee were submitted, and Staff recommended approval.

Motion was made by Mr. Dickinson, seconded by Mr. Williams and adopted unanimously, that state commercial dock permit be issued.

GLADES COUNTY - The Florida Game and Fresh Water Fish Commission and Central and Southern Florida Flood Control District requested by resolution dated July 21, 1967, and resolution No. 770 of July 28, 1967, respectively, that the Trustees withdraw from sale and/or lease any reclaimed lake bottom lands of Lake Hicpochee, Township 42 South, Range 32 East, Glades County. Tentative plan was prepared cooperatively by the Game Commission and the District in conjunction with the U. S. Corps of Engineers, for restoring the water level of Lake Hicpochee. Upon finalization of the plans, a request for dedication shall issue from the agencies to create a game management and recreational area within the original boundaries of the land.

On motion by Mr. Williams, adopted without objection, the Trustees authorized withdrawal of reclaimed lake bottoms of Lake Hicpochee from future sales and/or leases.

PINELLAS COUNTY - The City of Clearwater requested permission to install a six-inch natural gas pipe line in a trench under the channel of the Intracoastal Waterway on the south side of State Road 586 in unsurveyed Section 15, Township 28 South, Range 15 East, in Clearwater Harbor, Pinellas County. Staff requested waiver of a conservation report since the proposed public facility would be in 12 feet of water.

On motion by Mr. Dickinson, seconded by Mr. Christian and adopted unanimously, the Trustees granted the request of the City of Clearwater.

PINELLAS COUNTY - The Pinellas County Water and Navigation Control Authority on August 29, 1967, granted Dredge Only Permit No. DO-157 to Steve Georgio to dredge an area in conjunction with the construction of marine railways and boat lift on the Anclote River in Section 12, Township 27 South, Range 15 East, Pinellas County. Florida Board of Conservation biologist reported that this part of the river was not nursery, sport or commercial grounds for marine animals, and there was no objection to the application. Staff recommended approval. The Director explained that material dredged would be disposed of on uplands.

On motion by Mr. Williams, seconded and adopted unanimously, the Trustees approved the permit for dredging which was granted by Pinellas County.

CAPITOL CENTER PROPERTY - The Staff requested authority to convey to the Florida Development Commission the property described as Gray Park located south of the Capitol building, being also described as Lots 153 through 160 inclusive, of the Original Plan of the City of Tallahassee, and that portion of East St. Augustine Street lying between South Monroe and South Adams Streets which had been vacated in accordance with legal requirements of the City of Tallahassee, in Leon County.

Conveyance was for the purpose of financing the construction of legislative facilities to be located on the above described property pursuant to the provisions of Chapter 65-385, Laws of Florida, and Senate Concurrent Resolution No. 438, as passed by the 1967 Session of the Florida Legislature. The land would be conveyed along with the property north of the Capitol building which was authorized by the Trustees at their meeting on September 19, 1967, to be transferred to the Florida Development Commission in order to facilitate and permit issuance of bonds to finance construction of the legislative facilities.

On motion by Mr. Williams, seconded and adopted unanimously, the Trustees authorized the property south of the Capitol building to be transferred to the Development Commission for the purpose stated.

SUBJECTS UNDER CHAPTER 18296

On motion by Mr. Williams, unanimously adopted, the Trustees approved Report No. 914 listing 1 regular bid for sale of land in Franklin County under provisions of Chapter 18296, the Murphy Act, and authorized execution of deed pertaining thereto.

REFUNDS - Upon motion by Mr. Christian, seconded by Mr. Williams and adopted unanimously, the Trustees authorized issuance of refund in the amount of \$10.00 to each of the following applicants for release of state road right of way reservations contained in Murphy Act deeds as listed below, for the reason that the State Road Department did not recommend release of the reservations:

- Brevard County Deed No. 101-Corrective - Snow and Campbell, applicant;
- Brevard County Deed No. 173 - Dressler, Thoburn & Miller, applicant;
- Brevard County Deed No. 454 - Lawyers Title Insurance Corp., applicant;
- Dade County Deed No. 1851 - Maurice Rosen, applicant;
- Dade County Deed No. 2119 - Wakeman and Newbold, applicant.

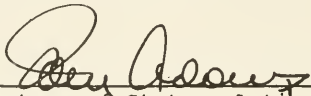
ESCAMBIA COUNTY - Gulf Power Company made application for permit to construct electric transmission lines over and across certain lands of the State of Florida located in Escambia County, described as 2 acres of Parcel No. 1 in Section 36, Township 2 North, Range 31 West, embraced in tax sale certificates 936 of 1932 and 3445 of 1933; and 4.25 acres of Parcel No. 2 in the same section, embraced in tax sale certificate 3446 of 1933. The applicant offered \$500.00 per acre, or a total of \$3,125.00 for the total of 6.25 acres. Staff recommended approval of the application.

On motion by Mr. Williams, seconded and adopted unanimously, the Trustees authorized issuance of permit for the electric transmission lines requested by Gulf Power Company.

WALTON COUNTY - The State Road Department requested easement for construction and/or improvement and maintenance of State Road No. 20 covering a parcel of land in the NE $\frac{1}{4}$ of SE $\frac{1}{4}$ of Section 15, Township 1 South, Range 19 West, Walton County, which was certified to the State of Florida in tax sale certificates 127 of 1913, 56 of 1914 and 1618 of 1933. Staff recommended approval for easement over the parcel identified by the Road Department as Parcel 104.1, Section Number 60030-2504.

On motion by Mr. Williams, seconded and adopted unanimously, the Trustees authorized issuance of the easement requested by the State Road Department.

On motion duly adopted, the meeting was adjourned.


Secretary of State - Acting Chairman

ATTEST: 
Director - Secretary

* * * * *

Tallahassee, Florida
October 10, 1967

The Trustees of the Internal Improvement Fund met on this date in the Board Room of the office of the Governor, in the Capitol.

Present: Claude R. Kirk, Jr. Governor
Tom Adams Secretary of State
Earl Faircloth Attorney General
Fred O. Dickinson, Jr. Comptroller
Broward Williams Treasurer
Doyle Conner Commissioner of Agriculture

Robert C. Parker Director

On motion duly adopted, the Trustees approved the minutes of the meeting held on October 3, 1967.

BROWARD COUNTY - File No. 2013-06-253.12. On September 12, 1967, the Trustees deferred action on confirmation of sale to August Urbaneck, abutting upland owner, of a parcel of submerged land in New River Sound in Section 12, Township 50 South, Range 42 East, landward of the established bulkhead line in the City of Fort Lauderdale, lying easterly and across SE 26th Avenue from Lots 1, 2, 3, 29, 30, 31 and 32, Block 12 of Idlewyld Subdivision as

recorded in Plat Book 1, Page 19, public records of Broward County, containing 0.18 acre, more or less, landward of the established bulkhead line. Applicant offered \$10,500.00 per acre, value approved by the Staff Appraiser.

Several objections were received from individuals, from Idlewyld Improvement Association, and it was found that the parcel was the subject matter of litigation in the suit entitled Burkart v. City of Fort Lauderdale which resulted in a Supreme Court decision that the applicant had fee title in and to a portion of the land described in the application with riparian rights and privileges as were reserved in the dedication to the adjacent street, but the Court also stated that the city's easement in the adjoining street and accretion thereto may be protected for the benefit of the general public, which would include the general public's right to use the accreted property (a portion of the parcel described in the purchase application) as a way of ingress and egress to the waters of New River Sound.

The Staff was unable to make a clear-cut determination as to the exact meaning of the language of the Court as it applied to the rights of the applicant, being the owner of the fee title, to purchase the parcel in question. Therefore, the Staff did not formulate a specific recommendation as to confirmation of the sale. The biological report offered no objection to this application.

A letter from the City Engineer of Fort Lauderdale expressed the approval of this project by the City Council, to eliminate the existing accumulation of debris and to provide additional protection for the streets at times of high water or hurricanes.

Mr. William Duke, attorney representing the applicant, said it was not his intent to deny the public access to the water and there would be no objection to a provision in the deed, in language approved by the Attorney General, to allow the public to cross the strip of land.

Motion was made by Mr. Adams, seconded and adopted unanimously, that sale of the advertised parcel be confirmed, subject to assurance that the public will be given access to the waters of New River Sound across this land by inclusion of provision in the deed with language satisfactory to the Attorney General.

DADE COUNTY - File No. 1788-13-253.12. On August 29, 1967, the Trustees considered application from Bayshore Marina, Inc., the abutting upland owner, with offer of \$7,217.00 per acre, appraised price, for purchase of a parcel of submerged land in Biscayne Bay in Section 22, Township 54 South, Range 41 East, 1.15 acres, more or less, in the City of Miami, lying southeasterly of and abutting Lots 20, 21 and 22 and the northeasterly one-half of Lot 23, Block 43 of Samuel Rhodes Plat of New Biscayne, Plat Book "B", Page 16, public records of Dade County, landward of the established bulkhead line. Notice of sale was published in the Miami Review, proof of publication filed and no objection was received to the sale. Board of Conservation biologist reported that no seagrasses exist in the area and that sale would not be adverse to marine life.

On motion by Mr. Adams, seconded by Mr. Faircloth, adopted without objection, the Trustees confirmed sale of the parcel of land to the riparian owner at the price offered.

10-10-67

PALM BEACH COUNTY - File No. 2000-50-253.12. On August 29, 1967, the Trustees considered application from Francis J. Sullivan, et ux, et al, abutting upland owners, with offer of \$1,500.00 per acre, value approved by Staff Appraiser, for purchase of a parcel of submerged land in Lake Worth in Section 10, Township 45 South, Range 43 East, Town of Hypoluxo, containing 2.27 acres, more or less, landward of the established bulkhead line. Notice of sale was published in the Palm Beach Post, proof of publication filed and no objection to the sale was received.

Board of Conservation reported that no seagrasses existed in the vicinity and there was no objection to sale of the parcel of submerged land.

On motion by Mr. Adams, seconded by Mr. Faircloth, adopted without objection, the Trustees confirmed sale of the parcel of land to the riparian owners at the price offered.

LEE COUNTY - File No. 1977-36-253.12. Norma Jeanette, abutting upland owner, offered the established appraised price of \$300.00 per acre for a parcel of submerged land in the Caloosahatchee River in Section 31, Township 43 South, Range 25 East, 0.46 acre in the City of Fort Myers landward of the established bulkhead line, in Lee County.

The biological report received from the State Board of Conservation dated July 17, 1967, showed the subject area to be devoid of vegetation and that development would not adversely affect marine resources. Staff recommended advertisement of the parcel.

Motion was made by Mr. Williams, seconded by Mr. Adams and adopted unanimously, that the parcel be advertised for objections only.

MONROE COUNTY - File No. 1829-44-253.12. Elmer R. Schultz, et ux, abutting upland owner, offered the established appraised price of \$300.00 per acre for a parcel of submerged land in Pine Channel in Section 34, Township 66 South, Range 29 East, containing 0.40 acre at Big Pine Key, Monroe County.

The biological report dated September 28, 1967, from the Board of Conservation biologist offered no objection to the sale. Staff recommended advertisement of the parcel.

On motion by Mr. Williams, seconded by Mr. Adams and adopted unanimously, the Trustees authorized the parcel to be advertised for objections only.

MONROE COUNTY - File No. 2023-44-253.12. Bailey, Mooney, Post Assoc., on behalf of D. C. Fitzpatrick and wife, the abutting upland owners, offered the established appraised price of \$425.00 per acre for purchase of a parcel of submerged land in the Straits of Florida in Section 34, Township 62 South, Range 38 East, containing 3.55 acres at Key Largo in Monroe County.

The biological report from the Board of Conservation dated September 28, 1967, showed the parcel to be an excellent nursery and feeding ground for small fishes and that the sale and development thereof would not be in the best interest of

conservation. Staff therefore recommended that the application be denied and the application fee of \$50.00 submitted by Bailey, Mooney, Post Assoc., received by the Trustees' office on September 7, 1967, be refunded.

In answer to Mr. Adams' question regarding making the refund, the Director explained that the policy had been to require the \$50 fee to cover primarily the costs of advertising the proposed sale, and because of the adverse conservation report this parcel was not advertised. When there was no advertisement, the Staff recommended refund of the application fee.

On motion by Mr. Faircloth, seconded by Mr. Williams and adopted unanimously, the Trustees denied the application to purchase and authorized refund of the \$50 application fee.

MANATEE COUNTY - File No. 274-41-253.124. The officials of the Town of Longboat Key requested a rehearing of their application for approval by the Trustees of a fill permit issued under the provisions of Section 253.124 Florida Statutes, as amended by Chapter 67-393, by the town to itself for dredging and filling one of the three mangrove flats in Sarasota Bay containing approximately 10 acres (unsurveyed) in Section 31, Township 35 South, Range 17 East, within an established bulkhead line in Manatee County. The area proposed to be filled was one of three small islands conveyed to the town in 1958 for public purposes and the proposed dredging operation to secure fill material was to be conducted in accordance with recommendations by the marine biologist of the State Board of Conservation so as to minimize any damage to marine conservation values. On September 12, 1967, the Trustees denied approval of the application. A number of objectors was heard but the Town of Longboat Key was not represented at that meeting.

Present on this date as proponents were Mayor William Blake, City Attorney Richard W. Cooney, City Manager G. Max Lanier, Commissioners R. J. Alspach and Richard Hoffman, and several others. Mr. Cooney said the city officials did not know the matter was being scheduled on September 12 and were here to request reconsideration by the Board on a matter that was very important to the town, which had planned for a long time for development of the municipal complex on the centrally located island, for which the Trustees had previously dedicated land for a causeway connection to the main island of Longboat Key. He said that other sites had been considered and rejected, city funds were presently available for the development, statutory requirements had been met, the majority of the people on the key supported the project which would consist of a municipal meeting place first, then other buildings for the needs of the town and recreation areas. He discussed many details in support of the town's application, emphasizing that the officials and the town's engineer had worked with and consulted the Board of Conservation Director Randolph Hodges, and biologist Kenneth D. Woodburn, and while they recognized that the dredging would destroy some grassy flats, the city had followed recommendations and suggestions to minimize destruction and siltation of productive bottom lands.

Mr. Lanier, Town Manager for five years, spoke of the growth of the town, that the town owned no land except the islands and had no recreation areas not privately owned, that planning for the future it was thought that the seventeen-acre island would provide space for municipal needs for the next 25 or 30 years.

Mayor William Blake said he represented the majority of the people on Longboat Key, who were in favor of the project, and a few dissidents should not be allowed to influence the decision. It was brought out that the town had no plans to develop the two smaller islands which were also conveyed to the town in 1958 for public purposes. Mr. Adams asked whether the town would surrender title to the other islands.

Speaking in opposition to granting of the dredge and fill permit were Commissioners Howard A. Ridyard and Michael J. Brescia, William Nameck as attorney for some waterfront owners adjacent to the dredge area, Wayne Mead as representative of four associations of fishermen and dealers in Sarasota and Manatee County and the Izaak Walton League, and Samuel Y. Gibbon. They expressed disagreement with the statements that a majority of the people were in favor, or that the proper legal requirements had been met in issuance of the fill permit by the town. It was stated that land on the main island was available, that there would be great damage to bay bottoms and the commercial fishing operation in that area, that the size of the town did not warrant so large an area for municipal complex purposes, and said there was dissention and misrepresentation.

Governor Kirk asked that city politics be kept out, as the Trustees were concerned with disposition of the land which was under their charge in the public interest. He asked about the biological studies necessary under the new law.

Board of Conservation Marine Biologist Kenneth D. Woodburn, who had studied the area since 1964 after the bulkhead line was set and the three islands conveyed, said he could not speak on possible hydrological changes but that there would be some damage to breeding grounds and the two wide channels going across the grassy flats would eliminate at least seven acres of grass flats. The file contained his biological report to the Town of Longboat Key.

Governor Kirk expressed the gratitude of the members for Mr. Woodburn's work on behalf of conservation on this and many other matters, and Mr. Faircloth joined in thanking him.

Mr. Samuel Y. Gibbon said he represented Longboat Key Estates Association, National Audubon Society, another conservation group, and himself, that they had offered \$50,000 to the city for use of a site on the main island, that all reports and information had not been submitted at a town meeting and the town did not need so large a municipal complex.

Attorney General Faircloth said that certain conditions prerequisite were not met by the town, but without consideration of that, he was ready to vote on the basis of other factors.

On the question of requirements of the statutes, Mr. Cooney said that his quoted remarks mentioned by an opponent were misunderstood, that he wanted the town commission to make it very clear that all necessary material was on hand; everything required by the statutes and the new rules had been done.

Mr. Williams made a motion that the Trustees remove this matter from the agenda for further study to see that all legal requirements were met.

Mr. Faircloth did not think it was necessary to go into these technicalities which might be discussed a long time, but he was

convinced on conservation grounds and made a motion that the Trustees deny the application. Mr. Conner seconded Mr. Faircloth's substitute motion, which carried with a vote of four to two. Mr. Dickinson and Mr. Williams voted "no", for the reason that they felt that the matter should be deferred for further study.

MANATEE COUNTY - On October 3 the Trustees deferred for one week the request for approval of a bulkhead line along the east shore of Tampa Bay from Bishops Harbor north to the Manatee-Hillsborough County line, which was adopted by the Board of County Commissioners of Manatee County by Resolution of September 26, 1967, in compliance with Chapter 67-393, Laws of Florida, reconfirming their resolution of June 27, 1967. The line was for the Port Manatee, Piney Point area, and fill material would come from the construction of the entrance channel and from the ship basin. The favorable conservation report was discussed last week, and there were no objections.

On motion by Mr. Adams, seconded by Mr. Dickinson and adopted unanimously, the Trustees approved the bulkhead line as established by Manatee County.

SHELL LEASES - The Trustees accepted as information the following report of remittances received by the Florida Board of Conservation from holders of shell leases:

<u>Lease No.</u>	<u>Name of Company</u>	<u>Amount</u>
1718	Radcliff Materials, Inc.	\$14,668.21
1788	Benton and Company, Inc.	7,502.10
2233	Bay Dredging & Construction Co.	6,452.44
2235	Fort Myers Shell & Dredging Co.	428.40

MANATEE COUNTY - Shell Lease No. 2162 from Trustees to Benton and Company, Inc., was executed on March 1, 1966, covering all submerged bottoms located within the statutory boundary of Manatee County. The State Board of Conservation received a report from the company which detailed the findings made by the company with respect to the presence of dead oyster shell in that geographic area which indicated an insufficient quantity was present to justify commercial dredging operations for removal of the dead shell as authorized by the lease.

The State Board of Conservation advised the Staff that they are recommending that the lease be cancelled and that any commitments for payment of minimum annual rentals be waived for the reason that the lessee did not commence dredging operations as authorized under the terms of the lease for the reason set forth above.

On motion by Mr. Williams, seconded by Mr. Faircloth and adopted unanimously, the Trustees authorized cancellation of Lease No. 2162 and waived any payment of minimum annual rentals.

MONROE COUNTY - On January 14, 1947, the Trustees authorized issuance of deed conveying title to all of the submerged bottoms of Garrison Bight on the Island of Key West to the City of Key West for public purposes only with reverter clause if not so used.

However, the deed as issued (No. 19259) did not contain the restrictive provision, and in meeting June 22, 1965, the Trustees authorized a corrective deed to be issued containing the restriction. This deed, numbered 19259-A-Cor., was recorded in the public records of Monroe County.

The City of Key West requested that the public purpose provision be released as to a 2.41 acre parcel lying within the overall area originally conveyed at the northwesterly end of the recently completed causeway across the westerly portion of Garrison Bight constructed by the State Road Department. The city offered the appraised value of \$2,892.00 for clear title to the parcel, and the Staff recommended release of the restriction affecting this parcel.

The Attorney General questioned the city's desire to take the parcel from under the public purpose restriction, and the Comptroller said the city should be advised that the Board wished to retain the reverter provision to insure that the land be used for public purposes only.

The Trustees were in agreement that land conveyed for public use should retain a reverter; and upon motion, unanimously adopted, the Trustees denied the request of the City of Key West for release of the restriction and sale of the parcel.

HIGHLANDS COUNTY - Raymond Englebright applied for 1500 cubic yards of fill material from Lake Istokpoga in Fractional NW $\frac{1}{4}$ of Section 34, Township 36 South, Range 30 East, in Highlands County, to be used to improve his upland property. The Florida Game and Fresh Water Fish Commission reported favorably, subject to the standard stipulation in the permit as to dredging. Applicant tendered the amount of \$75.00 in payment for the material.

Motion was made by Mr. Williams, seconded by Mr. Dickinson and adopted unanimously, that the application be approved for removal of the requested material for deposit on the applicant's upland property.

PINELLAS COUNTY - The Pinellas County Water and Navigation Control Authority on behalf of George A. Tice, 665 Bay Esplanade, Clearwater, Florida, submitted application for construction of a commercial platform dock in Clearwater Harbor for use of apartment tenants. All required exhibits, including \$100 processing fee, were submitted and the Staff recommended approval.

Motion was made by Mr. Faircloth, seconded by Mr. Williams and adopted unanimously, that the application be approved.

POLK COUNTY - H. B. Chitty applied for permit to remove 500 cubic yards of material from Lake Howard in Polk County, to improve his upland Lot 3 in Leonards Subdivision, and tendered \$25.00 in payment. The Florida Game and Fresh Water Fish Commission reported favorably subject to standard stipulations in the permit as to dredging. The Staff recommended approval.

Motion was made by Mr. Williams, seconded by Mr. Dickinson and adopted unanimously, that the application be approved.

CAPITOL CENTER - The Board of Commissioners of State Institutions on this date authorized Mr. Terry Lee to investigate and report back to the Board on the cost of conversion of the masonry apartment building on the Clemons property for use for office space. Mr. Lee was directed to have the wooden building behind the apartment building demolished.

On August 8, 1967, the Trustees authorized purchase of the Clemons property for capitol center purposes.

CAPITOL CENTER - Mr. Adams suggested that action be taken on purchase of a parcel of land in the Capitol Center which was included in land considered by the Trustees on September 13, 1966, described as Lot 19, Capital Place, resubdivision of old Lot 243, Old Plan of the City of Tallahassee, located at 210 W. Bloxham Street. Negotiation with the owner, Mrs. Samuel P. Pate, resulted in the owner agreeing to accept \$12,000.00 which the Staff recommended as being within the previously established policy with respect to acquisition of capitol center property.

Motion was made by Mr. Williams, seconded by Mr. Dickinson and adopted unanimously, that the Trustees approve expenditure of Trustees' funds in the amount of \$12,000.00 for purchase of the Pate property for the capitol center.

On motion duly adopted, the meeting was adjourned.


GOVERNOR

CHAIRMAN

ATTEST:


DIRECTOR - SECRETARY

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Tallahassee, Florida
October 17, 1967

The Trustees of the Internal Improvement Fund met on this date in the Board Room of the office of the Governor, in the Capitol.

Present: Tom Adams Secretary of State, Acting Chairman
Fred O. Dickinson, Jr. Comptroller
Floyd T. Christian Superintendent of Public Instruction
Doyle Conner Commissioner of Agriculture

James T. Williams Staff Member

On motion duly adopted, the Trustees approved the minutes of the meeting held on October 10, 1967.

PALM BEACH COUNTY - The Town Commission of the Town of Manalapan, Florida, by Ordinance No. 30, adopted on March 22, 1957, estab-

lished a bulkhead line in the waters of Lake Worth in Sections 2, 3, 10 and 15, Township 45 South, Range 43 East, in the municipality in Palm Beach County. Section 2 of Chapter 57-362, Laws of Florida, Acts of 1957, which is Section 253.122 Florida Statutes, says in part, "... provided however, that where any bulkhead line has been located and fixed by any municipality pursuant to statutory authority, such bulkhead line shall be accepted and adopted by the county commissioners of the county wherein such municipality is located, as its bulkhead line within the territorial area of such municipality subject to the provisions of this act."

Opinion 058-210 dated June 30, 1958, of the Attorney General sets forth in part: "It is apparent from reading Section 253.122 Florida Statutes in its entirety, the legislature was referring to bulkhead lines fixed prior to June 11, 1957, the effective date of the act. Thus, the board of county commissioners must accept a municipality's bulkhead line, fixed prior to June 11, 1957, within the area of the municipality subject to the provisions of Chapter 57-362, Laws of Florida, if it was fixed pursuant to statutory authority. The language of the act makes it mandatory on the board of county commissioners to accept such lines. Since the board has no discretion in the matter, no action is necessary on their part and the municipal bulkhead line automatically becomes the bulkhead line under Section 253.122 Florida Statutes."

On motion unanimously adopted, the Trustees accepted the above information confirming the bulkhead line in the Town of Manalapan as established by the Town Commission on March 22, 1957.

VOLUSIA COUNTY - File No. 1490-64-253.12. Bellemead Development Corp., abutting upland owner, offered the appraised price of \$1,390.00 per acre for purchase of a parcel of submerged land in the Halifax River in Sections 22 and 27, Township 15 South, Range 33 East, containing 1.60 acres, more or less, landward of the established bulkhead line.

The biological report from the Board of Conservation, dated October 5, 1967, shows the parcel to be an excellent nursery and feeding ground for marine life and recommends against the sale. Therefore, the Staff recommended denial and requested authority to refund the \$50.00 application fee submitted by the applicant which was received by the Trustees' office on April 10, 1964.

Motion was made by Mr. Christian, seconded by Mr. Dickinson and adopted unanimously, that the Trustees deny the application to purchase and authorize issuance of refund in the amount of \$50.00 to the applicant.

VOLUSIA COUNTY - File No. 1645-64-253.12. Lloyd E. Wall, abutting upland owner, offered \$1,000.00 per acre, the appraised value, or \$100.00 minimum charge in this instance, for a parcel of submerged land in the Halifax River in Section 35, Township 15 South, Range 33 East, landward of the established bulkhead line in Volusia County. The parcel contained 0.03 acre, more or less.

The biological report dated October 5, 1967, from the Board of Conservation offered no objection to this sale. Staff recommended advertisement for objections only.

Motion was made by Mr. Conner, seconded and adopted unanimously, that the parcel of land be advertised for objections only.

BREVARD COUNTY - File No. 1981-05-253.124. Staff recommended approval of fill permit issued by the Engineering Department on behalf of the Board of County Commissioners of Brevard County on October 9, 1967, to Wendall O. Yount under the provisions of Section 253.124 Florida Statutes, as amended by Chapter 67-393, Acts of 1967, to fill the 4.02 acre parcel of submerged land in Section 19, Township 24 South, Range 37 East, which was conveyed by the Trustees under the referenced file number.

The borrow areas were located in accordance with the recommendations contained in the biological report submitted by the Board of Conservation to the County Engineering Department, dated September 27, 1967.

Motion was made by Mr. Christian, seconded and adopted unanimously, that the Trustees approve the fill permit issued by the county to Wendall O. Yount.

BREVARD COUNTY - The Board of County Commissioners of Brevard County made application for a state permit for construction of an artificial reef in the Atlantic Ocean offshore from Sebastian Inlet at Latitude 27° 52' 46", Longitude 80° 24' 32". The Board of Conservation had reviewed the application and recommended issuance of the permit. All required exhibits, including \$50.00 processing fee, were submitted, and the Staff recommended approval.

Motion was made by Mr. Christian, seconded by Mr. Dickinson and adopted unanimously, that the Trustees authorize issuance of the state permit for the artificial reef requested by Brevard County.

COLLIER COUNTY - Thomas R. Brown, attorney on behalf of Charlie B. Alexander, et ux, and D. F. Bishop, et ux, requested issuance of a disclaimer to the south 100 feet of Tract 4, Whitehurst's Replat, as recorded in Plat Book 5, Page 1, of the Public Records of Collier County, lying within the erroneously located meandered area of Haldeman Creek. In accordance with previous action by the Trustees to quitclaim interest when applicants desire to remove cloud upon title to land in the area, the Staff recommended issuance of ex parte disclaimer for consideration of \$100.00 for the 0.57 acre parcel.

Since the Attorney General was absent, and only four members were present, motion was made by Mr. Christian and duly adopted that the application be approved subject to the approval of the Attorney General.

DADE COUNTY - File No. 1788-13-253.129. Harold P. Kravitz, attorney on behalf of Bayshore Marina, Inc., submitted \$10.00 and a request for a disclaimer under provisions of Section 253.129 Florida Statutes, covering a parcel of sovereignty land containing 0.5737 acre which was filled prior to June 11, 1957, in Section 22, Township 54 South, Range 41 East, in Dade County.

Since the Attorney General was absent, and only four members were present, motion was made by Mr. Christian and duly adopted that the application be approved subject to the approval of the

MANATEE COUNTY - File No. 2040-41-253.12(1) John R. Blue, on behalf of Harry S. Howey, et ux, made application for conveyance under the provisions of Section 253.12(1) Florida Statutes, of a 2.0 acre parcel of sovereignty land in Sarasota Bay in Section 3, Township 35 South, Range 16 East, filled subsequent to May 29, 1951, and prior to June 11, 1957. Applicant offered the appraised value of \$100.00 per acre, being the value of the submerged land as it existed prior to filling.

Since the Attorney General was absent, and only four members were present, motion was made by Mr. Christian and duly adopted that the application be approved subject to the approval of the Attorney General.

DADE COUNTY - Campsite Lease. Application was made by J. A. Belcher and James C. Ellenburg for renewal of campsite lease No. 1439 which expired on November 15, 1965. The lease was allowed to expire due to extensive damage caused by a hurricane. The former leased area consisted of a one-acre area of submerged land on the shoal area south of Key Biscayne. The structure on concrete pilings was completely rebuilt to conform with requirements of the Dade County building and zoning department.

Staff recommended one-year lease for private campsite purposes only, with option to renew on a yearly basis for an additional four years, annual rental of \$100.00, provision for cancellation by the Trustees after 120-day written notice, and subject to all applicable laws and regulations.

On motion adopted without objection, the Trustees approved the recommendation as the action of the Board.

DADE COUNTY - Sand Lease. Des Rocher Sand Company, Inc., holder of sand lease No. 2133 which expired July 15, 1967, requested two-year renewal lease of the two areas near Terminal Island and the one area 1500 feet southeasterly of Cape Florida in Dade County. The lease was non-exclusive with royalty of 15¢ per cubic yard, monthly minimum of \$25.00, surety bond of \$5,000.00 and provision for cancellation after 90-day written notice. The Division of Beaches and Shores of the Board of Conservation had reviewed the request and recommended renewal of the same areas under the same terms and conditions.

The application for renewal was held pending the processing and issuance of permit to the applicant by Dade County, as required by local ordinance. The Trustees' office was advised by the Dade County Public Works Department that a permit had been approved for issuance. Staff recommended renewal of the lease retroactive to July 15, 1967.

Secretary of State Adams asked a number of questions about the rate charged for the sand, auditing methods, frequency of audits, and Commissioner Conner suggested that action be postponed for two weeks or a temporary permit allowed while information was being compiled for consideration by the Trustees. Mr. Christian also questioned the rate of 15¢ per cubic yard, and suggested temporary extension until November 15th.

George L. Onett, attorney for the sand company, asked the board to extend the lease at least another month or two for the lessee to continue its operations, because the sand was the only grade

that met the building code requirements of Dade County and was also the only sand used for conditioning the track at Tropical Park, which was scheduled to open very soon. He said the company would be willing to submit any reports needed.

Mr. Jim Williams explained the method of measuring the sand, how rates had been investigated in the past, and said that all leases were audited periodically. He pointed out that this was a non-exclusive lease, there having been two leases in the area for a number of years, and the deposit of sand replenishes itself from sources unknown.

State Geologist Robert O. Vernon said if it was coarse sand, it was a very desirable commodity. Mr. Adams and Mr. Christian raised the question of whether bids might be taken, or whether a set price might be better.

On motion made by Mr. Conner, seconded by Mr. Christian and adopted without objection, the Trustees agreed to a temporary extension of the lease until November 15th. The Staff was instructed to prepare a report on the condition of the lease through the years, how much the lease produced, method and frequency of audits, and whether the price or method of awarding leases should be changed.

DUVAL COUNTY - Miss Anne K. Grass of Jacksonville applied for a permit to dredge a navigation channel 20 feet wide by 120 feet long alongside an existing dock in the St. Johns River at her property at 7690 Smullian Trail West. Staff requested that the Trustees waive the conservation report and approve the application for a navigation channel.

Mr. Adams said he appreciated the fact that the Trustees had never denied anyone access to their dock, and that the Trustees could ignore the report if they wanted to; but it appeared to him that the conservation report might be secured.

Mr. Dickinson suggested approval subject to a report, and Mr. Christian said he would agree to a postponement until the report was secured. But Mr. Christian pointed out that the channel was only 120 feet long and he intended to vote in favor of granting the applicant's request.

Motion was made by Mr. Christian, and adopted without objection, that the application be deferred pending receipt of a conservation report. Mr. Christian asked that his vote in favor of the request be noted, if he was not present on the date the matter was brought back for further consideration.

HIGHLANDS COUNTY - Application was made by A. E. Austin, Jr., for a state permit for construction of a 150-foot dock in Lake Clay at his upland property in Section 30, Township 36 South, Range 30 East, in Highlands County. All required exhibits, including \$100.00 processing fee for the dock permit, were submitted. The facility was to be used by residents in a retirement mobile homes park. Staff recommended approval.

On motion adopted unanimously, the Trustees authorized issuance of the dock permit.

OKALOOSA COUNTY - Walter J. Parks, Jr., Consulting Engineer, on behalf of the City of Fort Walton Beach, made application to amend an existing permit to construct a by-pass channel 12 feet wide by 1,200 feet long, in conjunction with an outfall sewer in Santa Rosa Sound in Okaloosa County. The Florida State Board of Health and the Federal Water Pollution Control Administration had concurred in the proposed change. Staff requested waiver of conservation report and approval of the application.

Motion was made by Mr. Christian, and adopted without objection, that the application be deferred pending receipt of a conservation report.

CAPITOL CENTER - On motion duly adopted, the Trustees authorized correction in the minutes of October 3, 1967, from Lots 154 through 160 inclusive, to Lots 153 through 160 inclusive, of the Original Plan of the City of Tallahassee, which was a portion of the description of the property authorized to be transferred to the Development Commission.

TRUSTEES' FUNDS - The Staff requested authority to transfer from Trustees' funds to the Board of Archives and History the unexpended balance of \$98,718.00 of the appropriation of Trustees' funds provided for the activities of the State Board of Antiquities to be carried on in accordance with Chapter 65-300. The Board of Antiquities was abolished by the provisions of Chapter 67-50 which created a new agency to be known as the Florida Board of Archives and History. The latter board on October 10, 1967, appointed a Director to carry on the activities authorized by this new agency. It was anticipated that funds which had been appropriated to the Board of Antiquities out of trust funds would be required for the new agency's operation for the remainder of this fiscal year.

Motion was made by Mr. Dickinson, seconded by Mr. Christian and adopted unanimously, that the unexpended balance of the appropriation of Trustees' funds for the fiscal year 1967-68 be transferred to the Florida Board of Archives and History for the operation of this newly created agency for the remainder of this fiscal year.

ORANGE COUNTY - Request was presented from Compass East Corp., a subsidiary of Walt Disney Productions, to purchase the reserved oil, gas and mineral rights held by the Trustees on the SW $\frac{1}{4}$ of SE $\frac{1}{4}$ and E $\frac{1}{2}$ of SE $\frac{1}{4}$ of Section 17, Township 24 South, Range 28 East, Orange County, containing 120 acres conveyed by the Trustees in 1944 in Deed No. 18873. In order to determine the value of the Trustees' interest, the Division of Geology of the Board of Conservation undertook an evaluation and assigned the amount of \$17.75 per acre for the Trustees' 50% interest in the oil and gas and \$1.00 per acre for the 75% interest in all other minerals.

Staff recommended quitclaim of the reserved interest held by the Trustees in the oil, gas and minerals to the land owner, Compass East Corporation, for the sum of \$2,250.00.

Orange and Osceola Counties - Murphy Act Land. Philip N. Smith, attorney, on behalf of Compass East Corporation, offered \$18.75 per acre for the reserved oil and mineral interest of the State of Florida, reserved on 70 acres of land conveyed in Orange County Murphy Act Deed Nos. 1463 and 1654, and 160 acres of land conveyed

in Osceola County Murphy Act Deed Nos. 1114 and 1199. The Division of Geology of the Board of Conservation had also evaluated the oil, gas and mineral interest of the State of Florida in the Murphy Act land, as for the land in the Trustees' deeds mentioned above.

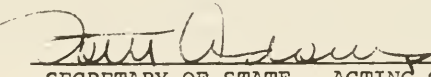
Staff recommended quitclaim of the reserved interest in the land conveyed under the Murphy Act, for the sum of \$4,312.50.

Mr. Adams suggested that the Attorney General be asked to review this matter of selling the reserved interest. Questions were asked, and Dr. Robert O. Vernon, State Geologist, explained the method used by the Board of Conservation geological staff in arriving at a value to be placed on the oil, gas and other mineral interest in the land. He said that by accepting, the state would lose all interest.

It was not known whether buildings would actually be constructed on the land, which would be a part of the Disney EPCOT project.

Upon motion adopted without objection, the Trustees referred the applications for purchase of reserved interest in the Trustees' and the State's land to the Attorney General for review of the matter in the light of the questions raised.

On motion duly adopted, the meeting was adjourned.


SECRETARY OF STATE - ACTING CHAIRMAN

ATTEST:


STAFF MEMBER

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Tallahassee, Florida
October 24, 1967

The Trustees of the Internal Improvement Fund met on this date in the Board Room of the office of the Governor, in the Capitol.

Present:	Claude R. Kirk, Jr.	Governor
	Tom Adams	Secretary of State
	Earl Faircloth	Attorney General
	Broward Williams	Treasurer
	Floyd T. Christian	Superintendent of Public Instruction
	Doyle Conner	Commissioner of Agriculture

Robert C. Parker Director

DADE COUNTY - The Director requested removal from the agenda for further study and review of consideration of a number of applications received since 1961 to purchase submerged lands landward of the bulkhead lines established by the City of Islandia.

Ten of the applications had been considered by the Trustees and either advertised or the application fees returned, and some of the applications had been confirmed but no deed issued. Twelve other applications had not been presented to the board for consideration.

Mr. J. F. Redford, state president of Izaak Walton League, asked to be heard before removal of the item from the agenda. He said that he spoke in the interest of Dade County Commission, which last week had denied a dredge and fill permit for a large area on the mainland of South Biscayne Bay and was considering pulling back the bulkhead line which at some places was 1000 feet from the shore. He said that would leave Islandia as the largest patch of "unsaved" acreage, and that last week the Federal Bureau of the Budget released House Resolution No. 551 for consideration by the House of Representatives, relating to the establishment of the Biscayne National Monument in the Islandia area. He felt that the Trustees would not grant any dredge and fill requests until hearing from the federal government on the monument proposal. Further, he thought that if the pending applications were denied, it would not mean that new applications might not be made at some future time under the provisions now applicable under the new legislation calling for ecological and biological reports, which did not apply at the time the pending applications were filed.

Therefore, Mr. Redford asked the Cabinet to take action on the agenda item, to deny the applications which were pending which in effect would re-endorse the position the Cabinet had taken a few months ago encouraging Secretary of the Interior Stewart Udall and others in their efforts to protect the conservation values in South Biscayne Bay.

Secretary of State Adams said the board had taken that position and there was no reason to reconfirm it, and that regardless of when the applications were made any consideration by the board would be under the new law and the new philosophy. He said the matter was being held in abeyance so that no more fill permits would be granted and no more bottom lands disposed of, in the light of the efforts of the national government.

The consensus of the board was that the matter should be removed from the agenda. It was so ordered.

LEE COUNTY - File No. 2022-36-253.12. On September 5, 1967, the Trustees considered application from Sheppard and Woolslair, on behalf of John P. Moss, et ux, abutting upland owners, with offer of \$2,000.00 per acre, which was more than the appraised price, for purchase of a parcel of submerged land in Matanzas Pass in Section 24, Township 46 South, Range 43 East, Lee County, at Estero Island landward of the established bulkhead line. Notice of sale was published in the Fort Myers News Press, proof of publication filed and no objection to the sale received. The parcel contained 0.25 acre.

The Lee County Bulkhead Line Committee, of which a marine biologist of the Board of Conservation is a member, reported on May 16, 1967, that the bulkhead line for Moss Marina, Inc., or filling within it, would not materially affect marine resources in the area. Later the Trustees' office received a report from the Board of Conservation confirming this favorable report. The Staff recommended

confirmation of the sale.

Attorney General Faircloth called attention to the fact that the same biologist of the Board of Conservation who served on the local bulkhead line committee also made the ecological report to the board, and that there might possibly be a conflict of interest. He wanted assurance that it was an unbiased and impartial report from one solely responsible to the board, and not to a local committee fixing bulkhead lines. Mr. Parker explained that the biologist served the county without pay, offered professional advice they needed, that the Trustees' office had nothing to do with the arrangement but that he saw no conflict of interest or anything wrong in it.

Mr. Adams said that the biologist should be advising the board independently, and the Board of Conservation should take action to remove their biologist from any local committees that evaluate bulkhead lines or anything else. He said it could constitute a conflict of interest, and such bulkhead line committee recommendations should not be substituted for the Board of Conservation reports required by the law.

Mr. Williams also thought it was a conflict of interest and made a motion that the application of Mr. Moss for Lee County land be withdrawn from the agenda. The motion was seconded by the Attorney General and unanimously adopted.

The Director asked from whom the county should get professional advice and Mr. Faircloth said it was their responsibility to get biological studies from the Board of Conservation, but not by having a Board of Conservation biologist as a member of their committee.

Mr. John Sheppard, attorney for the applicant, explained that the area involved was very small, merely to even up the bulkhead line. He was advised by the Governor to review the application with the Trustees' Staff and get it into such condition that the Trustees would hear it again.

MARTIN COUNTY - File No. 1959-43-253.12. On September 12 the Trustees considered application from F. W. Michaux, the abutting upland owner, who offered \$425.00 per acre, approved by the Staff Appraiser, for purchase of a parcel of submerged land in the Indian River in Section 1, Township 38 South, Range 41 East, in the Town of Sewall's Point, Martin County, landward of the established bulkhead line. Notice of sale was published in the Stuart News, proof of publication filed, and no objection to the sale of the 0.54 acre parcel was received.

The original application area of 1.19 acres had been cut back to 0.54 acre to comply with the recommendation of the biological report of the Board of Conservation that no sale of submerged land be made beyond a line 60 feet parallel to the shoreline, to preclude filling a grassy area. Staff recommended confirmation of sale of the small parcel. The Director said it was considerably landward of the bulkhead line and fill material would be secured from the intracoastal waterway.

Mr. Adams said that the board was determined to follow the law in getting independent evaluation of conservation aspects, and that biological reports should specifically state whether the

application as made should be granted. He objected to conservation reports which advised as to how applications should be adjusted as to size, channels, or to the extent seaward the application area would be favorably considered.

Motion was made by Mr. Adams, seconded by Mr. Faircloth and adopted without objection, that the Board of Conservation make biological reports which evaluate the application without referring to adjustments or modifications.

For the reason that the conservation report was not satisfactory, the application was deferred.

MONROE COUNTY - File No. 1950-44-253.12. On September 12 the Trustees considered application from Fred P. Henning and wife, the abutting upland owners, who offered \$425.00 per acre, the established price, for purchase of a parcel of submerged land in Hawk Channel in Section 36, Township 67 South, Range 25 East, Stock Island in Monroe County, containing 3.47 acres, more or less. Notice of sale was published in the Key West Citizen, proof of publication filed, and no objection to the sale was received.

The applicant had reduced his original application area from 26.65 acres to 3.47 acres to comply with the Board of Conservation recommendation that the area sold not extend more than 250 feet offshore from the applicant's property line.

Based on the same objection to conservation reports as made above, motion was made by Mr. Adams, seconded by Mr. Faircloth, and adopted without objection, that the application be deferred.

MONROE COUNTY - File No. 1983-44-253.12. On September 5 the Trustees considered application from Mrs. Myrtle Gibson, abutting upland owner, who offered \$300.00 per acre, the established appraised price, for a parcel of submerged land in Tropical Bay in Section 23, Township 66 South, Range 29 East, containing 0.36 acre lying easterly of and abutting Block 1 of Palm Villa on Big Pine Key as recorded in Plat Book 1, Page 89, Public Records of Monroe County, Florida. Notice of sale was published in the Key West Citizen, proof of publication filed.

Staff recommended deferment pending further investigation of the basis of several objections received from adjacent upland owners who questioned the zoning and the applicant's proposed use of the area.

Motion was made by Mr. Conner, seconded and adopted, that the Staff recommendation be approved and the application deferred.

PALM BEACH COUNTY - File No. 1918-50-253.12. On September 5 the Trustees considered the application from Cedar Lane Developers, Inc., abutting upland owner, with offer of \$1,383.75 per acre, approved by the Staff Appraiser, for purchase of a parcel of submerged land in Lake Worth in Section 35, Township 44 South, Range 43 East, containing 0.501 acre in the Town of Palm Beach lying westerly of and adjacent to the south 275 feet of Government Lot

1, lying west of the right of way of State Road 1A and landward of the established bulkhead line. Notice of sale was published in the Palm Beach Daily News, proof of publication filed in the Trustees' office.

Objections were received from the Town Commission of South Palm Beach and from South Palm Beach Residence, Inc. There was a variation of 26 feet in the extension of bulkhead lines of the municipalities at that point and the Staff had suggested that the applicant pull back the area applied for to the beginning of the South Palm Beach bulkhead line. Staff recommended deferment of consideration of the sale until technical details pertaining to the location of the existing bulkhead lines could be worked out.

Staff also recommended issuance of a disclaimer under the provisions of Section 253.129 Florida Statutes covering 1.32 acres abutting the applicant's upland which had been filed prior to June 11, 1957. The applicant submitted the \$10.00 handling charge for the disclaimer.

Motion was made by Mr. Adams, seconded by Mr. Christian and adopted unanimously, that the Trustees authorize issuance of the disclaimer under the provisions of Section 253.129, and that the board defer consideration of the sale as recommended.

LEE COUNTY - Bulkhead Line. The Board of County Commissioners of Lee County by Resolution adopted September 27, 1967, established a bulkhead line offshore from the mean high water line and along the eastern shore of Estero Bay in Government Lot 2, Section 18, Township 47 South, Range 25 East, Lee County. The Lee County Bulkhead Line Committee, composed of the County Engineer, County Attorney and a marine biologist of the Florida Board of Conservation, had recommended the bulkhead line, which was approximately along the line of mean high water. There were no objections at the local hearing and all required exhibits were furnished to the Trustees' office.

Mr. Adams said that since the biologist was involved as a member of the county bulkhead line committee, this item would be in the same category as the Lee County application discussed previously (in these minutes) and therefore, he made a motion that the matter be brought back. It was so ordered.

LEE COUNTY - Miss Elsie Laughlin of Naples, Florida, made application to construct a perimeter navigation channel and an access channel offshore from her upland property in Estero Bay in Section 18, Township 47 South, Range 25 East, Lee County. Corps of Engineers permit SAJSP 67-575 is pending approval of the work by the Trustees. The project conforms to the recommendations of the Lee County Bulkhead Line Committee. Dredged material will be placed on applicant's upland behind adequate spoil dikes. Board of Conservation biological report approved the channels with certain recommendations as to the dimensions of the cut.

On motion by Mr. Adams, seconded by Mr. Williams and adopted without objection, the Trustees directed that the application be brought back at a later date, for the reason that the biological report was unsatisfactory.

PALM BEACH COUNTY - Bulkhead Line. On September 5, 1967, the Trustees considered and deferred action on a bulkhead line in the City of Riviera Beach in Palm Beach County. On April 24, 1962, the Trustees rejected a portion of a bulkhead line on the

east shore of Lake Worth and directed that the rejected portion be referred back to the city with a recommendation that consideration be given to conforming the bulkhead line to the offshore limits of those submerged lands conveyed by Trustees' Deed No. 17146 dated April 22, 1924. The City Council of Riviera Beach by Ordinance No. 749 on May 3, 1967, adopted a line which was along this conveyance line, with a small variance at the southerly end where the relocated line would meet a previously established line, running from the Village of North Palm Beach to the north line of Palm Beach Isles No. 3.

The Florida Board of Conservation report dated September 25, 1964, recommended that the line be pulled back to the outer limits of private ownership; and their report of January 16, 1967, stated that the relocated line was a decided improvement over the old line which lay as much as 850 feet beyond the private parcels of submerged land. However, both reports said that dredging to get fill material in this area would severely damage the last undisturbed nursery ground in Lake Worth. Objections were filed by the Izaak Walton League.

The Director recommended deferment to permit further study of a location which the city might fix that might accommodate the need for additional land fill mass and yet not do too much damage to conservation values. He said additional land mass would provide protection to the road and to the narrow upland area adjoining A1A.

Governor Kirk said he had taken a consistent position against the bulkhead line, and on motion by Mr. Adams, adopted without objection, the Trustees denied approval of the bulkhead line.

COLLIER COUNTY - Thomas R. Brown, attorney, on behalf of Charlie B. Alexander, et ux, and D. F. Bishop, et ux, requested issuance of a disclaimer to the South 100 feet of Tract 4, Whitehurst's Replat, Plat Book 5, Page 1, public records of Collier County, lying within the erroneously located meandered area of Haldeman Creek. The Trustees had previously approved similar applications of applicants desiring to remove cloud upon title. On October 17, 1967, the Trustees approved issuance of ex parte disclaimer for \$100.00 consideration for the 0.57 acre parcel, subject to the approval of the Attorney General. Only four members of the board were present on that date and the matter was again placed on the agenda.

The Director said that there would be other applications for disclaimer to remove clouds on the title because of the early erroneous surveys.

Motion was made by Mr. Conner, seconded by Mr. Christian and adopted unanimously, that the Trustees approve issuance of the disclaimer for \$100.00 consideration.

DADE COUNTY - File No. 1788-13-253.129. Harold P. Kravitz, attorney for Bayshore Marina, Inc., submitted \$10.00 charge for issuance of a disclaimer under the provisions of Section 253.129 Florida Statutes, to a 0.5737 acre parcel of sovereignty land in Section 22, Township 54 South, Range 41 East, Dade County, which was filled prior to June 11, 1957. On October 17, 1967, the Trustees

approved the application subject to approval of the Attorney General. There were only four members present and the matter was again placed on the agenda.

Motion was made by Mr. Faircloth, seconded by Mr. Williams and adopted unanimously, that the Trustees approve issuance of the disclaimer for \$10.00 charge.

MANATEE COUNTY - File No. 2040-41-253.12(1) John R. Blue, on behalf of Harry S. Howey, et ux, applied for conveyance under the provisions of Section 253.12(1) Florida Statutes, of 2.0 acres of sovereignty land in Sarasota Bay in Section 3, Township 35 South, Range 16 East, which was filled subsequent to May 29, 1951, and prior to June 11, 1957. On October 17, 1967, there were only four members present and the Trustees approved the application subject to approval of the Attorney General.

Motion was made by Mr. Faircloth, seconded by Mr. Adams and adopted unanimously, that the Trustees approve issuance of quitclaim upon payment of the appraised value of \$100.00 per acre, being the value of the submerged land as it existed prior to filling.

PINELLAS COUNTY - The Pinellas County Water and Navigation Control Authority on behalf of Bernard F. Powell, Roger L. Stevens, Nora Mae Peabody and Mary Starr Powell, d/b/a/ The Belleview Biltmore Hotel, granted Dredge Only Permit No. DO-158 to dredge silt from an existing channel and boat basin. The Board of Conservation biologist reported that the basin and channel leading to it from Clearwater Harbor were heavily silted to the detriment of boat traffic, that applicant wished to scour the basin and channel to their original depth of -8 ft. MLW as dredged under Department of Army permit issued to the Belleview Biltmore Hotel on October 2, 1929, and that it was understood that spoil material would be deposited shoreward of the mean high water line behind dikes. No grassy nursery or fishing grounds were involved.

On motion by Mr. Adams, seconded by Mr. Williams and adopted unanimously, the Trustees approved the dredging permit issued by the Pinellas County Water and Navigation Control Authority.

PALM BEACH COUNTY - The State Road Department requested temporary easement, to terminate October 1, 1971, for dredging a 4.54 acre parcel of bottom land in Hobe or Jupiter Sound in Section 31, Township 40 South, Range 43 East, Palm Beach County, lying within the right of way of the intracoastal waterway in connection with the construction of State Road 707, Section 93090-2504. Staff requested waiver of the conservation report, and recommended issuance of the easement subject to approval of the District Engineer, U. S. Corps of Engineers.

Motion was made by Mr. Williams, seconded by Mr. Conner and adopted unanimously, that the Trustees grant the request of the State Road Department for the temporary easement without requiring a conservation report. The Governor commented that this work by the Road Department would be extremely helpful.

LAKE COUNTY - Robert E. Thornburg of Eustis, Florida, applied for 6,000 cubic yards of material from Lake Eustis in Lake County to use for improvement of his upland property in Section 2, Township 19 South, Range 26 East, in the City of Eustis. Applicant tendered payment in the amount of \$300.00 for the material. The Florida Game and Fresh Water Fish Commission reported favorably on the proposed work, subject to standard stipulations in the permit as to dredging. Staff recommended approval.

On motion by Mr. Adams, seconded by Mr. Williams and adopted unanimously, the Trustees authorized issuance of permit to Mr. Thornburg for the requested amount of fill material from Lake Eustis.

LAKE COUNTY - R. O. Newman on behalf of W. H. Elmore of Leesburg, Florida, applied for 10,000 cubic yards of material from Lake Eustis in Lake County, to use for improvement of his upland property in Section 21, Township 19 South, Range 26 East. Applicant tendered payment in the amount of \$500.00 for the material and the Staff recommended approval. Florida Game and Fresh Water Fish Commission reported favorably on the proposed work, subject to standard stipulations in the permit as to dredging.

On motion by Mr. Adams, seconded by Mr. Williams and adopted unanimously, the Trustees authorized issuance of permit to the applicant for the requested amount of material.

MARION COUNTY - Len Warren of Ocala, Florida, applied to remove 110 cubic yards of material from Little Lake Weir to improve his upland property in Section 11, Township 17 South, Range 23 East, Marion County. The Florida Game and Fresh Water Fish Commission approved the proposed work, subject to standard stipulations as to dredging. Applicant tendered payment in the amount of \$25.00 and the Staff recommended approval.

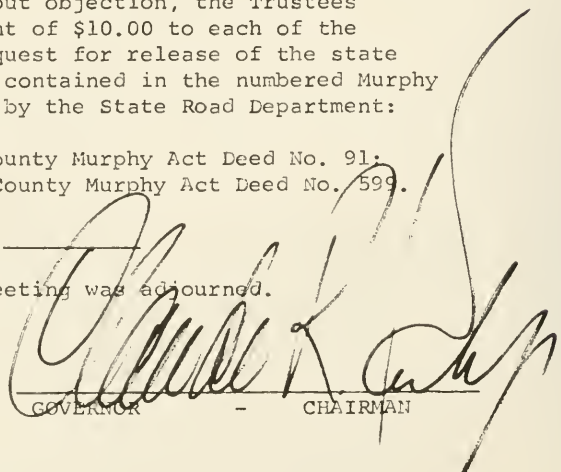
On motion by Mr. Adams, seconded by Mr. Williams and adopted unanimously, the Trustees authorized issuance of permit to Mr. Warren for the requested amount of material.

SUBJECTS UNDER CHAPTER 18296

REFUNDS - Murphy Act. On motion made by Mr. Williams, seconded by Mr. Adams and adopted without objection, the Trustees authorized refund in the amount of \$10.00 to each of the following applicants whose request for release of the state road right of way reservation contained in the numbered Murphy Act deeds was not recommended by the State Road Department:

Bruce C. Hendry, DeSoto County Murphy Act Deed No. 91.
John L. Denman, Sarasota County Murphy Act Deed No. 599.

On motion duly adopted, the meeting was adjourned.



GOVERNOR - CHAIRMAN

ATTEST:

Robert C. Parker
DIRECTOR - SECRETARY

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Tallahassee, Florida
October 31, 1967

The Trustees of the Internal Improvement Fund met on this date in the Board Room, office of the Governor, in the Capitol

Present: Tom Adams	Secretary of State, Acting Chairman
Earl Faircloth	Attorney General
Fred O. Dickinson, Jr.	Comptroller
Floyd T. Christian	Superintendent of Public Instruction
Doyle Conner	Commissioner of Agriculture
<hr/>	
Robert C. Parker	Director

On motion duly adopted, the Trustees approved the minutes of October 17 and 24, 1967, which had been approved by the Attorney General.

At the meeting of the Board of Conservation on this date, the members discussed the need for getting biological and ecological studies which, while not required under the old law, were a requirement under the new legislation in applications for setting bulkhead lines, issuance of fill permits and sales of submerged lands. Secretary of State Adams pointed out that the board desired to operate in strict compliance with the law and a philosophy of conservation of natural resources. He hoped it would not take long for every one to understand this. Speaking for the board, he said they appreciated the Staff's work and understanding of the situation involving the change of procedures. The Director said there would be problems, and he thanked the members for their patience.

PALM BEACH COUNTY - File No. 2027-50-253.12. Brockway, Owen and Anderson on behalf of Mary P. Tindall, the abutting upland owner, offered the appraised value of \$1,401.00 per acre for purchase of a parcel of submerged land in Lake Worth containing 0.346 acre in Section 3, Township 43 South, Range 43 East, in the City of West Palm Beach landward of the established bulkhead line, in Palm Beach County. Staff recommended advertisement.

The Board of Conservation biological study of marine life for the northerly portion of Lake Worth made in 1961, reprinted in 1963, reported that submerged bottoms were extensively silted on both sides of the intracoastal waterway and that sea grass and nursery grounds appeared to be lacking in the area. A May 1963 report made at the time the proposed changes in the City of West Palm Beach bulkhead line were being considered showed that the area within said bulkhead line did not contain valuable sea grass.

On motion by Mr. Dickinson, adopted without objection, the

Trustees authorized advertisement of the parcel for objections only.

PALM BEACH COUNTY - File No. 2042-50-253.12. Application was presented from C. E. J., Inc., the abutting upland owner, with offer of the appraised value of \$1,937.50 per acre for purchase of a parcel of submerged land containing 0.20 acre in Jupiter River (Hobe Sound) in Section 30, Township 40 South, Range 43 East, Gomez Grant, landward of the established bulkhead line.

Although the biological report received from the Board of Conservation under date of August 24, 1967, stated that this immediate area was a nursery area and feeding ground, the Trustees' Staff felt that because of the physical location and the consent of the upland owners to the relocation of State Road No. 707, and the numerous sales of bottom lands beyond or westerly of the road right of way already confirmed by the Trustees, this sale should be authorized for advertisement.

However, this parcel was within 200 feet of that 0.29 acre parcel applied for by Henry T. Goode in File No. 1930-50-253.12 which was presented to the Trustees on September 26, 1967, and was denied.

Mr. Dickinson made a motion that the Trustees act in accordance with the recommendation of the Staff to advertise the parcel for objections only. There was no second and the motion failed.

Mr. Conner moved that the Trustees be consistent with the denial on September 26 for a parcel nearby, and deny the application by C. E. J., Inc. Mr. Faircloth seconded the motion which was adopted without objection.

CHARLOTTE COUNTY - Bulkhead Line. The Board of County Commissioners of Charlotte County by Resolution adopted October 17, 1967, established a bulkhead line in Charlotte Harbor in Section 25, Township 40 South, Range 22 East, Charlotte County, offshore from uplands of Shakeshaft's Seahorse Marina, Inc. and Edwin C. Ryder. There were no objections at the local hearing and all required exhibits were furnished. The Board of Conservation biological report dated July 21, 1967, stated that the area had already been affected by filling, particularly by the adjacent fill to the south, and that the area was not a fishing or nursery ground. Staff recommended approval of the bulkhead line.

On motion made by Mr. Christian, seconded by Mr. Dickinson and adopted unanimously, the Trustees approved the bulkhead line as established by Charlotte County on October 17, 1967.

MANATEE COUNTY - Bulkhead Line. Withdrawn from the agenda for consideration at some future date was a bulkhead line adopted by the City Council of the City of Bradenton in Manatee County.

BAY COUNTY - File No. 2047-03-253.129. Staff requested authority to issue a disclaimer under the provisions of Section 253.129 Florida Statutes, covering a 1.93 acre parcel of sovereignty land which was filled prior to May 29, 1951, lying in the St. Andrews

Bay in Section 1, Township 4 South, Range 14 West, Bay County. The present owners, Lee A. Everhart and wife, and Gilbert A. Tougas and wife, submitted the \$10.00 handling charge for a disclaimer.

On motion by Mr. Conner, seconded by Mr. Dickinson and adopted unanimously, the Trustees authorized issuance of the disclaimer under provisions of Section 253.129 Florida Statutes.

COLLIER COUNTY - File No. 1679-11-253.124. Staff recommended approval of a fill permit issued by the Board of County Commissioners on October 3, 1967, to Marco Island Corporation under the provisions of Section 253.124 Florida Statutes as amended by Chapter 67-393, Acts of 1967, to fill the 3.6 acre parcel of submerged land in Big Marco Pass in Section 6, Township 52 South, Range 26 East, Collier County, which was previously conveyed by the Trustees under the referenced file number.

Motion was made by Mr. Christian, seconded by Mr. Dickinson and adopted unanimously, that the Trustees approve the fill permit issued by the Board of County Commissioners of Collier County on October 3, 1967.

COLLIER COUNTY - The Marco Island Corporation applied for permit to remove 109,000 cubic yards of material from unvegetated sandy shoal and channels in Big Marco Pass in Section 6, Township 52 South, Range 26 East, Collier County. The material would be used to improve the applicant's upland property and \$5,450.00 was tendered as payment. The Florida Board of Conservation reported that the shoal area lay at the intersection where the inland waterway channel joined Big Marco Pass channel, that it was not vegetated and dredging should not materially or adversely affect marine resources or fishing and would improve navigation.

Motion was made by Mr. Conner, seconded by Mr. Dickinson and adopted unanimously, that the Trustees authorize issuance of a permit to the applicant for removal of the requested amount of fill material.

DADE COUNTY - File No. 356-13-253.124. Staff recommended approval of fill permit issued by the City Council of the City of North Miami on April 12, 1966, and submitted to the Staff under date of October 18, 1967, together with copy of the report of the marine biologist of the Board of Conservation, under the provisions of Section 253.124 Florida Statutes as amended by Chapter 67-393, Acts of 1967, to fill the 0.64 acre parcel of submerged land in Biscayne Bay in Section 28, Township 52 South, Range 42 East, Dade County, previously conveyed by the Trustees under the referenced file number. The applicant for the permit was Causeway Investments, Inc., the successor in title to the parcel from Antonio Arias y Gardenas. The referenced biological report submitted to the City of North Miami under date of October 9, 1967, stated that the proposed development would not adversely affect marine resources in Dade County.

On motion by Mr. Christian, seconded by Mr. Dickinson, the

10-31-67

Trustees approved the fill permit to Causeway Investments, Inc.

DUVAL COUNTY - Parkhill-Goodloe Co., Inc., on behalf of the Jacksonville Port Authority, made application to modify existing Department of the Army Permit SAJSP 66-347 to remove an additional 150,000 cubic yards of material from the previously approved borrow area. The material was to be placed on the Jacksonville Port Authority upland and request was made for waiver of payment for the material since it was a county agency.

Mr. Adams commented that the usual charge for the fill would be in the amount of \$7,500.00. The Director said that the Staff recommended waiver of the charge for the public agency.

Motion was made by Mr. Christian, seconded by Mr. Dickinson and adopted unanimously, that the application be granted without charge for the material.

DUVAL COUNTY - Harold B. Wahl, attorney on behalf of the American Telephone and Telegraph Company, proposed to install overseas ocean cable from Jacksonville, Florida, to St. Thomas, Virgin Islands, and requested permission (1) to place a submarine cable under the seawall and beneath the beach in Section 28, Township 2 South, Range 29 East, and (2) to lay twin armored submarine cables (10 per cent buried and 90 per cent laid loosely on the bottom) across the St. Johns River on the east side of the Main Street Bridge in Jacksonville, Florida, in Section 39, Township 2 South, Range 26 East, Duval County.

The Staff requested waiver of the biological or ecological study because the facility would serve the public interest, and recommended approval of the application.

Mr. Dickinson said the proposed work had been checked out and was badly needed, and that all they requested was access and the right to lay the cables.

Mr. Adams said he realized that, but on the agenda was a request that the board waive the biological and ecological study. He called attention to the earlier action of the Board of Conservation that they would not waive such studies.

The Director said that the Staff had been advised that the project was all right biologically although the usual survey and report was not made. However, he said that the marine biologist of the Board of Conservation was present and might be familiar with the area. Kenneth Woodburn, the biologist, made the statement that there would be no material adverse effect from the work.

Mr. Wahl asked if there wasn't some way, in view of all the cables which have to be laid across navigable waters, that such matters which are clearly in the public interest could be handled at the staff level between the departments of Senator Randolph Hodges, for the Board of Conservation, and Mr. Parker, for the Trustees, and not require formal action by the cabinet.

Mr. Adams said he could only summarize that a new philosophy was in effect, the board preferred such applications to come before it for decision, to relieve the staff of the burden of decisions. Mr. Conner added that if the board started making exceptions, it might have many requests, some of which might not be in the public interest.

On motion by Mr. Dickinson, seconded by Mr. Faircloth and adopted unanimously, the Trustees approved the application from American Telephone and Telegraph Company.

ST. LUCIE COUNTY - File No. 1351-56-253.124. Authority was requested for extension for an additional period of three years of a fill permit issued by the Board of County Commissioners of St. Lucie County and approved by the Trustees December 7, 1965, under the provisions of Section 253.124 Florida Statutes, to fill the 49.90 acre parcel and 2.29 acre strip of submerged land in the Indian River in Sections 2 and 3, Township 37 South, Range 41 East, conveyed and dedicated under the above referenced file number. The original permit was issued to Gene T. Dyer, et ux, who were unable to proceed with the improvements called for in the permit. Their rights therein, together with the upland, the submerged land and the dedicated easement pertaining to the proposed development described in the permit, had been assigned to Iowa Land & General Development Corp., Inc.

The Staff was advised by the Attorney General that the requirements for various surveys and studies established by Chapter 67-393 in its amendment to Section 253.124 Florida Statutes, would not apply to the dredge and fill permit for which an extension is requested, because the dredge and fill permit had already been issued and there was nothing in the new law which required retroactive or retrospective application. Based on this opinion, the Staff recommended approval of the permit extension.


Mr. Adams said he considered that there was nothing in the new law that would prohibit the securing of a biological and ecological report. Mr. Faircloth said he had not considered it in that light, but now that the fill permit was coming up for an extension he saw nothing to prohibit a biological report. Mr. Conner said that it did not appear that it would be an unnecessary delay as the permit was for a period of three years.

Motion was made by Mr. Faircloth, seconded and adopted without objection, that a biological and ecological study and report be secured before any action was taken on the permit extension.

VOLUSIA COUNTY - Application was made by Stepp, Inc., on behalf of W. E. Cartwright, for permit to remove 2,000 cubic yards of material from a sand bar in the St. Johns River in Section 24, Township 15 South, Range 27 East, Volusia County, for deposit on the applicant's upland property. Applicant tendered payment in the amount of \$100.00 for the material. The Florida Game and Fresh Water Fish Commission reported favorably on the proposed work, subject to inclusion of standard stipulations in the permit as to dredging. Staff recommended approval.

On motion by Mr. Dickinson, seconded by Mr. Conner and adopted unanimously, the Trustees authorized issuance of permit for the requested amount of fill material.

On motion duly adopted, the meeting was adjourned.


SECRETARY OF STATE - ACTING CHAIRMAN

10-31-67

ATTEST:

Robert C. Parker
DIRECTOR - SECRETARY

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Tallahassee, Florida
November 7, 1967

The Trustees of the Internal Improvement Fund met on this date in the Board Room, office of the Governor, in the Capitol.

Present:	Claude R. Kirk, Jr.	Governor
	Tom Adams	Secretary of State
	Earl Faircloth	Attorney General
	Fred O. Dickinson, Jr.	Comptroller
	Broward Williams	Treasurer
	Floyd T. Christian	Superintendent of Public Instruction
	Doyle Conner	Commissioner of Agriculture

Robert C. Parker Director

On motion duly adopted, the Trustees approved the minutes of the meeting of October 31, 1967, which had been approved by the Attorney General.

CHARLOTTE COUNTY - File No. 1989-08-253.12. Application was made by Leo Wotitzky on behalf of Shakeshaft's Seahorse Marina, Inc., and Edwin C. Ryder, abutting upland owners, who offered the appraised value of \$5,389.38 per acre for two contiguous parcels of submerged land totalling 0.86 acre, more or less, in Charlotte Harbor in Section 36, Township 40 South, Range 22 East, landward of the established bulkhead line in Charlotte County. The biological report received by the Staff from the Board of Conservation dated July 21, 1967, showed that sale and development of the two parcels would not adversely affect the marine resources of the area. The Staff recommended advertisement for objections only.

Motion was made by Mr. Adams, seconded by Mr. Faircloth and adopted unanimously, that the land be advertised for objections only.

LEE COUNTY - File No. 2022-36-253.12. On October 24, 1967, the Trustees deferred action on the application from John P. Moss, et ux, abutting upland owners, with offer of \$2,000.00 per acre for a small parcel of submerged land containing 0.25 acre, more or less, in Matanzas Pass in Section 24, Township 46 South, Range 43 East, at Estero Island landward of the established bulkhead line in Lee County. A supplemental biological report dated October 20, 1967, from marine biologist Kenneth D. Woodburn to Mr. Randolph Hodges, Director of the Board of Conservation, and transmitted to the Trustees' office on October 23, stated that the filling and

development of the parcel sought for purchase in this application would not materially affect marine resources in the area. In view of this conclusion, Staff recommended confirmation of the sale.

Motion was made by Mr. Adams, seconded by Mr. Faircloth and adopted unanimously, that sale of the advertised parcel be confirmed in favor of the riparian owners at the price offered.

MARTIN COUNTY - File No. 1959-43-253.12. On October 24, 1967, the Trustees deferred action on the purchase application from F. W. Michaux, the abutting upland owner, who offered \$425.00 per acre for a parcel of submerged land in the Indian River in Section 1, Township 38 South, Range 41 East, containing 0.54 acre, more or less, in the Town of Sewall's Point landward of the established bulkhead line in Martin County. The language used in the report from the Board of Conservation with respect to marine resources was construed by the Trustees as being in improper form, and a modified report dated November 1, 1967, was received from the Board of Conservation, copy of which was forwarded to each member of the Trustees. Based on the modified report, Staff recommended confirmation of sale of the parcel since the new biological report indicated no adverse effects on marine resources.

Motion was made by Mr. Faircloth, seconded by Mr. Adams and adopted unanimously, that the Trustees confirm sale of the advertised parcel to the riparian owner at the price offered.

MONROE COUNTY - File No. 1950-44-253.12. On October 24, 1967, the Trustees deferred action on the purchase application from Fred P. Henning, et ux, abutting upland owners, who offered \$425.00 per acre for a parcel of submerged land in Hawk Channel in Section 36, Township 67 South, Range 25 East, containing 3.47 acres, more or less, southerly of Stock Island in Monroe County. Certain procedural matters were clarified relating to the recommendations to be made by the marine biologist with respect to the area sought for purchase, and the Staff recommended confirmation of the sale. The marine biologist's report of January 16, 1967, indicated that the area for which application was made to purchase, consisting of 3.47 acres, contained no substantial marine resources to be protected or preserved.

Motion was made by Mr. Faircloth, seconded by Mr. Dickinson and adopted unanimously, that the Trustees confirm sale of the advertised parcel to the riparian owner at the price offered.

CHARLOTTE COUNTY - Bulkhead Line. The Board of County Commissioners of Charlotte County by resolution adopted October 17, 1967, established a bulkhead line in Lemon Bay in Section 12, Township 41 South, Range 19 East, Charlotte County, being in two short segments for petitioner Clayton E. Kesselring, Jr., of Englewood Beach, Manasota Key. All required exhibits were furnished and there were no local objections to the bulkhead line. The Florida Board of Conservation had no objection to the line which closely followed the mean high water line. Staff recommended approval.

Motion was made by Mr. Adams, seconded by Mr. Dickinson and

adopted unanimously, that the Trustees approve the bulkhead line as located by the Board of County Commissioners of Charlotte County.

MANATEE COUNTY - Bulkhead Line. The City Council of the City of Bradenton, Florida, by resolution adopted September 13, 1967, established a bulkhead line offshore in the Manatee River in Sections 25 and 26, Township 34 South, Range 17 East, Manatee County. All required exhibits were furnished and there were no local objections. The objective of the city in establishing the bulkhead line was to make it possible for the city and the Manatee Memorial Hospital, the abutting upland owners, to acquire the submerged lands located landward of the bulkhead line as fixed by the city. That application to acquire land appears as the following item in these minutes.

The Florida Board of Conservation report dated November 8, 1966, was used by the City Council in establishing the bulkhead line. That report indicated that the area between the ACL railroad bridge causeway and the small city marina bordering 9th Street West had the best growth of seagrasses, oysters and red mangrove that served as a nursery and feeding grounds for marine life and that wading birds fed on the shallow flats. However, the area was not undisturbed because of dredging or draglining, filling and silting from constructing small boat channels, the marina and the railroad causeway. That area between the railroad bridge causeway and the DeSoto Bridge had generally been adversely affected by dredging and draglining, filling and silting. The narrow strip of submerged land sought on the eastern side of the DeSoto Bridge causeway had been adversely affected by dredging, filling and silting. The Florida Board of Conservation Patrol reported that the areas were not popular sport fishing sites and that commercial netting of fish was banned east of the Green bridge in the Manatee River.

Mr. Adams said there was great public interest and slight ecological damage in the municipal project for which this bulkhead line was set, and Mr. Dickinson agreed that it was in the public interest.

Motion was made by Mr. Adams, seconded by Mr. Dickinson and adopted unanimously, that the Trustees approve the bulkhead line off the northerly shoreline of the Manatee River in Sections 25 and 26, Township 34 South, Range 17 East, as located by the City Council of the City of Bradenton, Florida, by resolution of September 13, 1967.

MANATEE COUNTY - File No. 2051-41-253.12. Application to Purchase, and Dedication for Public Purposes. The City Council of the City of Bradenton submitted an application for acquisition of all submerged land located landward of the bulkhead line established by their resolution of September 13, 1967, in the Manatee River in Sections 25 and 26, Township 34 South, Range 17 East, Manatee County. The city quoted the language contained in Section 3 of Chapter 63-1129, Special Acts of 1963, which authorized the City of Bradenton to undertake this project, the language of the act being as follows:

"... it is essential and necessary to the health, safety and welfare of the inhabitants of the city, that the city acquire, fill and develop a waterfront area of tide land and slightly

submerged land for the purpose of eliminating stagnant pools and shallow flats, detrimental to public health; to make available sufficient land for right of way for a connecting link between U. S. Highways 41 and 301 in the city to provide a safer flow of traffic; to enhance the recreational facilities of the city and the cultural development of the inhabitants thereof, and to add to the aesthetic appeal of the northern approaches to the city..." The total area in the application for the city was 54.25 acres.

Also, the Board of Trustees of Manatee Memorial Hospital, a county hospital, one of the abutting upland owners within this bulkhead line, by resolution dated October 23, 1967, requested the Trustees to dedicate the submerged lands adjacent to their upland ownership lying landward of the bulkhead line to the county for public purposes. The hospital was in the process of constructing a major addition to the hospital, and the City of Bradenton and Manatee County entered into an agreement whereby they would share the cost to fill the 8.513 acres adjacent to the hospital.

The Director said the city had not submitted a specific development plan but the intended use had been discussed and reviewed by the Staff. Mr. Lloyd A. Lyday, City Attorney for the City of Bradenton, orally committed the city to offer the appraised value for the submerged land applied for.

A number of interested persons were present, including Mr. Lyday and the Mayor of Bradenton, also Kenneth W. Cleary and J. Gordon Alderman, and others. The Mayor thanked the Trustees for their favorable response to the city's waterfront project bulkhead line and application.

Motion was made by Mr. Adams, seconded by Mr. Dickinson and adopted unanimously, that the Trustees approve the application by the City of Bradenton for 54.25 acres, and the application by the Manatee Memorial Hospital for dedication of 8.513 acres for public purposes, and that said parcels be advertised for objections only.

PALM BEACH COUNTY - Bulkhead Line. The Town Commission of the Town of Jupiter by Ordinance No. 22-67 adopted on August 15, 1967, amended the existing bulkhead line in the Loxahatchee River in Section 36, Township 40 South, Range 42 East, Palm Beach County, in order to correct irregularities in the existing bulkhead line which were discovered by a field survey. The Florida Board of Conservation had reported by letter dated November 23, 1966, that the line set by the Town of Jupiter was the most conservative and conservation-oriented bulkhead line they had evaluated. Staff recommended approval of the amended bulkhead line.

On motion by Mr. Dickinson, seconded by Mr. Williams and adopted unanimously, the Trustees approved the amended bulkhead line as adopted by the Town of Jupiter.

COLLIER COUNTY - Thomas H. Baker, holder of Grazing Lease No. 2062-S covering Section 16, Township 49 South, Range 31 East, Collier County, which expires on November 23, 1967, requested renewal for an additional three (3) years. The lease contained a provision allowing cancellation by the Trustees after 90-day written notice, and had been leased at 40¢ per acre annually. Due to an increase in value of land and increase of private land rental in the area of the leased land, Staff recommended renewal

for three additional years at an annual rental increased 10% or to 44¢ per acre for the 640 acres.

The Director said that this was the first action by the Trustees with respect to lands title to which came to the Trustees under Chapter 67-2236, Laws of Florida, Acts of 1967. Revenue derived from this lease will continue to be deposited to the credit of the School Fund.

On motion by Mr. Faircloth, seconded by Mr. Conner and adopted unanimously, the Trustees authorized renewal of the grazing lease for three additional years at 44¢ per acre annually, with the same other terms and provisions as heretofore.

GLADES COUNTY - Staff recommended approval of assignment of Grazing Lease No. 2267 covering 40 acres of reclaimed lake bottom land in Section 12, Township 42 South, Range 32 East, Glades County, from D. C. Mitchell to Ernest W. Hilliard, Sr., and Ernest W. Hilliard, Jr. Executed assignment and acceptance of assignment were filed in the State Land Office.

Motion was made by Mr. Faircloth, seconded by Mr. Williams and adopted unanimously, that the Trustees approve the lease assignment.

BROWARD COUNTY - File No. 2013-06-253.124. Staff recommended approval of the fill permit issued by the Building Department of the City of Fort Lauderdale on October 30, 1967, to August Urbanek under the provisions of Section 253.124 Florida Statutes as amended by Chapter 67-393, Acts of 1967, to fill the 0.18 acre parcel of submerged land in New River Sound in Section 12, Township 50 South, Range 42 East, Broward County, recently conveyed by the Trustees under the referenced file number. The biological report dated June 5, 1967, received by the Staff covering this area offered no objection to this offshore extension in the heavily dredged and filled waterfrontage of downtown Fort Lauderdale.

Motion was made by Mr. Williams, seconded by Mr. Christian and adopted unanimously, that the Trustees approve the fill permit.

DUVAL COUNTY - File No. 2003-16-253.124. Fill Permit, Channel Dredging, and Dock Permit. The Staff recommended approval of the fill permit issued by the Board of County Commissioners of Duval County on October 30, 1967, to Jacksonville Port Authority under the provisions of Section 253.124 Florida Statutes as amended by Chapter 67-393, Acts of 1967, to fill a portion of the 128-acre tract of submerged land in the St. Johns River in Section 25, Township 1 South, Range 27 East, and Sections 18, 19, 20, 29 and 30, Township 1 South, Range 28 East, previously conveyed by the Trustees under the referenced file number.

Also, under the provisions of Section 253.123 Florida Statutes, as amended by said Chapter 67-393, the Staff requested authority to issue permit to the Jacksonville Port Authority to dredge in the St. Johns River channel, channelward of the established bulk-head line in the same area and to deposit the material on upland

title to which is vested in the Port Authority. Staff recommended that charge for this material be waived as the applicant was a public agency.

In both instances, the Staff of the Board of Conservation offered no objection to the proposed work, no harm to marine resources being indicated as a result of the development.

Also, Staff recommended approval of permit for commercial dock and wharf in the St. Johns River in Section 25, Township 1 South, Range 27 East, Duval County, for which all required exhibits were submitted. Because of the public nature of the project, waiver of the \$100.00 state commercial dock permit fee was requested.

Motion was made by Mr. Christian, seconded by Mr. Adams and adopted unanimously, that the Trustees authorize issuance of the three permits for filling, channel dredging, and dock and wharf construction for the Jacksonville Port Authority. The Board waived the dock permit fee for the public project.

DUVAL COUNTY - On October 17, 1967, the Trustees at the suggestion of the Secretary of State deferred action on the application from Anne K. Grass of Jacksonville for permission to dredge a navigation channel 20 feet wide by 120 feet long alongside an existing dock in the St. Johns River, pending an examination and report by the marine biologist. On this date, Mr. Adams said he had been informed that while no published conservation report had been received, there was no ecological damage and further, that the applicant had unknowingly proceeded with the small boat channel not realizing that permission was required. He recommended that, if there was no objection, the application be approved and the permit issued.

On motion by Mr. Adams, seconded by Mr. Christian and unanimously adopted, the Trustees authorized issuance of a permit to Miss Grass for the small navigation channel.

LEE COUNTY - Florida Power and Light Company of Sarasota, Florida, made application for permission to install a submarine power cable in and across the waterway south of State Road 865-A bridge at Big Carlos Pass in Section 2, Township 47 South, Range 24 East, in Lee County. The Florida Board of Conservation reported that installation of the cable in water depths from eight to eighteen feet would not adversely affect marine life and fisheries. Staff recommended approval.

On motion by Mr. Williams, seconded and unanimously adopted, the Trustees approved the application for a cable crossing.

OKALOOSA COUNTY - On October 17, 1967, the Trustees deferred action, pending receipt of a biological report, on application by the City of Fort Walton Beach under provisions of Section 253.123 Florida Statutes as amended by Chapter 67-393, Acts of 1967, to amend an existing permit to construct a by-pass channel 12 feet wide by 1,200 feet long in conjunction with an outfall

sewer in Santa Rosa Sound in Okaloosa County. The Florida Board of Health acting for the Florida Air and Water Pollution Control Commission, and the Federal Water Pollution Control Administration had concurred in the construction of the by-pass channel.

After the survey by the Florida Board of Conservation requested by the Trustees on October 17, the biologist reported no objection to or recommendation regarding the proposed project. Copy of the biological report was sent to members of the board.

Motion was made by Mr. Williams, seconded by Mr. Faircloth and adopted unanimously, that the Trustees authorize the permit requested by the City of Fort Walton Beach.

PALM BEACH COUNTY - Boat Square Holding Corporation made application under provisions of Section 253.123 Florida Statutes as amended by Chapter 67-393, Acts of 1967, for maintenance dredging in an existing channel in Lake Worth in Section 10, Township 45 South, Range 43 East, Palm Beach County. The Florida Board of Conservation reported that the project would not adversely affect marine resources in Palm Beach County, and the Staff recommended approval.

Motion was made by Mr. Dickinson, seconded by Mr. Williams and adopted unanimously, that the Trustees authorize issuance of a permit for the channel dredging.

PALM BEACH COUNTY - File No. 1014-50-253.124. Staff recommended approval of a fill permit issued by the Town of Hypoluxo in Palm Beach County on October 27, 1967, to Joe W. Mimms under the provisions of Section 253.124 Florida Statutes as amended by Chapter 67-393, Acts of 1967, to fill the 1,969 acre parcel of submerged land in Lake Worth in Section 10, Township 45 South, Range 43 East, previously conveyed by the Trustees under the referenced file number.

The biological report covering this area as submitted to the Town of Hypoluxo under date of October 17, 1967, showed that the dredging and development of the subject parcel would not adversely affect marine resources in the area.

Motion was made by Mr. Williams, seconded by Mr. Christian and adopted unanimously, that the Trustees approve the fill permit issued by the Town of Hypoluxo to Mr. Mimms.

ST. LUCIE COUNTY - File No. 1351-56-253.124. Removed from the agenda for consideration at a later date was request for extension for an additional three years of a fill permit issued by the Board of County Commissioners of St. Lucie County and approved by the Trustees December 7, 1965, to fill submerged land in the Indian River in Sections 2 and 3, Township 37 South, Range 41 East, in St. Lucie County conveyed and dedicated under the above file number to Gene T. Dyer.

UNION COUNTY - The State Road Department requested use of certain

On motion duly adopted, the Trustees approved the minutes of the meeting of November 7, 1967.

MONROE COUNTY - File 491-44-253.12. On September 19, 1967, the Trustees authorized advertisement for objections only of a parcel of submerged land in the Bay of Florida containing 9.99 acres in Section 6, Township 66 South, Range 28 East, Tarpon Belly Keys in Monroe County, for which application was made by Sea Farms, Inc., abutting upland owner. Offer of \$200.00 per acre was made. Notice of sale was published in the Key West Citizen. The published notice gave this date as the time for consideration of this application. In view of the substantial number of complaints received and the inviolate dedication heretofore impressed upon these submerged lands by the Trustees by reason of the Great White Heron Refuge, the Staff felt that it would be in the public interest to recommend that the application be disapproved.

William Roberts, attorney for the applicant, filed a request that action be deferred until at least five members of the Trustees were present. A quorum of the Trustees was present on this date, but not the five members required for disposition of land in the new act (Chapter 67-5).

William C. Ashe, representing both W. L. Towns of U. S. Fish and Wildlife Service, Atlanta, as well as Mr. Carroll of the Vero Beach office, was present to present the views of the Bureau of Sport Fisheries and Wildlife on the Sea Farms, Inc., application which they opposed because of its potential adverse effects on existing wildlife values and the Great White Heron National Wildlife Refuge, established in 1938 to preserve our migratory bird resource, to give permanent protection to rare birds and to help preserve the scenic character of the Florida Keys. He filed a statement for the record, urging the Trustees to deny the application. He said it would cause destruction of wildlife habitat within the area dedicated by the Trustees as an inviolate sanctuary for all forms of bird life.

In answer to Mr. Dickinson's question, the Director said there had been no correspondence on the matter from Monroe County political or governmental authorities.

Mr. Williams moved that the application be disapproved, then changed his motion to deferment in view of the request by the attorney for deferment until five of the Trustees were present.

Motion was also made by Mr. Dickinson that action be postponed, which without objection, was adopted.

BREVARD COUNTY - File 1990-05-253.12. On October 3, 1967, the Trustees considered application from Eddie D. Thomas and wife, abutting upland owners, who offered the appraised value of \$943.90 per acre for a parcel of submerged land in the Indian River in Section 21, Township 29 South, Range 38 East, 1.09 acres landward of the established bulkhead line in Brevard County. Notice of sale was published in the Melbourne Times, proof of publication filed.

Two individuals filed objections, and by letter dated October 31, 1967, from the attorney for an abutting upland owner nearby, the Staff was advised that the applicant's upland is the subject of certain litigation on appeal before the District Court of Appeals of the Fourth District. Staff recommended deferment.

On motion by Mr. Williams, duly adopted, the Trustees deferred action pending the outcome of the litigation.

For the reason that there were not five members of the Trustees present, action was deferred for a week on the three applications for confirmation of sale identified by the following file numbers:

Brevard County File 1993-05-253.12, Wendall O. Yount, applicant
Brevard County File 2008-05-253.12, Wendall O. Yount, applicant
Lee County File 2025-36-253.12, Grafton Development Company, applicant.

BREVARD COUNTY - Files 1994, 2012, 2033 and 2034-05-253.12.

These four applications for authority to advertise for objections only were listed on the agenda with information as to the biological report and comments about this general area, all within the city limits of the City of Titusville, for which the location of the present bulkhead line by the city officials was approved by the Trustees in 1964 in consideration of pressures of urbanization caused by the influx of people involved in the NASA program. The Director showed on maps prepared by the Staff parcels up and down the bulkhead line which had been sold and dredge and fill permits issued, parcels already developed, parcels sold for which fill permits had not been issued, as well as the application areas under consideration on this date.

Mr. Williams made a motion that these items be taken off the agenda and brought back for consideration next week. Mr. Faircloth said it was a step in the process of sale, for which five members were required.

Mr. Dickinson asked if anyone was present who wished to speak, or if anyone's rights would be abrogated by postponement. This did not appear to be the case. Mr. Conner said this indicated a situation as it now existed, referring to the map showing the history of the area. Mr. Faircloth said that the information furnished was the kind of staff work which really helped the Trustees make intelligent decisions.

The motion by Mr. Williams for deferment for a week until five members were present was adopted without objection.

SHELL LEASES - On motion duly adopted, the Trustees accepted as information the following report of remittances received by the Florida Board of Conservation from holders of dead shell leases:

<u>Lease No.</u>	<u>Name of Company</u>	<u>Amount</u>
2233	Bay Dredging & Construction Co.	\$ 6,178.80
1718	Radcliff Materials, Inc.	10,303.97

11-14-67

DADE COUNTY - Staff recommended issuance of a commercial sand lease to Des Rocher Sand Company for a period of two (2) years from November 15, 1967, on a non-exclusive basis, monthly minimum of \$25.00, surety bond of \$5,000.00, with provision for cancellation by the Trustees after 90-day written notice. It was also recommended that the royalty of 15¢ per cubic yard paid under a former lease be increased 20% in view of the increased value of other construction materials, and that dredging areas be the same as in former lease No. 2133 as modified to comply with recommendations of the Division of Beaches and Shores of the Board of Conservation. This would move the dredging area farther from shore to two areas applied for by Mr. Des Rocher in July 1967, a minimum of approximately 4,000 feet from the southern tip of Key Biscayne.

On October 11, 1967, the Trustees temporarily extended sand lease No. 2133 held by this applicant to November 15 and requested a report on the lease, which was prepared and forwarded to each member on November 8, 1967.

On motion by Mr. Dickinson, seconded by Mr. Williams and adopted unanimously, the Trustees authorized issuance of a commercial sand lease to Des Rocher Sand Company with terms and provisions as recommended above.

Attorney General Faircloth said that the next four items on the agenda (12, 13, 14 and 15) involved some kind of conveyance and he thought it would be in order to defer action until the next meeting. Involved were lands in Highlands County for the Board of Public Instruction, Lafayette County land no longer used by the Florida Board of Forestry, Suwannee County land for which a quitclaim deed was requested, and Nassau County Murphy Act land for the Board of County Commissioners of Nassau County.

On motion by Mr. Williams, adopted without objection, the Trustees deferred action on these matters until next week.

MARION COUNTY - On motion by Mr. Williams, duly adopted, the Trustees waived the charge and granted the request by the Florida Game and Fresh Water Fish Commission to remove 350 cubic yards of material from Halfmoon Lake in Section 29, Township 25 South, Range 15 East, Marion County, to be used in connection with construction of a public boat ramp.

PALM BEACH COUNTY - The Board of County Commissioners of Palm Beach County made application for a permit to construct an artificial reef in the Atlantic Ocean 6,500 feet offshore from the Town of Palm Beach Shores. The reef will have a minimum depth of 60 feet mean low water and will be 900 feet west of a site previously recommended for an artificial reef by the Florida Board of Conservation. Staff recommended approval subject to payment of the usual application fee.

Upon motion by Mr. Dickinson, seconded by Mr. Williams and adopted without objection, the Trustees authorized issuance of a permit to the Board of County Commissioners of Palm Beach County for the artificial reef upon receipt of the usual \$50.00 fee.

DADE COUNTY - The City Commission of the City of Miami by Resolution No. 39119 adopted on November 6, 1967, relocated the previously established bulkhead line in Biscayne Bay (along Miami Bayfront Park) in Section 6, Township 54 South, Range 42 East, in Dade County. All required exhibits were furnished. One objector appeared at the local hearing. The Florida Board of Conservation reported that the area within the bulkhead line had been affected by past dredging, filling, silting or spoiling from past development, and the area was not a nursery, sport or commercial fishing ground. The Staff recommended approval of the bulkhead line relocation. The Director said the only protest in the file was copy of a letter from the local chapter (Miami) of the Florida Engineering Society regarding the so-called Doxiadis Plan.

Mr. Faircloth said it seemed to be a routine matter, but there were loud protests regarding the plan locally.

On motion by Mr. Williams, adopted without objection, the Trustees deferred action on approval of the relocation of the bulkhead line.

On motion duly adopted, the Trustees adjourned.


ATTORNEY GENERAL - ACTING CHAIRMAN

ATTEST: 
DIRECTOR - SECRETARY

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Tallahassee, Florida
November 21, 1967

The Trustees of the Internal Improvement Fund met on this date in the Board Room of the office of the Governor, in the Capitol.

Present: Claude R. Kirk, Jr. Governor
Tom Adams Secretary of State
Earl Faircloth Attorney General
Fred O. Dickinson, Jr. Comptroller
Broward Williams Treasurer
Floyd T. Christian Superintendent of Public Instruction
Doyle Conner Commissioner of Agriculture

Robert C. Parker Director

On motion by Mr. Conner, duly adopted, the Trustees approved the minutes of the meeting of November 14, 1967.

MONROE COUNTY - File 491-44-253.12. There was listed on the agenda again on this date the application made by Sea Farms, Inc., abutting upland owner, to purchase a parcel of submerged land in the Bay of Florida containing 9.99 acres in Section 6, Township 66 South, Range 23 East, in Tarpon Belly Keys, Monroe County. On the advertised sale date, November 14, only four members were present. On being informed that the attorney for the applicant requested deferment of action until at least five members of the board were present, the Trustees heard objections of the U. S. Bureau of Sport Fisheries and Wildlife and postponed action.

The Director stated that the attorney for the applicant had asked for deferment until such time as he could be present.

Motion was made by Mr. Adams, seconded by Mr. Faircloth and adopted without objection, that the matter be deferred. The Governor asked if there was anyone present to be heard for whom a return trip would be difficult, and the answer was in the negative.

BREVARD COUNTY - File 1993-05-253.12. On the advertised sale date, November 14, only four members were present and action was deferred on the application from Wendall O. Yount, abutting upland owner, with offer of \$400.00 per acre, the appraised value, for purchase of a parcel of submerged land in the Banana River in Section 19, Township 24 South, Range 37 East, 11.94 acres, more or less, landward of the established bulkhead line in Brevard County.

No objections were received to the sale. The biological report made for consideration of the bulkhead line was not adverse as to sale and filling of parcels within the North Banana River Drive Bulkhead Line, Merritt Island, Sections 18 and 19, Township 24 South, Range 37 East. Staff recommended confirmation of the sale.

Motion was made by Mr. Christian, seconded by Mr. Faircloth and adopted unanimously, that sale of the advertised parcel be confirmed at the price offered by the abutting upland owner.

BREVARD COUNTY - File 2008-05-253.12. On the advertised sale date, November 14, only four members were present and action was deferred on the application from Wendall O. Yount, abutting upland owner, who offered \$400.00 per acre, the appraised value, for purchase of 0.49 acre parcel of submerged land in the Banana River in Section 19, Township 24 South, Range 37 East, landward of the established bulkhead line in Brevard County.

No objections were received to the sale. The biological report made for consideration of the bulkhead line was not adverse as to sale and filling of parcels within the North Banana River Drive Bulkhead Line, Merritt Island, Sections 18 and 19, Township 24 South, Range 37 East. Staff recommended confirmation of the sale.

Motion was made by Mr. Christian, seconded by Mr. Faircloth and adopted unanimously, that sale of the advertised parcel be confirmed at the price offered by the abutting upland owner.

LEE COUNTY - File 2025-36-253.12. On the advertised sale date,

November 14, only four members were present and action was deferred on the application from Grafton Development Company, abutting upland owner, which offered \$2,000.00 per acre, more than the appraised price, for purchase of a parcel of submerged land in Matanzas Pass in Section 24, Township 46 South, Range 23 East, containing 0.311 acre landward of the established bulkhead line in Lee County.

No objections were received to the sale. The biological report offered no objection to the bulkhead line and the proposed improvements landward thereof. Staff recommended confirmation of the sale.

Motion was made by Mr. Christian, seconded by Mr. Faircloth and adopted unanimously, that sale of the advertised parcel be confirmed at the price offered by the abutting upland owner.

BREVARD COUNTY - File 1994-05-253.12. Grusenmeyer & Associates on behalf of Gayle N. Valdyke, the abutting upland owner, applied to purchase for the appraised value of \$1,300.00 per acre a parcel of submerged land in the Indian River in Section 10, Township 22 South, Range 35 East, in the City of Titusville, landward of the established bulkhead line, containing 0.62 acre in Brevard County.

File 2012-05-253.12. Grusenmeyer & Associates on behalf of Cecil C. Streepy, et ux, the abutting upland owners, applied to purchase for the appraised value of \$1,500.00 per acre a parcel of submerged land in the Indian River in Section 15, Township 22 South, Range 35 East, in the City of Titusville landward of the established bulkhead line, containing 2.88 acres in Brevard County.

File 2033-05-253.12. Grusenmeyer & Associates on behalf of Shore Point, Inc., the abutting upland owner, applied to purchase for the appraised value of \$1,500.00 per acre a parcel of submerged land in the Indian River in Section 22, Township 22 South, Range 35 East, in the City of Titusville landward of the established bulkhead line, containing 5.07 acres in Brevard County.

File 2034-05-253.12. Grusenmeyer & Associates on behalf of H. C. Kirk, the abutting upland owner, applied to purchase for the appraised value of \$1,500.00 per acre a parcel of submerged land in the Indian River in Section 22, Township 22 South, Range 35 East, in the City of Titusville landward of the established bulkhead line, containing 2.43 acres in Brevard County.

With respect to the above four applications, consideration of which was postponed last week, the Staff requested the marine biologist of the Board of Conservation to make an on-site inspection and to up-date the biological report made for this area on November 12, 1964. Mr. Kenneth D. Woodburn in a new report dated October 4, 1967, suggested that there were some marine resources landward of the bulkhead line and recommended that no further submerged land sales be made or dredge and fill permits issued in this area unless the development plans show location of borrow area in water depths greater than six feet mean low water. He further suggested that access channels seaward of the bulkhead line be of realistic dimensions, so as not to constitute a subterfuge to get fill material to fill and develop the area of submerged land purchased.

All of these four applications were within the city limits of the City of Titusville, which has been hardpressed for suitable property for development uses such as motels and similar purposes. These pressures of urbanization, of course, have been caused by the influx

of people who are involved in the NASA program. These considerations were primarily responsible for the location of the present bulkhead line by the city officials and the approval thereof by the Trustees in 1964. A substantial number of sales of submerged land had been made in the general area, many parcels had been filled and developed. The Director indicated these parcels on maps, also the application areas and pending applications to be presented soon. The Staff recommended that the four parcels applied for on this date be advertised for objections only.

On motion by Mr. Christian, seconded by Mr. Faircloth and adopted unanimously, the Trustees authorized advertisement of the four parcels for objections only.

SARASOTA COUNTY - File 1067-58-253.12. Thomas F. Icard on behalf of Gene M. Stirling, et ux, the abutting upland owners, offered the appraised value of \$500.00 per acre for a parcel of sovereignty land in Little Sarasota Bay in Section 18, Township 37 South, Range 18 East, Sarasota County, which was inadvertently filled in 1962. The parcel was easterly of and abutting a 1.84 acre parcel conveyed by the Trustees in March 1962. Due to local engineering errors, the bulkhead line established for this parcel was erroneously located in the field, causing the 0.31 acre application parcel to be inadvertently filled and developed.

The conservation report to the Sarasota County Water and Navigation Control Authority verified that the parcel was filled; therefore, no biological survey was in order. Staff recommended advertisement.

Motion was made by Mr. Conner, seconded by Mr. Dickinson and adopted unanimously, that the 0.31 acre parcel be advertised for objections only.

DADE COUNTY - Bulkhead Line. The Trustees deferred consideration of a relocation of a bulkhead line in Biscayne Bay in Section 6, Township 54 South, Range 42 East, in the City of Miami, Dade County. The Director said that City Manager Melvin Reese called to inform him that Metro-Dade had scheduled a public hearing on this date concerning this bulkhead line matter, and that he would transmit the result of the hearing to the Trustees' Director so that it might be incorporated into the file and passed on to the Trustees for their consideration.

On motion by Mr. Conner, seconded by Mr. Faircloth and Mr. Williams, the matter was deferred.

HILLSBOROUGH COUNTY - Bulkhead Line. The Board of County Commissioners of Hillsborough County by resolution adopted October 16, 1967, established a bulkhead line in the Alafia River in Section 23, Township 30 South, Range 19 East, Hillsborough County. All required exhibits were furnished. The main objection at the local hearing was that the line was too close to the shore. The Florida Board of Conservation offered no objections to or recommendations for this line, closely following the shoreline and its configuration. The Staff recommended approval.

Motion was made by Mr. Christian, seconded by Mr. Williams and adopted unanimously, that Trustees approve the bulkhead line as established by Hillsborough County on October 16, 1967.

LEE COUNTY - Bulkhead Line. The Board of County Commissioners of Lee County by resolution adopted on September 27, 1967, established a bulkhead line approximating the mean high water line in Estero Bay in Section 18, Township 47 South, Range 25 East, Lee County. All required exhibits were furnished. There were no objections at the local hearing, and the Florida Board of Conservation reported that the bulkhead line did not take in seagrasses, sport or commercial fishing grounds. Staff recommended approval.

Motion was made by Mr. Dickinson, seconded by Mr. Faircloth and adopted unanimously, that Trustees approve the bulkhead line as established by Lee County on September 27, 1967.

BREVARD COUNTY - File 2021-05-253.129. Staff requested authority to issue disclaimer under the provisions of Section 253.129 Florida Statutes, to a part of Lot 10 of Merritt Island Tropic Park, Plat Book 10, Page 24, Brevard County, Florida, Public Records, in Section 34, Township 26 South, Range 37 East, Brevard County, containing approximately 0.4 acre which was filled prior to May 29, 1951. Wesley R. Thompson and wife are the present owners of this lot.

Motion was made by Mr. Williams, seconded by Mr. Faircloth and adopted unanimously, that the Trustees authorize issuance of the disclaimer.

BROWARD COUNTY - McLaughlin Engineering Co., on behalf of Island Twenty, Inc., applied for a commercial dock permit to construct 12 marginal docks in New River at Fort Lauderdale, Florida, in connection with a proposed development. The applicant tendered payment of \$100.00 for state permit, and the Staff recommended approval.

Motion was made by Mr. Conner, seconded by Mr. Christian and adopted unanimously, that the Trustees authorize issuance of state commercial dock permit to the applicant.

DUVAL COUNTY - F. Malcolm Radel of Jacksonville, Florida, made application to remove 500 cubic yards of material from the Arlington River in Section 42, Township 2 South, Range 27 East, Duval County. Applicant tendered payment in the amount of \$25.00 for the material, which will be used to improve his upland behind a seawall. The Florida Board of Conservation reported that the area was not a nursery or feeding ground for marine animals, no seagrasses exist, and no sport or commercial fishing occurs here.

Motion was made by Mr. Faircloth, seconded by Mr. Christian and adopted unanimously, that the Trustees authorize permit for removal of the requested amount of material.

HIGHLANDS COUNTY - On June 14, 1966, the Board of Commissioners of State Institutions agreed to convey to the Board of Public Instruction of Highlands County approximately 68.5 acres of state-owned land adjacent to the Alcoholic Rehabilitation Center as a site for the South Florida Junior College, subject to the county rerouting the existing access road from Highway 27 to the Center. Resolutions from the Highlands County Board of County Commissioners dated May 2 and October 10, 1967, evidenced the willingness of the county to relocate the access road at county expense. The new route of the

access road was acceptable to the Alcoholic Rehabilitation Center administrator and Board of Public Instruction of Highlands County.

Staff recommended conveyance by the Trustees, now title holder under Chapter 67-2236, Acts of 1967, of the 68.5 acres to the Board of Public Instruction of Highlands County, with deed to contain use clause restriction and limiting the use of the parcel to public school purposes and other uses related thereto, and with reverter provision to operate upon non-compliance or non-use for three (3) consecutive years at the option of the Trustees.

Motion was made by Mr. Faircloth, seconded by Mr. Christian and adopted unanimously, that the 68.5 acre site be conveyed as recommended by the Trustees' Staff, with restriction and reverter provisions in the deed.

LAFAYETTE COUNTY - Under Chapter 67-2236, Acts of 1967, the Trustees were successors in title to the Florida Board of Forestry, of a 4.25 acre towersite in the NE¼ of Section 25, Township 6 South, Range 12 East, Lafayette County, identified as Crapps Towersite 2T-7. The site was deeded to the Board in 1948 by P. C. Crapps and P. C. Crapps Jr., with the provision that in the event it was no longer used for state forestry purposes the entire tract would revert to the donors. The towersite having been relocated and all improvements moved, it was recommended that the Trustees quitclaim the property to P. C. Crapps, Jr., and the Estate of P. C. Crapps.

On motion by Mr. Faircloth, seconded by Mr. Dickinson and adopted unanimously, the Trustees authorized issuance of the quitclaim as recommended.

LEE COUNTY - Miss Elsie Laughlin applied for permit to construct a perimeter channel and an access channel offshore from her upland property in Estero Bay in Section 18, Township 47 South, Range 25 East, in Lee County. The Board of Conservation reported that the area in which the perimeter navigation channel would be constructed was devoid of seagrasses and the work would not interfere with conservation of marine resources; however, the access channel would cross dense seagrass beginning 70 feet offshore and would interfere with conservation of marine resources in direct proportion to the surface area disturbed. The Staff recommended approval of the perimeter navigation channel, and reduction of top-of-cut of the access channel to 70 feet.

Motion was made by Mr. Faircloth, seconded by Mr. Christian and adopted unanimously, that the perimeter navigation and the access channels be approved as recommended by the Staff.

MONROE COUNTY - File 2052-44-253.12(1) and 253.129. On motion by Mr. Faircloth, seconded by Mr. Christian, and adopted unanimously, the Trustees granted request of the Department of the Navy on behalf of the United States of America for the following:

1. Disclaimer under provisions of Section 253.129 Florida Statutes covering seven parcels of sovereignty land in the Bay of Florida in Township 67 South, Range 25 East, abutting uplands owned by the United States on the Island of Key West and Fleming Key, that were filled or had permanent structures thereon constructed prior to May 29, 1951. Total area of the seven parcels was 2.993 acres, and seven instruments would be issued at \$10.00

charge for each.

2. Quitclaim deed under the provisions of Section 253.12(1) to two parcels of sovereignty land in the same area, that were filled between May 29, 1951 and June 11, 1957, containing a total of 0.226 acre at the rate of \$250.00 per acre, being the value in the unfilled state at the date of such filling.
3. Exclusive use dedication over the shore area between the high and low water marks of the shoreline, at Dredgers Key and the Naval Air Station on the Island of Key West to control ingress and egress from the Bay into those installations for purposes of security. The area of those two parcels totalled 27.816 acres.

SUWANNEE COUNTY - The Trustees, as successors in interest to the Park Board under Chapter 67-2236, Laws of Florida, Acts of 1967, were requested to issue a quitclaim deed to Lot 4 or fractional NW $\frac{1}{4}$ of Section 18, Township 1 South, Range 12 East, Suwannee County, quitclaiming any interest that the Board of Parks and Historic Memorials might have as a result of a final judgment of condemnation on December 15, 1950, in that land. The Park Board determined that the award of the court was excessive and declined to deposit in the registry of the court the sum awarded. Failure to make the deposit had the effect of making the condemnation proceeding under Section 73.111 Florida Statutes, null and void.

The property was being sold by the owner and there was nothing in the court file to evidence the repudiation of title by the Park Board other than the absence of the required deposit. The office of the Attorney General recommended issuance of a quitclaim by the Trustees.

On motion by Mr. Faircloth, seconded by Mr. Christian and adopted unanimously, the Trustees authorized issuance of the quitclaim deed.

SUBJECTS UNDER CHAPTER 18296

NASSAU COUNTY - Application was made by D. O. Oxley, Clerk of the Board of County Commissioners of Nassau County, on behalf of the County, for purchase of 20 acres of land as described in Deed Book 22, Page 438, of the Public Records of Nassau County, in Section 24, Township 2 North, Range 24 East, Nassau County. The county offered \$600.00 for the land for use as a borrow pit, then as a county sanitary dump. The Staff recommended conveyance under Chapter 21684, Acts of 1943, without advertising and public sale.

On motion by Mr. Faircloth, seconded by Mr. Williams and adopted unanimously, the Trustees approved conveyance under Chapter 21684 to Nassau County for \$600.00.

On motion duly adopted, the meeting was adjourned.


GOVERNOR


CHAIRMAN

11-21-68

ATTEST:

Robert C. Parker
DIRECTOR - SECRETARY

* * * * *

Tallahassee, Florida
November 28, 1967

The Trustees of the Internal Improvement Fund met on this date in the Board Room of the office of the Governor, in the Capitol.

Present: Earl Faircloth Attorney General, Acting Chairman
 Broward Williams Treasurer
 Floyd T. Christian Superintendent of Public Instruction
 Doyle Conner Commissioner of Agriculture

Robert C. Parker Director

For the reason that there was not present on this date at least the five members required under the new act to sell, transfer or otherwise dispose of lands, Mr. Williams made a motion that items on the agenda numbered 1 through 7, 11 and 13 be removed, to be put back on the agenda for consideration next week.

Mr. Conner was in favor of taking action, subject to the concurrence of the required number of members. After a brief discussion in which the Attorney General expressed the opinion that it would be better to bring matters back to a board meeting for consideration by at least five members, the motion by Mr. Williams for removal of the following items was adopted without objection.

LEE COUNTY - File 1977-36-253.12, Application for confirmation of sale of 0.46 acre parcel to Norma Jeanette, abutting owner

MONROE COUNTY - File 1829-44-253.12, Application for confirmation of sale of 0.40 acre parcel to Elmer R. Schultz, et ux, abutting upland owners

VOLUSIA COUNTY - File 1645-64-253.12, Application for confirmation of sale of 0.03 acre to Lloyd E. Wall, abutting owner

BROWARD COUNTY - File 2043-06-253.12, Application to advertise for objections only, 0.25 acre for Richard C. Reilly, et ux, abutting upland owners

LEE COUNTY - File 1856-36-253.12, Application to advertise for objections only, 4.7 acres for Lee Knight et ux, the abutting upland owners

PALM BEACH COUNTY - File 1940-50-253.12, Application to advertise for objections only, 0.256 acre for Otto V. DiVosta, et ux, the abutting upland owners

PALM BEACH COUNTY - File 2004-50-253.12, Application to advertise for objections only, 1.043 acres for Palm Beach Trust, Co., et al, the abutting upland owners

ALACHUA COUNTY - Easement requested by the Board of Regents for right of way for electric transmission and distribution line

to serve the University of Florida at Gainesville

MARTIN COUNTY - Three requests with reference to spoil easements to the U. S. A. for the dredging project in the St. Lucie Inlet.

BREVARD COUNTY - Bulkhead Line. Staff recommended approval of a bulkhead line adopted by the Board of County Commissioners of Brevard County by resolution on September 28, 1967, which amended and relocated an existing bulkhead line in Newfound Harbor in Section 25, Township 24 South, Range 36 East, Brevard County. There were no objections at the local hearing. The Florida Board of Conservation reported sparse seagrasses were found within the amended bulkhead line where water depth was less than three feet, and that subsequent development of the submerged land within the bulkhead line would not significantly affect conservation of marine resources. The bulkhead line would accommodate right of way for the proposed north-south access route for Merritt Island.

On motion by Mr. Christian, seconded by Mr. Williams and adopted unanimously, the Trustees approved the amended bulkhead line as relocated by Brevard County on September 28, 1967.

BREVARD COUNTY - File 1943 and 1944-05-253.124. Staff recommended approval of fill permit issued by the Engineering Department on behalf of the Board of County Commissioners of Brevard County on November 14, 1967, to Development Corporation of America, under the provisions of Section 253.124 Florida Statutes as amended by Chapter 67-393, Acts of 1967, to fill the two tracts of submerged land in Section 36, Township 24 South, Range 36 East, Brevard County, previously conveyed by the Trustees under the referenced file numbers. The Development Corporation of America is the contractor and co-owner with the contract purchasers, General Canaveral, Inc., and Merritt Square Corp., of the two subject areas. Approximately twenty-five miles, including the right of way for the critically-needed north-south access road, was covered by this fill permit.

The biologist of the State Board of Conservation, in connection with the establishment of the bulkhead line for this area, reported that the submerged land supported a productive nursery and feeding grounds for marine animals. However, inasmuch as the bulkhead line was being established in connection with the construction of the access road, the Trustees on March 7, 1967, approved the location thereof and authorized dedication of right of way for the access road. Also, in meeting on April 25, 1967, the Trustees confirmed the sale of the two tracts of submerged land. All pumping of material for the improvements would be from deep water areas so as not to cause damage to the grassy bottoms.

On motion by Mr. Williams, seconded by Mr. Christian and adopted unanimously, the Trustees approved the fill permit issued by Brevard County.

DADE COUNTY - Samuel F. Hillman of Miami Beach applied for a commercial dock permit to construct a dock with three finger piers adjacent to applicant's upland property on Indian Creek in Section 14, Township 53 South, Range 42 East, in the City of Miami Beach. All required exhibits were furnished, including \$100.00 processing fee, and the Staff recommended approval.

On motion by Mr. Williams, seconded by Mr. Christian and adopted unanimously, the Trustees authorized issuance of the state commercial dock permit.

SARASOTA COUNTY - The Sarasota Yacht Club of Sarasota, Florida, applied for a commercial dock permit to construct three piers in Sarasota Bay at its upland property on Coon Key in Section 26, Township 36 South, Range 17 East, in the City of Sarasota. All required exhibits were furnished, including \$100.00 processing fee. The Staff recommended approval.

Motion was made by Mr. Williams, seconded by Mr. Christian and adopted unanimously, that state commercial dock permit be issued to the Sarasota Yacht Club.

SUBJECTS UNDER CHAPTER 18296

On motion by Mr. Conner, seconded by Mr. Williams and adopted unanimously, the Trustees approved Report No. 916 listing one supplemental Murphy Act deed, County of Okaloosa Deed No. 385-A to Wallace Spence, issued for the purpose of conveying Lot 15, Block 65, Port Dixie, which was included in the description advertised for sale December 28, 1948, but was omitted in the description of the deed dated May 26, 1949, issued to Wallace Spence.

On motion duly adopted, the meeting was adjourned.



ATTORNEY GENERAL - ACTING CHAIRMAN

ATTEST:



DIRECTOR - SECRETARY

* * * * *

Tallahassee, Florida
December 5, 1967

The Trustees of the Internal Improvement Fund met on this date in the Board Room of the office of the Governor, in the Capitol.

Present: Claude R. Kirk, Jr. Governor
Earl Faircloth Attorney General
Fred O. Dickinson, Jr. Comptroller
Floyd T. Christian Superintendent of Public
Instruction
Doyle Conner Commissioner of Agriculture

Robert C. Parker Director

On motion duly adopted, the Trustees approved the minutes of the meetings of November 21 and 28, 1967.

12-5-67

LEE COUNTY - File No. 1977-36-253.12. On the advertised sale date, November 28, 1967, only four members were present and action was deferred on the purchase application from Norma Jeanette, abutting upland owner, who offered the established appraised price of \$300.00 per acre for a parcel of submerged land in the Caloosahatchee River in Section 31, Township 43 South, Range 25 East, in the City of Fort Myers landward of the established bulkhead line in Lee County. Notice of sale was published in the Fort Myers News, proof filed. No objection to the sale was received. The Board of Conservation reported the area to be devoid of vegetation, and development would not adversely affect marine resources. Staff recommended confirmation of the sale of 0.46 acre to the riparian owner.

Motion was made by Mr. Dickinson, seconded by Mr. Faircloth and adopted unanimously, that sale of the advertised parcel be confirmed at the price offered by the abutting upland owner.

MONROE COUNTY - File No. 1829-44-253.12. On the advertised sale date, November 28, 1967, only four members were present and action was deferred on the purchase application from Elmer R. Schultz and wife, abutting upland owners, who offered the established appraised price of \$300.00 per acre for 0.40 acre parcel of submerged land in Pine Channel in Section 34, Township 55 South, Range 29 East, at Big Pine Key in Monroe County. Notice of sale was published in the Key West Citizen, proof of publication filed in the Trustees' office. No objection was received from the Board of Conservation or any other group or individual. Staff recommended confirmation of the sale.

Motion was made by Mr. Dickinson, seconded by Mr. Christian and adopted unanimously, that sale of the advertised parcel be confirmed at the price offered by the abutting upland owners.

VOLUSIA COUNTY - File No. 1645-64-253.12. On the advertised sale date, November 28, 1967, only four members were present and action was deferred on the purchase application from Lloyd E. Wall, abutting upland owner, who offered the appraised value of \$1,000.00 per acre, or \$100.00 minimum in this instance for the 0.03 acre parcel of submerged land in the Halifax River in Section 35, Township 15 South, Range 33 East, landward of the established bulkhead line in Volusia County. Notice of sale was published in the Daytona Beach News, proof of publication filed, and no objection to the sale was received.

The Florida Board of Conservation reported no objection to sale of this small parcel, and the Staff recommended confirmation of the sale.

Motion was made by Mr. Dickinson, seconded by Mr. Faircloth and adopted unanimously, that the Trustees confirm sale of the advertised parcel to the abutting upland owner at the price of \$100.00 for the parcel.

BROWARD COUNTY - File No. 2043-06-253.12. Deferred last week when only four members were present and presented at this meeting was the application by Ruden, Barnett & McClosky on behalf of Richard C. Reilly and wife, abutting upland owners, with offer of \$523.00, the appraised value for the parcel of submerged land containing 0.25 acre, more or less, in Middle River in Section 25, Township

49 South, Range 42 East, in the City of Fort Lauderdale landward of the established bulkhead line. Staff recommended advertisement for objections only.

Report from the biologist of the Board of Conservation offered no objection to the extension offshore and development of the bottoms landward of the bulkhead line in this section of Middle River because of extensive dredging and filling which has occurred in the past in development of other waterfront property.

Motion was made by Mr. Conner, seconded by Mr. Christian and adopted unanimously, that the parcel be advertised for objections only.

LEE COUNTY - File No. 1856-36-253.12. Deferred last week and presented at this meeting was the application by Arthur K. Knudsen, Jr., on behalf of Lee Knight and wife, the abutting upland owners, who offered the appraised value of \$500.00 per acre for purchase of a parcel of submerged land in Jug Creek containing 4.7 acres in Section 30, Township 43 South, Range 22 East, landward of the established bulkhead line in Lee County. Staff recommended advertisement for objections only.

The Board of Conservation reported that dredging and filling had already altered and adversely affected the 4.7 acres, it was not a grassy nursery ground or a productive sport or commercial fishing habitat, and that sale and further development would not adversely or materially affect marine life.

Motion was made by Mr. Conner, seconded by Mr. Christian and adopted unanimously, that the parcel be advertised for objections only.

MONROE COUNTY - File No. 2044-44-253.12. John D. Weiler, on behalf of Cecil R. Sampson and wife, the abutting upland owners, made application to purchase a parcel of submerged land in the Bay of Florida containing 0.70 acre in Section 27, Township 62 South, Range 38 East, Key Largo in Monroe County. The established appraised value for the parcel was \$425.00 per acre. Staff recommended advertisement for objections only.

The biological report from the Florida Board of Conservation showed that the parcel was unvegetated, not a nursery or feeding ground for marine animals of commercial or sport fishery importance, and that sale and development would have no adverse effect upon marine resources of the area.

Motion was made by Mr. Christian, seconded by Mr. Faircloth and adopted unanimously, that the parcel be advertised for objections only.

PALM BEACH COUNTY - File Nos. 1940 and 2004-50-253.12. Two contiguous parcels of submerged land were applied for by the respective abutting upland owners. A biological report from the Florida Board of Conservation showed that the two contiguous parcels did not constitute a nursery area for marine animals, they were sparsely vegetated and the sale or development thereof would not adversely affect marine resources. The Staff recommended advertisement of the land applied for as follows:

File 1940-50-253.12 - 0.256 acre in Jupiter Sound in Section

30, Township 40 South, Range 43 East, in the Gomez Grant landward of the established bulkhead line, applied for by Brockway, Owen & Anderson on behalf of Otto B. DiVosta and wife at the appraised value of \$1,934.50 per acre.

File 2004-50-253.12 - 1.043 acres in Jupiter Sound in Section 30, Township 40 South, Range 43 East, in the Gomez Grant landward of the established bulkhead line, applied for by Brockway, Owen & Anderson on behalf of Palm Beach Trust Co., et al, at the appraised value of \$1,934.50 per acre.

Mr. Faircloth said he thought the conservation report was somewhat ambiguous. Governor Kirk said there was quite a controversy locally on these areas, in which he was interested personally. The Director advised the members that the office had no information on that whereupon Mr. Dickinson said that advertising the parcels would bring out any objections from parties interested in the local situation.

On motion by Mr. Dickinson, seconded by Mr. Faircloth, as to the first parcel, and motion by Mr. Christian, seconded by Mr. Dickinson on the second parcel, the Trustees authorized advertisement of both parcels of submerged land for objections only.

ALACHUA COUNTY - Deferred last week when only four members were present and presented on this date was a request from the Board of Regents for approval and execution of an easement for a right of way for use of a single pole line for the transmission and distribution of electricity to serve the University of Florida at Gainesville. An easement six feet wide within the SE $\frac{1}{4}$ of Section 12, Township 10 South, Range 19 East, Alachua County, was approved by the Board of Regents on November 10, 1967, and was approved by the Attorney General as to form and legality. Staff recommended approval by the Trustees, holder of title under Chapter 67-2236, Laws of Florida, Acts of 1967.

On motion by Mr. Christian, seconded by Mr. Dickinson and adopted unanimously, the Trustees granted approval of the easement requested by the Board of Regents.

BREVARD COUNTY - File No. 1177-05-253.12. The Board of Public Instruction of Brevard County requested extension for an additional five (5) years, or through January 31, 1973, of a deed provision. In meeting January 14, 1963, the Trustees authorized the conveyance of a 12.0 acre parcel of submerged land in the Banana River in Section 27, Township 24 South, Range 37 East, Brevard County, to the Board of Public Instruction for public school purposes only, with provision for reversion in the event the land was not filled and used for the construction of a public school facility which would be in use within five (5) years from the date of the deed No. 23274(1177-05), the date being January 31, 1963.

Due to certain local problems, a school facility had not been constructed on the land. The Director said the county anticipated need for the land for that purpose within the next few years and the Staff recommended extension of the time.

Motion was made by Mr. Christian, seconded by Mr. Faircloth and adopted unanimously, that the Trustees extend for an additional five years the provision for reversion of the land conveyed by Deed No. 23274.

COLLIER COUNTY - Bulkhead Line. The Board of County Commissioners of Collier County by resolution adopted November 14, 1967, revised and relocated a segment of an existing bulkhead line in Horse (Cocohatchee) Creek in Section 16, Township 48 South, Range 25 East, in Collier County. There were no objections at the local hearing. All required exhibits were furnished. The Board of Conservation reported that the area was not a grassy nursery ground or a sport or commercial fishing area, and that establishment of and subsequent filling within this bulkhead line would not materially affect marine resources. Staff recommended approval.

Motion was made by Mr. Christian, seconded by Mr. Conner and adopted unanimously, that the Trustees approve the revised bulkhead line as adopted by the Board of County Commissioners of Collier County on November 14, 1967, for that segment in Horse Creek.

COLLIER COUNTY - Bulkhead Line. The Board of County Commissioners of Collier County by resolution adopted November 14, 1967, established a bulkhead line in the Marco River in Section 5, Township 52 South, Range 26 East, at the northern tip of Marco Island in Collier County. All required exhibits were furnished and there were no objections at the local hearing. Florida Board of Conservation reported that the marine area within the proposed bulkhead line was not a grassy nursery or fishing ground, that the area had been affected by nearby dredging and filling, and establishment of the line and subsequent filling would not materially affect marine resources. Staff recommended approval.

Motion was made by Mr. Christian, seconded by Mr. Faircloth and adopted unanimously, that the bulkhead line adopted by the Board of County Commissioners be approved.

MANATEE COUNTY - The Board of County Commissioners of Manatee County applied for permission to dredge a navigation channel in Sarasota Bay in Section 10, Township 35 South, Range 16 East, Manatee County, from a boat ramp on Coquina Beach southeasterly to the main channel, Sarasota Bay and Longboat Pass. The material would be placed behind dikes on upland owned by the county and the State Road Department. The channel alignment chosen was to facilitate placement of dredged material upon upland.

The Board of Conservation reported that the 80-foot wide channel would run 2,300 feet southeasterly across shallow flats to deeper water, and that the dredging would eliminate approximately 4 acres of grass flats.

Staff reviewed the request by the county, and in the interest of providing better access to the public boat launching ramp by the boating public, recommended that the request be approved.

The Attorney General asked for more information in view of the statement in the conservation report about destruction of grass flats. The Governor also desired to know more about this application.

On motion by Mr. Faircloth, adopted without objection, the Trustees deferred consideration of the application from Manatee County.

MARTIN COUNTY - On July 18, 1967, the Trustees granted perpetual spoil easement to the United States of America on 66 acres of submerged land in the open waters of the Atlantic Ocean in Township 38 South, Range 42 East, Martin County. The application was submitted by the Board of County Commissioners, sponsor for the dredging project to improve the St. Lucie Inlet. Martin County, after a more accurate survey of the entire area was secured, asked for a corrective instrument in order to more accurately define the location of the spoil area.

Also, on behalf of the United States, the Board of County Commissioners requested (1) that the Trustees grant an additional perpetual easement for spoiling purposes on 11.0 acres in the St. Lucie Inlet in the same township and range lying approximately 1000 feet to the west of the tract described above, and (2) grant of a temporary spoil area covering 12.2 acre tract in St. Lucie Inlet in Section 17 of said township and range, to terminate one year from the date thereof.

The biologist of the Board of Conservation reported that all three of the areas were located on sandy, unvegetated bottoms and the utilization thereof as spoil areas would have little, if any, effect on marine resources.

Staff recommended deferment pending receipt of opinion from the Attorney General as to the applicability of the provisions of Chapter 67-393 to the United States Government in matters dealing with requests for dedication for channel rights of way and spoil areas. Request for this opinion was forwarded to the Attorney General on November 30, 1967. The Staff would like to proceed and did not think the requirement of a bulkhead line, et cetera, for these spoil areas was contemplated in the new act.

Governor Kirk noted that dredging in the inlet should be done as soon as possible, and asked that the Trustees consider the matter when the opinion has been received from the Attorney General.

On motion by Mr. Christian, seconded and adopted unanimously, the Trustees deferred action pending advice from the Attorney General.

PALM BEACH COUNTY - File No. 2054-50-253.12. The Town of Lake Park by Resolution No. 514(1967) requested dedication of a parcel of sovereignty land in Lake Worth containing 0.41 acre in Section 21, Township 42 South, Range 43 East, landward of the established bulkhead line of the town, for public drainage and park purposes. The lands on each side of this 50 foot strip of sovereignty land were filled but not completely developed. The 50-foot strip was a continuation of existing drainage facility across the abutting uplands.

The Board of Conservation biological study of marine life for the northerly portion of Lake Worth made in 1961 and reprinted in 1963 reported that the submerged bottoms were extensively silted on both sides of the intracoastal waterway, and seagrass and nursery grounds for fish and shrimp appeared to be lacking in the area. Staff recommended that the request be granted.

On motion by Mr. Dickinson, seconded by Mr. Faircloth and adopted unanimously, the Trustees granted the request of the Town of Lake Park for dedication of the small parcel for municipal drainage and public park purposes.

PINELLAS COUNTY - The Pinellas County Water and Navigation Control Authority submitted the following two applications for commercial dock permits:

1. Steve Georgiou, two marine railways and a boat lift in the Anclote River in the NW $\frac{1}{4}$ of Section 12, Township 27 South, Range 15 East, Grassy Island in Pinellas County.
2. Happy Dolphin Motel, covered boat slips in Boca Ciega Bay in Section 6, Township 32 South, Range 16 East, St. Petersburg Beach in Pinellas County.

All requirements were furnished, including \$100 processing fee for each. The Staff recommended approval.

On motion by Mr. Christian, seconded and adopted, the Trustees authorized issuance of a state commercial dock permit to each applicant.

ST. LUCIE COUNTY - File No. 1351-56-253.124. On October 31, 1967, the Trustees considered request for extension for an additional three years of a fill permit issued by the Board of County Commissioners of St. Lucie County and approved by the Trustees December 7, 1965, to fill submerged land in the Indian River in Sections 2 and 3, Township 37 South, Range 41 East, conveyed and dedicated under the above file number. The land consisted of a 2.29 acre strip and three parcels totalling 49.90 acres. Staff recommended approval based upon opinion of the Attorney General which advised that the requirements for the various biological surveys and studies of Chapter 67-393 would not have application to dredge and fill permits in existence at the time of the effective date of the new law. When the matter was considered on October 31, it was determined that a biological and ecological report should be secured.

The file contained a biological report dated June 4, 1965, which showed that the area contained biological resources that should be preserved. Subsequent to November 7, 1967, at which time this matter appeared on the agenda again, a report dated November 22, 1967, was prepared by another biologist of the Board of Conservation which stated that the marine habitat of the area had not changed since the 1965 report. In addition, Director Randolph Hodges advised that a conservation officer reported that sport fishing for spotted seatrout was done between Nettles Island and Hutchinson Island but commercial netting was concentrated about one mile north of Nettles Island.

As stated in the original agenda covering this matter, the Attorney General reviewed the request for extension of the dredge and fill permit and concluded his opinion by the following language: "It is my opinion therefore that the Trustees may exercise their independent judgment in approving, rejecting or issuing the requested extension and for such period of time, not to exceed three years, as the Trustees shall determine is in the public interest." It was on this basis that the matter was again submitted to the Trustees for action with recommendation by the Staff that the extension be approved.

Mr. Evans Crary, Jr., was present representing Iowa Land and General Development Corp., Inc., to which firm the original holders of permit, Gene P. Dyer, et ux, had assigned their rights

therein, together with the upland, the submerged land and the dedicated easement pertaining to the proposed development described in the permit. Mr. Crary described the extension application as a hardship case, as at the time the permit was issued under the old law there was a biological and ecological report with certain recommendations as to dredging area and causeway area, which recommendations were complied with by the applicant in his planning. The original applicant, unable to proceed because of health reasons, disposed of his property but due to complications the sale was not completed until September of this year, at which time extension of the permit was immediately requested for three years, the maximum provided by law.

Mr. Dickinson said he was raised near the property in question, and that even if the final development were a reality now, there would be fourteen miles left completely untouched, unspoiled. He felt that this application was an exception consistent with the Trustees' concern to protect conservation values.

Motion was made by Mr. Dickinson, seconded by Mr. Christian and adopted unanimously, that the Trustees grant extension of the fill permit for an additional three years.

OUTDOOR RECREATIONAL DEVELOPMENT COUNCIL - Consideration of a resolution with respect to language used in Chapters 67-2236 and 67-351 was removed from the agenda.

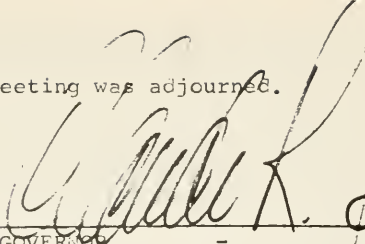
CAPITOL CENTER - Clemons Apartments. Staff requested release of the necessary funds to perform repairs as outlined in the specifications prepared by Mr. Walter E. Keyes, Director of State Office Building Division, Board of Commissioners of State Institutions, who had examined the multiple-apartment building recently acquired from the Clemons Estate, located at the corner of Duval and Madison Streets in the Capitol Center to determine what repairs were necessary on the roof and eaves of the building to make it suitable for occupancy by state agencies. He requested proposals from qualified local contractors, three were received and opened at 11:00 A.M. Friday, December 1, 1967, and Bush Seamless Floors, Inc., of Tallahassee, made the low bid of \$2,990.00. Staff recommended award of the contract for the work outlined in the specifications to the low bidder. The Budget Commission on this date approved release of this amount.


Motion was made by Mr. Christian, seconded by Mr. Conner and adopted unanimously, that the Trustees approve use of funds in this amount and award the contract to the low bidder, Bush Seamless Floors, Inc.

SUBJECTS UNDER CHAPTER 18296

Motion was made by Mr. Faircloth, seconded by Mr. Christian and unanimously adopted, that Report No. 917 be approved, listing one regular bid for sale of land in Columbia County under provisions of Chapter 18296, Acts of 1937, the Murphy Act.

On motion duly adopted, the meeting was adjourned.


GOVERNOR - CHAIRMAN

ATTEST: 
DIRECTOR - SECRETARY

* * * * *

Tallahassee, Florida
December 12, 1967

The Trustees of the Internal Improvement Fund met on this date in the Board Room of the office of the Governor, in the Capitol.

Present: Tom Adams	Secretary of State, Acting Chairman
Earl Faircloth	Attorney General
Fred O. Dickinson, Jr.	Comptroller
Broward Williams	Treasurer
Floyd T. Christian	Superintendent of Public Instruction
Doyle Conner	Commissioner of Agriculture
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Robert C. Parker	Director

PALM BEACH COUNTY - File No. 2027-50-253.12. On October 31, 1967, the Trustees considered application from Mary P. Tindall, the abutting upland owner, who offered the appraised value of \$1,401.00 per acre for a parcel of submerged land in Lake Worth containing 0.346 Acre in Section 3, Township 43 South, Range 43 East, landward of the established bulkhead line in the City of West Palm Beach, Florida.

The parcel was advertised for objections only and on this advertised sale date the Director advised the Trustees that request was made by the office of the Governor that action on this and another Palm Beach County matter be deferred.

On motion adopted without objection, consideration of confirmation of the sale was deferred.

PALM BEACH COUNTY - File No. 1478-50-253.124. Listed on the agenda for consideration was request for approval of a fill permit issued by the Village of North Palm Beach by Resolution No. 328-67 dated November 23, 1967, to Walter J. Dolan under the provisions of Section 253.124 Florida Statutes as amended by Chapter 67-393, Acts of 1967, to fill the 15.114 acres of submerged land in Lake Worth abutting Little Munyon Island in Sections 15 and 22, Township 42 South, Range 43 East, Palm Beach County, which had been conveyed by the Trustees to Lucille DeTar Colyer, predecessor in title.

The Director advised that a request was made by the office of the Governor that action on this fill permit be deferred.

On motion adopted without objection, the Trustees agreed to defer action.

Mr. R. P. Wallis and the applicant were present and upon being asked if they desired to be heard, Mr. Wallis said that in view of the request from the Governor and the applicant's previous plans, he requested that the matter be carried over for hearing at some time in January. It was so ordered.

MARTIN COUNTY - File No. 2046-43-253.12. Crary, Crary and Crary on behalf of Paul S. Simpson, the abutting upland owner, offered the appraised price of \$302.48 per acre for purchase of a parcel of submerged land in the Indian River in Section 24, Township 37 South, Range 41 East, Martin County, landward of the established bulkhead line, containing 2.76 acres.

The biological report received under date of November 22, 1967, copy of which was sent to each member, showed that sale and subsequent development of this parcel of submerged land located within the established bulkhead line lying approximately 350 feet offshore, would have negligible effect upon conservation of marine resources in the area. Staff recommended that the land be advertised for objections only.

Motion was made by Mr. Dickinson, and duly adopted, that the parcel of submerged land be advertised for objections only.

SHELL LEASES - On motion by Mr. Williams, duly adopted, the Trustees received as information the following report of remittances received by the Florida Board of Conservation from holders of dead shell leases:

<u>Lease No.</u>	<u>Name of Company</u>	<u>Amount</u>
1718	Radcliff Materials, Inc.	\$10,384.53
1788	Benton and Company, Inc.	8,873.98
1788	Benton and Company, Inc.	2,480.07
2233	Bay Dredging & Construction Co.	7,640.45
2235	Fort Myers Shell & Dredging Co.	770.77

ALACHUA COUNTY - Request was presented from the City of Gainesville, Florida to purchase a 28.37 acre parcel of state land under use by the Sunland Training Center and adjacent to the municipal airport, being part of an area of 132 acres which the city desired for airport expansion. The Division of Mental Retardation had recommended the sale. The Board of Commissioners of State Institutions on November 14, 1967, approved sale at the appraised value of \$150.00 per acre.

Staff recommended conveyance by the Trustees, now holder of title under Chapter 67-2236, Acts of 1967, to the City of Gainesville for public purposes only at the appraised value.

Mr. Christian asked for more information before he could vote to dispose of any land owned by the state institution. He said the matter did not come before the Mental Retardation Committee, of

which he was a member.

On motion by Mr. Christian, seconded by Mr. Williams and adopted without objection, the Trustees deferred action for securing additional information.

CHARLOTTE COUNTY - File No. 1132-08-253.124. Staff recommended approval of a fill permit issued by the City of Punta Gorda on October 4, 1967, to Punta Gorda Isles, Inc., under the provisions of Section 253.124 Florida Statutes as amended by Chapter 67-393, Acts of 1967, to fill the 16.84 acres of submerged land in Charlotte Harbor in Section 11, Township 41 South, Range 22 East, Charlotte County, which was previously conveyed by the Trustees under the referenced file number.

The biological report included in the application showed that the parcel was part of a shallow unvegetated sand shoal, not a nursery or feeding ground for marine animals of sport or commercial fishery importance, and that the proposed development would have no significant effect upon marine resources of the area.

Motion was made by Mr. Conner, seconded and adopted unanimously, that the Trustees approve the fill permit issued by the City of Punta Gorda to Punta Gorda Isles, Inc.

DADE COUNTY - The City of Miami by Resolution No. 39142 dated November 6, 1967, requested waiver of the use restriction, "for municipal purposes only", contained in Trustees' Deed No. 19448 dated February 24, 1949, which conveyed to the City of Miami certain submerged land lying outside the existing bulkhead line. Waiver is requested on a submerged area extending bayward from the Coral Reef Yacht Club near Dinner Key, for extension of boat docking facilities approximately 100 feet beyond the area previously authorized for docks by the Trustees on December 18, 1956.

Staff recommended waiver of the municipal purpose clause by appropriate instrument approved by the Attorney General covering Coral Reef Yacht Club's proposed dock extension, subject to the club obtaining necessary dock permit from the Trustees, the U. S. Corps of Engineers and the City of Miami.

In answer to Mr. Adams question, the Director advised that this will allow no change of the bulkhead line or filling of submerged bottoms, only construction of dock facilities.

Motion was made by Mr. Conner, seconded and adopted unanimously, that the Trustees grant the request of the City of Miami to waive the restriction of "for municipal purposes only" subject to the securing of the permits as recommended by the Staff.

MANATEE COUNTY - Deferred from last week's meeting and presented for consideration on this date was the application from the Board of County Commissioners of Manatee County to dredge a navigation channel in Sarasota Bay in Section 10, Township 35 South, Range 16 East, Manatee County, from a boat ramp at Coquina Beach southeasterly to deep water in Sarasota Bay near Longboat Pass, which was an alignment chosen to facilitate placement of dredged material from the channel upon upland owned by the county rather than on shallow flats. Florida Board of

Conservation reported that the 80-foot wide channel proposed by the county will run 2,300 feet southeasterly across shallow flats to deeper water off Leffis Key near Longboat Pass crossing grassy nursery and fishing grounds.

The dredged material will be placed on county-owned adequately diked areas of upland acquired by the county by reason of the Final Judgment in a condemnation suit in which the county was joined by the State Road Department, shown as Law No. 3810, which ordered, adjudged and decreed that all of the property described in the suit should be used solely for public purposes.

In the interest of providing the boating public better access from the county-owned public boat launching ramp to Longboat Pass, Staff recommended approval provided the channel be reduced from 30 to 50 feet to reduce the damage to the shallow flats.

On motion by Mr. Christian, seconded and adopted unanimously, the Trustees authorized issuance of permit for the channel dredging provided the width be reduced to 50 feet as recommended by the Staff.

MONROE COUNTY - Michael C. Van Beuren made application for a commercial dock permit to construct two docks in Florida Bay in Section 9, Township 66 South, Range 32 East at Marathon, Florida. All required exhibits, including \$100.00 processing fee, were submitted and the Staff recommended approval.

On motion by Mr. Dickinson, seconded and adopted unanimously, the Trustees authorized issuance of state commercial dock permit to the applicant.

LAKE, MARION, POLK COUNTIES - Upon motion by Mr. Dickinson, seconded and adopted unanimously, the Trustees authorized issuance of permits to the following five (5) applicants whose applications to dredge material from fresh water lakes were all approved by the Florida Game and Fresh Water Fish Commission:

1. Lake County - Mrs. Kate Bell applied to remove 6,200 cubic yards of material from Lake Eustis in Section 2, Township 19 South, Range 26 East, to use to improve her upland property. Payment of \$310.00 was made for the material.
2. Marion County - Henry C. Graff applied to remove 500 cubic yards of material from Lake Weir in Section 23, Township 17 South, Range 23 East, to use for improvement of his upland property. Payment of \$25.00 was made for the material.
3. Marion County - Ray-Han Corporation applied for permit to remove 4,000 cubic yards of material in construction of a canal along the shoreline of Lake Ker in Section 21, Township 13 South, Range 25 East. The material would be hauled away from the construction site. Payment of \$200.00 was made for the material.
4. Polk County - Walter T. Jank applied for permit to remove 2,500 cubic yards of material from Lake Winterset in Section 12, Township 29 South, Range 26 East, to use for improvement of his upland property. Payment of \$125.00 was made for the material.

12-12-67

5. Polk County - Leo Charnes applied for permit to remove 20 cubic yards of sand from around his irrigation intake pipe located in Scott Lake in Section 17, Township 29 South, Range 24 East. The material would be deposited on his upland property, and payment of the minimum amount of \$25.00 was made.
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POLK COUNTY - The City of Lakeland, Florida, made application for after-the-fact permit to install a sheet steel seawall on bottom lands of Lake Parker in Fractional Section 16, Township 28 South, Range 24 East, Polk County. The bottom lands were dedicated to the City of Lakeland by Deed No. 22989 dated January 24, 1962. The Florida Game and Fresh Water Fish Commission reported no objection to the issuance of permit for the project.

On motion by Mr. Christian, seconded by Mr. Dickinson and adopted unanimously, the Trustees authorized issuance of after-the-fact permit to the City of Lakeland.

VOLUSIA COUNTY - File No. 2059-64-253.129. Staff requested authority to issue two disclaimers under the provisions of Section 253.129 Florida Statutes to Louis S. Rifas and Genevieve S. Irans to two contiguous parcels of sovereignty land in the Halifax River abutting uplands in Section 41, Township 13 South, Range 32 East, Volusia County, which were filled prior to May 29, 1951. The two parcels contained a total of 0.45 acre. The standard handling charge of \$10.00 was remitted for each instrument.

Motion was made by Mr. Christian, seconded by Mr. Williams and adopted unanimously, that the Trustees approve issuance of the two disclaimers under Section 253.129, for \$10.00 charge each.

CAPITOL CENTER - Clemons Apartments. In order to make suitable for occupancy as state offices the Clemons Apartments in the Capitol Center in Tallahassee, for which the Trustees in meeting last week authorized use of funds for repairs on the roof and eaves, the Director of the State Office Building Division of the Board of Commissioners of State Institutions, W. E. Keyes, determined that appropriate steps to be taken to renovate and alter the two brick apartment houses recently purchased from the Clemons Estate would be to employ an architect to draw the plans and specifications for the alterations based upon the request of the state agency that would use the facilities. Mr. Keyes recommended that this work be done by Mays Leroy Gray, AIA, of Tallahassee, Florida.

Staff recommended approval, and authorization for the director to enter into an agreement with Mr. Gray to perform this work based on a fee of 8% of the amount of the contract to complete the necessary alterations and renovations to make these apartments suitable for use as state offices. Mr. Keyes' recommendation was reviewed and approved by the office of the Coordinator, Mr. Terry Lee.

On motion duly adopted, the Trustees approved the recommendations as stated above.

REFUND - In 1961, Hempstead and McGrath made application for a salvage lease and forwarded cashier's check in the amount of

\$100.00. The check was deposited on July 23, 1962. However, no lease was approved and issued, and the Staff recommended issuance of refund of the amount paid.

On motion adopted unanimously, the Trustees authorized refund of the amount of \$100.00 to Hempstead and McGrath.

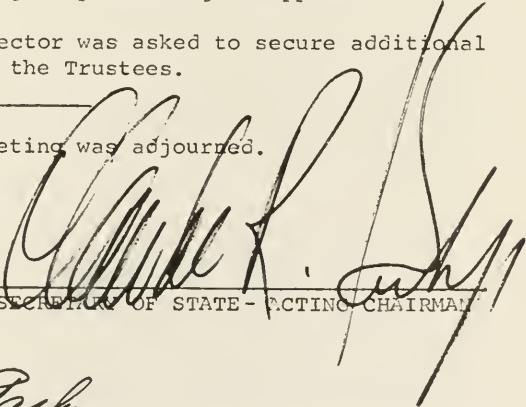
SUBJECTS UNDER CHAPTER 18296

Secretary of State Adams brought up a matter pertaining to Murphy Act lands and the reservations for state road rights of way in deeds conveying lands under Chapter 18296. He said that some difficulties were being experienced in a procedure, not required by law but with some custom behind it, of submitting to the State Road Department for recommendation the requests for release of right of way reservations. He understood that a number of such requests had been cleared by the District Engineer and by the County Commissioners, there was no state road or plan for such a road to need the right of way; however, the State Road Department was holding up these matters for 90 days.

The Director understood that the staff of the Road Department requested no further processing of these applications until a review of operations with respect to disposal of property and all releases of the road reservations affecting property in Murphy Act deeds. In the case of the reservations for state road rights of way placed in Murphy Act deeds, the usual procedure is that an application from an owner for release of this reservation affecting his property is referred by the Trustees' office to the State Road Department Right of Way Division to determine if there was a state road in existence on the date of the deed, and if so, to determine if there are plans for widening the road. In many cases the Road Department would release a portion of the reservation. If no road was in existence at the time of the Murphy Act purchase, the State Road Department had no proprietary rights and release of the standard reservation in the deed was a routine matter. In that case, Mr. Parker said, there probably would be no withholding of processing of applications.

At Mr. Adams' request, the Director was asked to secure additional information and report back to the Trustees.

On motion duly adopted, the meeting was adjourned.



SECRETARY OF STATE - ACTING CHAIRMAN

ATTEST:


DIRECTOR - SECRETARY

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12-12-67

The Trustees of the Internal Improvement Fund met on this date in the Board Room of the office of the Governor, in the Capitol.

Present: Claude R. Kirk, Jr.	Governor
Tom Adams	Secretary of State
Earl Faircloth	Attorney General
Broward Williams	Treasurer
Doyle Conner	Commissioner of Agriculture

Robert C. Parker	Director
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On motion duly adopted, the Trustees approved the minutes of the meeting held on December 5, 1967.

PALM BEACH COUNTY - File No. 2027-50-253.12. On December 12th, the advertised sale date, the Trustees deferred action on confirmation of sale to Mary P. Tindell, abutting upland owner, of a parcel of submerged land in Lake Worth in Section 3, Township 43 South, Range 43 East, in the City of West Palm Beach lying easterly of and abutting Lots 30 to 33 inclusive, Block 38 of North Palm Beach Plat No. 3 as recorded in Plat Book 6, Page 39, Public Records of Palm Beach County, landward of the established bulkhead line. The applicant offered the appraised value of \$1,401.00 per acre for the 0.346 acre parcel. Notice of sale was published in the Palm Beach Post, proof of publication filed.

Staff did not consider as valid the one objection received, from Willis B. Ingham who thought that sale and filling would interfere with rights of other riparian owners, conservation, navigation and the public interest. The parcel was landward of the established bulkhead line, and it appeared that the objector referred to the old pierhead line. The Board of Conservation biological study of marine life for the northerly portion of Lake Worth made in 1961, reprinted in 1963, reported that submerged bottoms were extensively silted on both sides of the intracoastal waterway, and that seagrasses and nursery grounds appeared to be lacking in this area. A 1963 report made at the time changes in the city bulkhead line were considered showed that the area did not contain valuable grasses.

The Governor said that this application, which he had asked to be deferred last week, had been investigated and approved. This would be no precedent for lands in this area, however, as each application should be carefully scrutinized.

Motion was made by Mr. Faircloth, seconded by Mr. Adams and adopted unanimously, that the Trustees confirm sale of the advertised parcel to the riparian owner at the price offered.

BREVARD COUNTY - File No. 423-05-253.12. Hampton Homes Corporation of Cocoa, Inc., abutting upland owner, made application for a tract of submerged land in Newfound Harbor in Section 25, Township 24 South, Range 36 East, containing 34.67 acres landward of the established bulkhead line in Brevard County.

By resolution adopted by the Board of County Commissioners of Brevard County on November 16, 1967, the county requested dedication of a right of way 150 feet in width for public road purposes through the application parcel, and the applicant was agreeable. The right of way would contain 8.41 acres.

The biological report to the Brevard County Engineer's office dated November 7, 1967, made by the Board of Conservation at the time the bulkhead line was being established stated that sparse seagrasses were found within the proposed line where water depth was less than approximately 3 feet, but that establishment of the bulkhead line and subsequent development within would not significantly affect conservation of marine resources of the area.

The Staff recommended advertisement for objections only, and recommended dedication of the road right of way in the event sale of the land is approved.

On motion by Mr. Adams, duly adopted, the Trustees authorized the parcel advertised for objections only.

COLLIER COUNTY - File No. 2058-11-253.12. B. Clarke Nichols on behalf of Isle on the Gulf Enterprises, Inc., abutting upland owner, made application for a parcel of submerged land in the Marco River in Section 5, Township 52 South, Range 26 East, containing 0.9 acre landward of the established bulkhead line.

The biological report to the Board of County Commissioners of Collier County made by the Board of Conservation dated September 11, 1967, at the time the bulkhead line was being established showed that the area inside the bulkhead line was not a grassy nursery or fishing ground, had been affected by nearby dredging and filling, and therefore, the sale and subsequent development would not materially affect marine resources.

Motion was made by Mr. Adams, seconded by Mr. Williams and adopted unanimously, that the parcel of land, which was appraised at \$1,337.00 per acre, be advertised for objections only.

MONROE COUNTY - File No. 2048-44-253.12. Bailey, Mooney, Post Associates, on behalf of Darryl F. Sheley, Trustee, abutting upland owner, offered the established appraised value of \$300.00 per acre for 9.65 acres of submerged land in the Atlantic Ocean in Section 33, Township 61 South, Range 39 East, Key Largo in Monroe County.

The biological report dated November 22, 1967, made by the Board of Conservation showed that the submerged land lying between the existing mean high water line to the proposed offshore limit of purchase supported dense growths of turtle grass, covering approximately 50% of this area. The remainder was covered by attached algae and since it was a productive nursery area, sale and subsequent development would not be in the best interests of conservation.

The Director said that because of the unfavorable biological report the Staff had not recommended the sale. The applicant requested that it be placed on the agenda and that he be heard on this date.

Howard M. Post said he was a consulting engineer in private

practice, representing this applicant, and also served as Monroe County Engineer. He said that because of the nature of the Keys the biological reports were having an unintentionally disastrous effect, that it was almost automatic that the biological reports would be adverse with respect to proposals for dredging channels and development by filling, and that all but one out of fourteen applications prepared by his firm recently did receive adverse biological reports. He pointed out that the county would not damage its most valuable resources but wished to provide access for boating interests, and that if every application with adverse report was rejected it would limit development to the areas where dredging had previously been done or where the water was very deep.

Mr. Post said that the Sheley application was for construction of a breakwater to be used as a landing strip for small planes, which would serve three public purposes. First, about 150 property owners' lands would be protected by the breakwater; second, Monroe County Commission desired that the landing strip be constructed because it would be deeded to the county; and third, the airstrip would aid the Monroe County Anti-Mosquito District in its spraying operations.

Mr. Adams felt that in view of the presentation of Mr. Post, the Trustees might allow advertisement for objections only, and he so moved. When there was no second to the motion, Mr. Post requested that the Trustees defer action until he and the county could make a more thorough presentation of the effects of the biological reports in view of the peculiar circumstances in Monroe County.

Motion was made by Mr. Faircloth, and adopted without objection, that action be deferred until a later date.

ALACHUA COUNTY - The City of Gainesville requested purchase of a 28.37 acre parcel of state land used by the Sunland Training Center and adjacent to the municipal airport. The parcel was part of 132 acres which the city desired to use for expansion of the airport. The Division of Mental Retardation recommended the sale, and the Board of Commissioners of State Institutions on November 14, 1967, approved sale at the appraised price of \$150.00 per acre. This request was deferred by the Trustees on December 12 for securing further information, and at the request of Mr. Christian was rescheduled for consideration by the Trustees on this date. Staff recommended conveyance by the Trustees, as holders of title under Chapter 67-2236, Acts of 1967, to the City of Gainesville for public purposes only at the appraised price.

Motion was made by Mr. Faircloth, seconded by Mr. Williams and adopted unanimously, that sale of the land to the city for public purposes only, at the appraised price, be approved.

BREVARD COUNTY - The City of Titusville made application to remove 30,000 cubic yards of material from an area 500 feet offshore and in water 5.3 feet deep in the Indian River in Section 34, Township 21 South, Range 35 East, Brevard County, lying northwesterly of State Road No. 402 right of way. The city requested waiver of payment for the material, which would be used to improve city-owned upland site for a new City Administration Building.

The Florida Board of Conservation reported that the shallow sub-

merged lands from State Road No. 402 causeway northerly to the northern city limits and southerly to Riverview Place are not as extensive, grassy or productive as from Bayview Street to Addison Point. Mr. Faircloth was not satisfied with the biological report and requested another which would more clearly show the recommendation from the conservation standpoint.

Governor Kirk directed that the application be deferred for securing the additional information requested by Mr. Faircloth.

DADE COUNTY - The City Commission of the City of Miami by Resolution No. 39119 adopted on November 6, 1967, relocated the previously established bulkhead line in Biscayne Bay in Section 6, Township 54 South, Range 42 East, the area involved in the Loxiadis Plan for the city's new marina and park expansion. The Board of Conservation reported that the area within the line had been affected by past dredging, filling, silting and spoiling, and was not a nursery, sport or commercial fishing ground.

On November 21 the Trustees deferred action on being informed that Metro-Dade had scheduled a hearing on the matter. By telegram dated December 12, Mayor Chuck Hall advised the Trustees' office that the Board of County Commissioners at a meeting on that date had no objection to the relocation of the bulkhead line on the east side of Bayfront Park between Southeast 2nd Street and Northeast 6th Street as submitted by Melvin Reese, City Manager of Miami, on November 7, 1967.

There were no objections to the bulkhead line, but the file contained copy of a letter dated June 28, 1967, to the Mayor and City Commissioners criticizing the city's approval of the Loxiadis Plan. Secretary of State Adams said that while he was not opposed to the change of bulkhead line, he had received several calls from persons who were concerned with respect to the city's total plan, of which the bulkhead line was a part. He suggested deferment until January 9, 1968.

Mr. Faircloth agreed and requested information regarding probable effects of the total plan of development on tidal currents, tidal flow, drainage and protection from hurricanes and high water which might inundate streets.

In order to be sure that all aspects of the overall plan would be considered, on motion by Mr. Adams, seconded by Mr. Faircloth and adopted unanimously, the Trustees deferred action for securing from the City of Miami information regarding hydrographic studies in relation to the contemplated development, and the Staff was directed to schedule the matter on January 9, 1967.

MARTIN COUNTY - In meeting July 18, 1967, the Trustees granted perpetual spoil easement to the United States of America, applied for by the Board of County Commissioners of Martin County as sponsor for the dredging project to improve the St. Lucie Inlet, covering 66 acres of submerged land in the open waters of the Atlantic Ocean in Township 38 South, Range 42 East. After securing a more accurate survey of the entire area, the county requested a corrective instrument to more accurately define the location.

On behalf of the United States, the county also requested (1) an additional perpetual easement for spoiling purposes covering 11.0

acres in the St. Lucie Inlet to the west of the tract mentioned above, and (2) a temporary spoil area covering 12.2 acres in St. Lucie Inlet in Section 17 of Township 38 South, Range 42 East, to terminate one year from the date thereof.

The Board of Conservation biologist reported that all three areas were on sandy, unvegetated bottoms and the utilization thereof as spoil areas would have little, if any, effect on marine resources.

The application was deferred on December 5 pending receipt of an opinion from the Attorney General as to the applicability of the provisions of Chapter 67-393, which the Staff had now received. Staff recommended approval.

On motion by Mr. Faircloth, seconded by Mr. Adams and adopted unanimously, the Trustees authorized issuance of the corrective instrument, the additional perpetual spoil easement and the temporary spoil easement.

MARTIN COUNTY - File No. 2060-43-253.129. Staff requested authority to issue a disclaimer under the provisions of Section 253.129 Florida Statutes to Lawrence B. Kelley covering a parcel of sovereignty land in the St. Lucie River abutting uplands in the Hanson Grant in Township 38 South, Range 41 East, Martin County, filled prior to May 29, 1951, containing 0.26 acre.

On motion by Mr. Conner, seconded by Mr. Adams and adopted unanimously, the Trustees authorized issuance of disclaimer for the \$10.00 handling charge.

ORANGE COUNTY - The Board of Regents requested adoption of a resolution which was submitted by that board, approving the action taken by the Board of Regents on October 6, 1967, authorizing the use of certain land which was a part of the campus of Florida Technological University near Orlando for the construction of two new dormitories and authorizing issuance of \$1,550,000 dormitory revenue certificates of 1967 to finance a part of the cost thereof. Consent of the Trustees is necessary as holders of title to the land under provisions of Chapter 67-2236, Acts of 1967.

On motion by Mr. Adams, seconded by Mr. Faircloth, adopted unanimously, the Trustees adopted the following resolution.

A RESOLUTION CONSENTING TO AND AUTHORIZING THE CONSTRUCTION OF TWO NEW DORMITORIES TO HOUSE APPROXIMATELY 216 MEN STUDENTS AND 216 WOMEN STUDENTS WITH NECESSARY APPURTENANT FACILITIES, AT FLORIDA TECHNOLOGICAL UNIVERSITY, AND CONSENTING TO AND AUTHORIZING THE ISSUANCE OF \$1,550,000 FLORIDA TECHNOLOGICAL UNIVERSITY DORMITORY REVENUE CERTIFICATES OF 1967 TO FINANCE A PART OF THE COST THEREOF.

WHEREAS, the Board of Regents has determined that it is necessary and essential for the proper conduct, management and operation of the Florida Technological University, Orlando, to construct two new dormitories to house approximately 216 men students and 216 women students, with necessary appurtenant facilities, known as Project No. CH-Fla-89(D), hereinafter referred to as the "1967 Project", and all substantially in accordance with the general plans and specifications hereto-

fore approved by the Board of Regents and its architect, Forrest M. Kelley, Jr., or his successor, which 1967 Project shall be located on land which is a part of the established campus of Florida Technological University near Orlando, Florida, but the legal title to which is vested in the Trustees of the Internal Improvement Fund, a component agency of the State of Florida, and

WHEREAS, the estimated cost of said 1967 Project, exclusive of furnishings, is the sum of \$1,661,000, and

WHEREAS, the Board of Regents did on October 6, 1967, adopt a Resolution entitled "A RESOLUTION AUTHORIZING THE CONSTRUCTION OF TWO NEW DORMITORIES TO HOUSE APPROXIMATELY 216 MEN STUDENTS AND 216 WOMEN STUDENTS WITH NECESSARY APPURTENANT FACILITIES, AT FLORIDA TECHNOLOGICAL UNIVERSITY, AND AUTHORIZING THE ISSUANCE OF \$1,550,000 FLORIDA TECHNOLOGICAL UNIVERSITY DORMITORY REVENUE CERTIFICATES OF 1967 TO FINANCE A PART OF THE COST THEREOF", and

WHEREAS, the State Board of Education of Florida approved said resolution, and The State Board of Administration and The Bond Review Board have approved said Revenue Certificates; Now, therefore, be it

RESOLVED by the Trustees of the Internal Improvement Fund as follows:

Section 1. That the resolution referred to by title in the preambles hereof, heretofore adopted by the Board of Regents on October 6, 1967, be and the same is hereby approved, and the Trustees of the Internal Improvement Fund do hereby consent to the terms thereof and do consent to and authorize the construction of the 1967 Project, and hereby pledge that the rights of use and possession of the lands involved will be conveyed under a lease by the Trustees of the Internal Improvement Fund to the Board of Regents for the use and benefit of Florida Technological University.

Section 2. This resolution shall take effect immediately upon its adoption.

PINELLAS COUNTY - The Pinellas County Water and Navigation Control Authority issued Dredge Only Permit No. DO-154, subject to approval of the Trustees, to Horace Hamlin, Jr., to dredge a boat basin inside a marina and dredge an entrance channel into the marina in "The Narrows" in Section 13, Township 30 South, Range 15 East, Pinellas County. The material would be deposited on adequately diked upland to prevent silting. The Board of Conservation reported that the dredge-only application would not materially or adversely affect marine resources in the area.

On motion by Mr. Adams, seconded by Mr. Williams and adopted unanimously, the Trustees authorized issuance of the permit.

PINELLAS COUNTY - The Florida Power Corporation makes application to install a submarine cable across Boca Ceiga Bay in Sections 33 and 34, Townships 30 and 31 South, Range 15 East, Pinellas County. The Florida Board of Conservation reported that the proposed installation would not materially or adversely affect marine life, habitat or fisheries in this section of

Boca Ciega Bay which was already adversely affected by dredging and filling. Staff recommended approval.

On motion by Mr. Adams, seconded by Mr. Williams and adopted unanimously, the Trustees authorized issuance of permit under the provisions of Section 253.123 Florida Statutes, to the Florida Power Corporation.

PINELLAS COUNTY - The Pinellas County Water and Navigation Control Authority issued Dredge Only Permit No. DO-159 to South Pasadena Marina, Inc., subject to approval of the Trustees, for the dredging of a navigation channel 100 feet wide by 14 feet deep and 8,710 feet long in Sections 30, 31 and 32, Township 31 South, Range 16 East, in Boca Ciega Bay, Pinellas County. The exhibits sent show that the channel alignment is not the most direct route to the Intracoastal Waterway and the depth of the proposed cut is not compatible with boating needs in the area.

The Florida Board of Conservation reported that the channel would cross luxuriant growths of turtle grass and widgeon grass, the southern half of Spoil Area "A" was moderately vegetated and should not be filled, and Spoil Area "B" should be modified to include an existing spoil island rather than to include productive grass flats as shown in the application plan.

The Director advised that Adrian S. Bacon, attorney for the applicant, upon learning that the application was on the agenda on this date, requested deferment and that he be heard when the matter was again scheduled for presentation to the Trustees.

On motion by Mr. Faircloth, adopted without objection, the Trustees deferred the application until a later date.

SARASOTA COUNTY - On motion by Mr. Conner, seconded by Mr. Faircloth and adopted unanimously, the Trustees authorized issuance of a duplicate deed for \$10.00 handling charge, on the request from Murray Kanetsky, attorney, for duplicate of Trustees' Corrective Deed No. 21665-A dated December 16, 1959, which was not recorded and was apparently lost.

VOLUSIA COUNTY - Florida T. V. Cable, Inc., applied for permission to install a submarine cable across Halifax River south of the Ormond Beach Causeway in Sections 14 and 15, Township 14 South, Range 32 East, Volusia County. The Florida Board of Conservation reported that the installation would not materially affect marine life, habitat or fisheries in this section of the river which had previously been affected by dredging and filling. Staff recommended approval.

On motion by Mr. Adams, seconded by Mr. Williams and adopted, the Trustees authorized issuance of permit under Section 253.123 F.S.

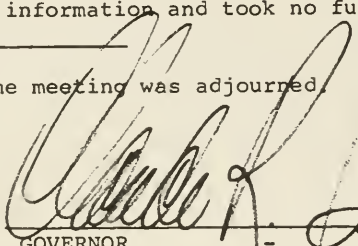
SUBJECTS UNDER CHAPTER 18296

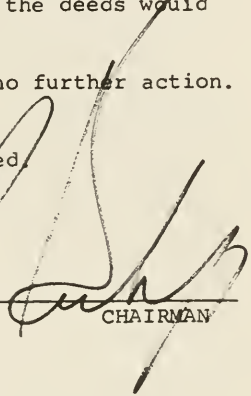
On motion by Mr. Williams, duly adopted, the Trustees approved Report No. 918 listing 1 regular bid for sale of land in Walton County under provisions of Chapter 18296, Acts of 1937, the Murphy Act.

As directed last week, the Director had conferred with the office of the State Road Department with reference to state road right of way reservations in Murphy Act deeds and applications for release thereof. Mr. Parker said that he talked to John W. Cashin, and his thought in connection with the releases was merely to have a study by the Road Department staff as to overall procedures. In a large number of cases where requests for releases were received by the Trustees' office and referred to the State Road Department for recommendation, there was no state road at the time of issuance of the Murphy Act deed and therefore there was nothing to protect. In such cases, the Director had been assured that the requests for release of the reservations in the deeds would be processed.

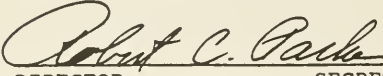
The Trustees received the information and took no further action.

On motion duly adopted, the meeting was adjourned.


GOVERNOR


CHAIRMAN

ATTEST:


DIRECTOR

SECRETARY

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Tallahassee, Florida
December 27, 1967

The Trustees of the Internal Improvement Fund met on this date in the Capitol Building, in Senate Room 12, with the following members present:

Tom Adams	Secretary of State, Acting Chairman
Earl Faircloth	Attorney General
Fred O. Dickinson, Jr.	Comptroller
Broward Williams	Treasurer
Floyd T. Christian	Superintendent of Public Instruction
Doyle Conner	Commissioner of Agriculture

James T. Williams

Staff Member

On motion duly adopted, the Trustees approved the minutes of the meeting of December 12, 1967.

CHARLOTTE COUNTY - File No. 1989-08-253.12. On November 7, 1967, the Trustees considered application from Shakeshaft's Seahorse Marina, Inc., and Edwin C. Ryder, both of Punta Gorda, Florida, the abutting upland owners, who offered the appraised value of \$5,389.38 per acre for two contiguous parcels of submerged land containing a total of 0.86 acre, more or less, in Charlotte Harbor in Section 36, Township 40 South, Range 22 East, landward of the established bulkhead line in Charlotte County. Notice of sale was published in the Punta Gorda

12-27-67

Herald-News, proof of publication filed and no objection to the sale received.

The biological report received from the Board of Conservation, dated July 21, 1967, showed that sale and development of the two parcels would not adversely affect the marine resources of the area.

Motion was made by Mr. Christian, seconded and adopted without objection, that the Trustees confirm sale of the advertised two contiguous parcels to the two riparian owners at the appraised price.

PALM BEACH COUNTY - File No. 2041-50-253.36. On behalf of the Pahokee Housing Authority, Inc., of Pahokee, Florida, request was made by Don T. Adams for conveyance without consideration of 6.46 acre parcel of reclaimed Pelican River bottom lands for use as part of the site for a 200-unit low rental housing project planned to replace inadequate housing for low income agricultural workers. The applicant did offer \$200.00 as a token payment for the land in Section 19, Township 42 South, Range 37 East, in Palm Beach County abutting the Authority's upland tract.

All interested state agencies indicated that acquisition of the parcel by the Authority would not interfere with their respective works. Staff recommended fee simple conveyance for \$200.00 charge, the instrument to contain a non-use reverter and public purpose covenant.

On motion by Mr. Dickinson, adopted without objection, the Trustees authorized conveyance of the 6.46 acres for a token payment of \$200.00, the deed to contain a reversion clause in the event of non-use, and a public purposes covenant.

CHARLOTTE COUNTY - The West Coast Inland Navigation District on behalf of the United States of America applied for four perpetual maintenance spoil areas in the Placida Harbor in Sections 10, 11, 13 and 14, Township 42 South, Range 20 East, necessary in the maintenance of the West Coast Intracoastal Waterway. The Staff recommended issuance of the perpetual easements.

The biological report by the Board of Conservation, made to the Jacksonville District, Corps of Engineers, under date of January 9, 1967, offered no objection to the location of these spoil areas.

On motion made by Mr. Conner, adopted without objection, the Trustees granted the request for perpetual easements.

MONROE COUNTY - File No. 2063-44-253.129. Staff requested authority to issue a disclaimer under the provisions of Section 253.129 Florida Statutes, to Key Largo Associates, Inc., of Islamorada, Florida, to a parcel of sovereignty land containing 0.085 acre in Blackwater Sound in Section 36, Township 60 South, Range 39 East, Monroe County, which was filled prior to May 29, 1951. The handling charge of \$10.00 for the instrument was tendered.

Motion was made by Mr. Conner, seconded by Mr. Faircloth, and adopted unanimously, that the Trustees authorize issuance of the disclaimer for \$10.00 charge.

MONROE COUNTY - The Board of County Commissioners of Monroe County by Resolution No. 51-1967 dated October 31, 1967, requested dedication, for public road and bridge purposes, of five (5) separate parcels of submerged land in Sections 19, 20, 28 and 29, in Township 59 South, Range 40 East, Monroe County, for the reconstruction of the Old Card Sound Road between Dade County and Key Largo in Monroe County. No dredging or filling was contemplated within the dedicated right of way, therefore, no biological survey report was required or necessary. Staff recommended approval.

Motion was made by Mr. Faircloth, seconded by Mr. Dickinson and adopted unanimously, that the five parcels of submerged land be dedicated to Monroe County for public road and bridge purposes.

MONROE COUNTY - File No. 842-44-253.12. Under date of May 31, 1961, the Trustees executed Deed No. 22801(842-44) to Florida-Southern Corporation conveying two small parcels of submerged land in Tom's Harbor in Section 21, Township 65 South, Range 34 East, Monroe County, at Duck Key. Due to a certain erroneous deflection angle in the surveyed description, Parcel 1 was not described correctly. Duck Key, Inc., the successor in title, represented by Bailey, Mooney, Post Associates, Inc., requested a corrective deed and tendered the \$10.00 handling charge.

Motion was made by Mr. Faircloth, seconded by Mr. Williams and adopted unanimously, that the Trustees authorize issuance of corrective deed.

PUTNAM COUNTY - Jerry Million, Route 1, Box 74-A, East Palatka, Florida, applied for an ex parte disclaimer covering a parcel of land containing 0.31 acre in the St. Johns River abutting his riparian uplands in Section 48, Township 9 South, Range 22 East, in the John Huertas Grant, Putnam County, which was lost by avulsion during hurricane Dora in 1964. The necessary exhibits, surveys and affidavits were furnished verifying the extent of the waterfront damage, and applicant remitted the \$25.00 normal handling charge. Staff recommended issuance of ex parte disclaimer.

On motion by Mr. Faircloth, seconded by Mr. Dickinson and adopted unanimously, the Trustees authorized issuance of the instrument recommended by the Staff.

BAY COUNTY - B. K. Brown and C. A. Parker of Panama City, Florida, applied for a permit to construct a boat basin in Massalina Bayou in Section 9, Township 4 South, Range 14 West, Bay County, and to build a commercial dock. The Florida Board of Conservation reported no material or adverse effects on marine life, habitat or fisheries. All required exhibits were furnished, including the \$100.00 fee.

On motion by Mr. Christian, seconded by Mr. Dickinson and adopted unanimously, the Trustees authorized issuance of state permit for the dock and boat basin.

BROWARD COUNTY - The City Commission of Hollywood, Florida, by Ordinance No. 0-67-118 adopted on December 13, 1967, established a seawall and revetment line for beach protection and

erosion control along the beach in Section 25, Township 51 South, Range 42 East, Broward County. The long, high, unadjustable, impermeable groins north of this area had caused serious erosion to the beaches and upland. The seawall and revetment line was established in accordance with the recommendations of the Division of Beaches and Shores of the Florida Board of Conservation, in cooperation with the Staff of the Trustees.

On motion by Mr. Dickinson, seconded by Mr. Faircloth and adopted unanimously, the Trustees approved the establishment by the City of Hollywood of the seawall and revetment line for beach protection and erosion control along the Atlantic Ocean beach.

DADE COUNTY - The Florida Power and Light Company made application for a perpetual easement for drainage and water control purposes over a 0.68 acre parcel of submerged land in Biscayne Bay in Section 34, Township 57 South, Range 40 East, being the extension of a proposed canal from the applicant's upland across submerged lands now owned by the applicant, also. The 200-ft. wide parcel extending into the bay would be an easement between the bayward limits of submerged land owned by the applicant to the bulkhead line.

Also, request was made for approval of a fill permit issued by the Board of Commissioners of Dade County by Resolution No. R-1552-67 adopted December 19, 1967, under the provisions of Section 253.124 Florida Statutes as amended by Chapter 67-393, Acts of 1967, to deposit spoil from the proposed canal on submerged land owned by the applicant in lower Biscayne Bay at Turtle Point, Dade County, to create a 2.5 acre island.

In addition, request was made for authority to issue permit under the provisions of Section 253.123 Florida Statutes, as amended by Chapter 67-393, to dredge said canal.

The purpose of the canal and offshore channel was to discharge cooling water from the Turkey Point electric generating plant. Permit from the U. S. Army Corps of Engineers was pending approval by the Trustees. Central and Southern Florida Flood Control District had no objection, and the applicant had indicated to responsible state authorities its willingness to comply with regulations and safeguards to preserve the marine ecology of Biscayne Bay. The biological report of the Board of Conservation dated November 21, 1967, to Metropolitan Dade County showed that the subject area was unvegetated by attached sea-grasses and did not support sport or commercial fishing, and that the construction of the spoil island would be preferable to depositing spoil material shoreward on the mangrove areas where heated and drainage waters could be cooled, filtered and aerated when they move in a shallow sheet bayward through the tangle of mangroves.

There was concern for biological values due to thermal and radiological effects, and study was being made by three consultants hired by the applicant, and others, of the new and unknown factors involved, such as the effects of any rise in the water temperature. Mr. A. M. Chick Davis, on behalf of the Florida Power and Light Company, said if there was a thermal problem it would be corrected back on the upland property, possibly by settlement ponds, that the spoil island would be dedicated to the county for public use. He said they needed the canal in February, that there would not be any measurable amount

of warm water until 1970 or 1971, and the company had committed itself in writing to the air and water pollution authorities that it would take any action necessary to prevent degradation of the waters of Biscayne Bay.

Mr. Adams said that resolution of the thermal problem was not now before the Board, that the thermal content of the water will be what is approved at the appropriate time. Mr. Christian said that he had received objections, however, to the digging of the canal and he suggested deferment until more knowledge of the temperature question was available. Mr. Williams also questioned the possible effects on marine life which the Trustees would want to protect if possible. Mr. Faircloth saw no reason to oppose the application now before the Board, but he noted that the Governor's office had indicated objections at one time and the Governor was not present on this date. He made a motion that it be approved subject to approval of the Governor.

Mr. Faircloth's motion as restated and adopted unanimously was that the Trustees approve the three requests presented, being for canal easement, fill permit under Section 253.124, and dredging permit under Section 253.123, subject to approval by the Governor; however, in the event of a negative vote by the Governor, the matter was to be brought back to the Board for further consideration. The action by the Trustees present on this date was subsequently approved by the Governor.

DADE COUNTY - The City of North Bay Village, Florida, made application for a permit to install a sub-aqueous pipeline in Biscayne Bay in Sections 8 and 9, Township 53 South, Range 42 East. The Florida Board of Conservation reported that the project would not adversely affect marine life, habitat or fisheries. The Staff recommended approval.

Motion was made by Mr. Faircloth, seconded by Mr. Dickinson and adopted without objection, that permit be approved.

LEE COUNTY - File No. 2022-36-253.124. Staff recommended approval of a fill permit issued by Lee County on December 13, 1967, to John P. Moss, Jr., of Fort Myers, Florida, under the provisions of Section 253.124 Florida Statutes, as amended by Chapter 67-393, Acts of 1967, to fill a parcel of submerged land containing 0.25 acre in Matanzas Pass in Section 24, Township 46 South, Range 43 East, Lee County, at Estero Island landward of the established bulkhead line. The parcel was previously conveyed by the Trustees under the referenced file number. The biological report included in the application to purchase showed that filling and development would not materially affect marine resources in the area.

Mr. Faircloth called attention to the phrase "would not materially affect", and said he would like the reports to be very sharp and clear as to the recommendations of the biologist. Marine Biologist Ken Woodburn said that in any dredging there was some temporary effect, but this was in an area that had been heavily dredged previously.

On motion by Mr. Faircloth, seconded and adopted unanimously, the Trustees approved the fill permit.

LEE COUNTY - Mr. Faircloth called attention to the connection between the above application and the state dock permit application made by John P. Moss, Jr., to construct docks in connection with a marina in Estero Pass in Section 24, Township 46 South, Range 23 East, Lee County. All required exhibits were furnished including the \$100.00 processing fee. Staff recommended approval.

On motion by Mr. Faircloth, seconded by Mr. Christian and adopted unanimously, the Trustees authorized issuance of state commercial dock permit.

MANATEE COUNTY - The Florida Power and Light Company of Sarasota, Florida, applied for a permit to install a submarine cable crossing Sarasota Pass between Anna Maria Island and Perico Island in Sections 16, 21 and 22, Township 34 South, Range 16 East, Manatee County. The Florida Board of Conservation reported that the installation would not permanently affect marine life, habitat or fisheries. Staff recommended approval.

On motion by Mr. Dickinson, duly adopted, the Trustees authorized issuance of the permit to Florida Power and Light Company.

MANATEE COUNTY - Secretary of State Tom Adams raised a question regarding the causeway easement granted on June 20, 1967, to the Town of Longboat Key. He said it was now a causeway to nowhere, since the Trustees had denied on October 10, 1967, the city's application for approval of permit to fill the town-owned island. However, he said rubble was being dumped on the causeway area and the Staff should review the request to the Department of the Army Corps of Engineers for extension of an existing permit held by the Town of Longboat Key for construction of rubble and earth filled causeway to the town-owned offshore island, which Corps permit expired December 31, 1967 (Permit No. 64-6 issued in 1964). Mr. Adams felt that after the Trustees decided against the filling of the offshore islands, the permit to fill the causeway should be stopped.

This matter brought to the attention of the Trustees by Mr. Adams was referred to the Staff for review.

PINELLAS COUNTY - The Florida Power Corporation of St. Petersburg, Florida, applied for permission to install a submarine cable across the Intracoastal Waterway at Treasure Island Causeway, Boca Ciega Bay, in Section 24, Township 31 South, Range 15 East, Pinellas County. The Florida Board of Conservation reported that the installation would not materially or adversely affect marine life, habitat or fisheries. Staff recommended approval.

On motion by Mr. Christian, seconded by Mr. Dickinson and adopted unanimously, the Trustees authorized issuance of the permit to Florida Power Corporation of St. Petersburg.

SUBJECTS UNDER CHAPTER 18296

CITRUS COUNTY - Harbond, Inc., a Florida corporation, offered \$2,248.00 for conveyance under Chapter 28317, Acts of 1953, without advertisement and public sale, of a parcel containing

56.20 acres in Citrus County certified to the State of Florida under tax sale certificate No. 528 of June 4, 1934, described as Government Lot 5 in Section 14, Township 18 South, Range 16 East. St. George Alexander Co. was the record owner as of June 9, 1939, the date the land became vested in the State of Florida. The applicant claimed by, through or under the former owner. Information furnished by the Trustees' agent, the Clerk of the Circuit Court of Citrus County, showed that the present owner and its predecessor in title attempted to clear a tract of land of all taxes and claims of both the state and the county in 1942, but the then Clerk of the Circuit Court did not include the outstanding 1934 tax sale certificate.

Staff recommended approval of the application. Mr. Dickinson said it would correct a previous error when the 1934 certificate was overlooked.

Mr. Faircloth had a question regarding Section 192.381, and on motion duly adopted, the application was deferred until next week.

Secretary of State Adams brought up the matter of pending requests for release of state road right of way reservations contained in Murphy Act deeds, which are referred by the Trustees' office to the State Road Department for recommendations. On December 19, 1967, the Director had advised that the Road Department planned to study overall procedures, and Mr. Adams asked if any progress had been made on processing the applications for release. In the event of undue delay he felt that the Trustees might like to take some action in the matter.

Mr. Faircloth asked for a full report at the next meeting as to what had been done, and asked the Staff to contact the Secretary of State if there was any difficulty in getting information.

On motion duly adopted, the meeting was adjourned.

Tom Adams
SECRETARY OF STATE - ACTING CHAIRMAN

ATTEST:

James Williams
STAFF MEMBER

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Tallahassee, Florida
January 9, 1968

The Trustees of the Internal Improvement Fund met on this date in the Capitol Building in Room No. 307, with the following members present:

Claude R. Kirk, Jr.	Governor
Tom Adams	Secretary of State
Earl Faircloth	Attorney General
Fred O. Dickinson, Jr.	Comptroller
Broward Williams	Treasurer
Floyd T. Christian	Superintendent of Public Instruction

1-9-68

Doyle Conner

Commissioner of Agriculture

Robert C. Parker

Director

On motion duly adopted, the Trustees approved the minutes of the meeting held on December 19 and 27, 1967.

DADE COUNTY - Bulkhead Line. On December 19, 1967, the Trustees considered the relocation of the bulkhead line in Biscayne Bay in Section 6, Township 54 South, Range 42 East, along Miami Bayfront Park in the City of Miami. For an area involved in the Doxiadis Plan for the city's proposed new marina and park expansion, the City Commission of the City of Miami by Resolution No. 39119 adopted on November 6, 1967, had extended a portion of the established bulkhead line, from S.E. 2nd Street to N.E. 6th Street. The Board deferred action and requested information regarding probable effects on tidal flow and currents, drainage and protection from hurricanes. Questions regarding hydrological effects of the extension to be filled out into Biscayne Bay were raised by several objections filed in the Trustees' office.

The Board of Conservation reported that the area was not a nursery, sport or commercial fishing ground as it had been affected by past dredging, filling, silting and spoiling.

W. T. Carlton of the Division of Beaches and Shores, Board of Conservation, reviewed the plans for the bulkhead line relocation and reported that the relocation and development would not have significant effects on the hydrography of the area, but that a combination of several such bulkhead line extensions would result in noticeable changes in the hydrography of Biscayne Bay.

Present on behalf of the application for relocation of the bulkhead line were Senator Robert M. Haverfield of Dade County, as attorney for the Downtown Development Authority, Miami City Manager Melvin L. Reese and Mayor Stephen P. Clark. Walter S. Klements, president of Florida South Chapter of the American Institute of Architects was present to speak in opposition.

Mr. Reese, exhibiting a large aerial map with an overlay showing the plan of the proposed Miamarina as designed by Alfred B. Parker, said that preliminary planning for expansion was begun by the City of Miami in 1961 in cooperation with the U. S. Corps of Engineers in regard to the navigation channel, that in 1964 the City of Miami citizens passed a bond issue for development of the expanded marina facility, that the city had followed the procedures made necessary by amendment of the Florida Statutes in accordance with the 1967 Legislature's action, one of the last steps being approval of the relocated bulkhead line by the Trustees. He said that all questions had been answered with reference to water movements, tidal flow, conservation.

Answering questions of the Trustees, Mr. Reese further said that the ship channel area was adequate, bulkheading of the fill would prevent sloughing into the channel which was under federal jurisdiction and would not be affected, that the City of Miami and the Board of County Commissioners of Dade County had adopted resolutions in favor of the proposal, that he knew of no proposal for filling at Dodge Island which would cause

constriction of the channel between the island and the application area and at the present time a deep channel was being developed around the end of Dodge Island from where the city was getting some fill material. He told something of the marina plans to give them capacity for more boats, restaurant and the necessary services for the type of boats they wanted to use the marina. He saw no problem as to encroachment on the navigation channel or change in the flushing action in the Bay.

Senator Haverfield said he believed this was a local matter which did not require action by the Dade delegation, it had been approved by the City of Miami and Metropolitan Dade County, that this would be a step forward toward the revitalization of the downtown area and the Downtown Development Authority composed of business people was 100% behind the proposed expansion.

Mayor Clark agreed completely, and said in answer to a question from Mr. Adams about the possibility of a land trade that would not necessitate filling in the Bay, that these were two separate matters, and that negotiations had started about two months ago with a private owner because the city desired to obtain as much bayfront property as possible and it had nothing to do with the marina and the bulkhead line at the present time.

Mr. Reese filed a copy of a study of hydraulic effects of the proposed marina prepared by John F. Michel, Consulting Engineer.

Mr. Klements, opposing the expansion on behalf of the organization of architects on record opposed to any further filling of Biscayne Bay, filed and read a paper urging deferment for a detailed hydrological study to find information on a number of questions he said were as yet unanswered regarding tidal currents, encroachment on navigable waters, and water pollution.

Presentation of the maps, statements and information filed on this date, and answers to numerous questions of all the Trustees having served to assure the members that extension of the bulkhead line was proper, motion was made by Mr. Williams, seconded by both Mr. Faircloth and Mr. Christian, and adopted unanimously, that the Trustees of the Internal Improvement Fund approve the relocated bulkhead line as established by the City of Miami by Resolution No. 39119 adopted on November 6, 1967.

BREVARD COUNTY - Confirmation of Four Land Sales. On November 21, 1967, the Trustees considered the following four applications from riparian owners to purchase submerged land in the City of Titusville abutting their upland ownership. Notices of sales were published in the Titusville Star-Advocate, proof of publication filed and no objections to the proposed sales were received by the Trustees' office.

(1) File No. 1994-05-253.12. Gayle N. Valdyke offered the appraised value of \$1,300.00 per acre for a parcel of submerged land in the Indian River in Section 10, Township 22 South, Range 35 East, containing 0.62 acre, more or less, in the City of Titusville landward of the established bulkhead line in Brevard County.

(2) File No. 2012-05-253.12. Cecil C. Streepy and wife offered the appraised value of \$1,500.00 per acre for a parcel of submerged land in the Indian River in Section 15, Township 22 South, Range 35 East, containing 2.88 acres, more or less, in the City

of Titusville landward of the established bulkhead line in Brevard County.

(3) File No. 2033-05-253.12. Shore Point, Inc., offered the appraised value of \$1,500.00 per acre for a parcel of submerged land in the Indian River in Section 22, Township 22 South, Range 35 East, containing 5.07 acres, more or less, in the City of Titusville landward of the established bulkhead line in Brevard County.

(4) File No. 2034-05-253.12. H. C. Kirk offered the appraised value of \$1,500.00 per acre for a parcel of submerged land in the Indian River in Section 22, Township 22 South, Range 35 East, containing 2.43 acres, more or less, in the City of Titusville landward of the established bulkhead line in Brevard County.

In the minutes of November 21 information was shown with respect to the biological report, conditions in the area caused by the NASA program and a number of sales previously made, and the Staff recommended approval of the sales.

Motion was made by Mr. Williams, seconded by Mr. Christian and adopted unanimously, that the above four sales be confirmed in favor of the applicants at the appraised values.

SARASOTA COUNTY - File No. 1067-58-253.12. On November 21, 1967, the Trustees considered the application from Gene M. Stirling, and wife, abutting upland owners, with offer of the appraised value of \$500.00 per acre to purchase a parcel of sovereignty land in Little Sarasota Bay containing 0.31 acre in Section 18, Township 37 South, Range 18 East, Sarasota County. The parcel was easterly of and abutting the 1.84 acre parcel conveyed by the Trustees in March 1962. Due to local engineering errors, the bulkhead line was erroneously established in the field causing this 0.31 acre to be inadvertently filled and developed. The conservation report to the Sarasota County Water and Navigation Control Authority verified that the area was filled; therefore, no biological report was required.

Notice of sale was published in the Sarasota Herald, proof of publication filed, and no objection was received to the sale. Staff recommended confirmation of the sale.

Motion was made by Mr. Williams, seconded by Mr. Faircloth and adopted unanimously, that the Trustees confirm sale of the advertised parcel to the applicants at the price offered.

VOLUSIA COUNTY - File No. 1885-64-253.12. On September 6, 1966, the Trustees considered application made by David L. Black on behalf of Florida Bank and Trust Co., Trustee, abutting upland owner, with offer of \$200.00 per acre, approved by the Staff Appraiser, for a parcel of submerged land in the Halifax River in Section 13, Township 16 South, Range 33 East, Volusia County, containing 2.6 acres, more or less, landward of the established bulkhead line. On the advertised sale date, October 11, 1966, the Board deferred action pending further study by the Board of County Commissioners who felt that the sale might be adverse to public or private rights of other property owners within the immediate area. Notices had been sent by certified mail to the riparian owners within 1000 feet of the area and they filed no objection to the sale.

By letter dated November 1, 1967, the County Engineer on behalf of the County Commissioners of Volusia County, waived objection to the sale, conditioned upon adjacent property owners raising no objections.

The Trustees requested a biological survey which showed the presence of scattered oysters in the area which would be destroyed by sale and development. Therefore, the letter from the marine biologist stated, sale would not be in the best interest of conservation in Volusia County.

The Director said that the Halifax River was polluted in this area which he felt would make the oysters undesirable. He showed a map on which was outlined in black an area which the Trustees had disclaimed as to the land. Within that line was a dead-end lagoon, accessible only at high tides, within which were located the application parcel and several parcels which had previously been sold.

Motion was made by Mr. Faircloth, seconded by Mr. Conner and adopted unanimously, that sale of the advertised parcel be confirmed in favor of the abutting upland owner at the price offered.

DADE COUNTY - File No. 2057-13-253.12. Fred Snowman, Jr., on behalf of Charles M. Moon and wife, abutting upland owners, offered the appraised value of \$5,081.00 per acre for a parcel of submerged land in Biscayne Bay in Section 39, Township 54 South, Range 41 East, 0.459 acre in the City of Miami landward of the established bulkhead line, in Dade County.

Board of Conservation biologist reported that sale and subsequent development would have no significant effect upon marine resources in Biscayne Bay. The Staff recommended advertisement of the parcel.

Motion was made by Mr. Williams, seconded by Mr. Adams and adopted unanimously, that the parcel be advertised for objections only.

PALM BEACH COUNTY - File No. 2062-50-253.12. William K. Hyotlaine, on behalf of Ernest Histed, et al, abutting upland owners, offered the appraised value of \$1,934.50 per acre for a parcel of submerged land in the Loxahatchee River in Section 31, Township 40 South, Range 43 East, 0.70 acre in the Town of Jupiter landward of the established bulkhead line in Palm Beach County.

Biological report from the Florida Board of Conservation showed that the parcel was within a conservative and conservation-oriented bulkhead line, and development of this submerged land would not adversely affect marine resources, but that fill material should be obtained from upland sources. Staff recommended advertisement.

Motion was made by Mr. Williams, seconded by Mr. Adams and adopted unanimously, that the parcel be advertised for objections only.

COLLIER COUNTY - Mrs. Lois A. Crews, holder of Grazing Lease No. 1696-S expiring January 9, 1968, requested renewal for three years. The lease covered all of Section 16, Township 49 South,

Range 33 East, 640 acres, for grazing purposes only, at annual rental of 25¢ per acre, and contained 90-day cancellation clause.

Staff recommended extension of the lease for three years with the same terms and conditions except that rental be increased to 30¢ per acre due to increase in land values and rental on other similar leases in the area.

Motion was made by Mr. Faircloth, seconded by Mr. Williams and adopted unanimously, that three-year renewal be authorized at the increased rental and conditions as recommended by the Staff.

DADE COUNTY - The Board of Parks and Historic Memorials requested issuance of a formal grant of easement from the Trustees over that portion of the Cape Florida Park property on which a stone revetment was to be built to protect the old lighthouse. The instrument for temporary access and worksite easement will allow the U. S. Engineers to perform the work contemplated. Instrument was prepared by the office of the Attorney General.

Staff recommended execution of the easement by the Trustees subject to approval of the instrument by the Park Board.

On motion by Mr. Conner, seconded by Mr. Williams and adopted unanimously, the Trustees granted the request of the Park Board for issuance of the formal grant of easement, subject to approval of the instrument by that Board.

BROWARD COUNTY - On motion by Mr. Faircloth, seconded by Mr. Williams and adopted unanimously, the Trustees authorized issuance of a commercial dock permit to Mark XX Investment Corporation for construction of a dock offshore from Lot 3, Golden Isles, Section "C", in Section 26, Township 51 South, Range 42 East, Hallandale, Florida, for which all required exhibits were furnished and \$100.00 processing fee tendered.

BROWARD COUNTY - The City of Fort Lauderdale, Florida, applied for permission to install a submarine sanitary force main across Middle River in Section 25, Township 49 South, Range 42 East, Broward County, in the vicinity of Northeast 19 Street in Fort Lauderdale. The Board of Conservation reported no adverse effect on marine life, habitats or fisheries. Staff recommended approval of the permit.

Motion was made by Mr. Williams, seconded by Mr. Faircloth and adopted unanimously, that the Trustees authorize issuance of permit to the City of Fort Lauderdale for the work requested.

DADE COUNTY - The Florida Power and Light Company of Miami, Florida, applied for permission to install a subsurface submarine transmission loop in Indian Creek in Section 14, Township 53 South, Range 42 East, at West 59 Street in Miami Beach, Florida. The Board of Conservation reported no adverse effect on marine life, habitats and fisheries. Staff recommended approval of the permit.

Motion was made by Mr. Williams, seconded by Mr. Adams and adopted unanimously, that the Trustees authorize issuance of permit to the applicant for the work requested.

ESCAMBIA COUNTY - Gulf Power Corporation, Pensacola, Florida, applied for permission to install a submarine cable across Bayou Texar in Section 6, Township 2 South, Range 29 West, at Pensacola in Escambia County. The Florida Board of Conservation reported no adverse effect on marine life, habitats and fisheries. Staff recommended approval of the permit.

Motion was made by Mr. Adams, seconded by Mr. Williams and adopted unanimously, that the Trustees authorize issuance of permit to the applicant for the work requested.

PALM BEACH COUNTY - The Village of Tequesta applied for a permit to realign an existing 10 inch watermain across the Intracoastal Waterway in Section 31, Township 40 South, Range 43 East, north of State Road 707 bridge in Palm Beach County. The Florida Board of Conservation reported this alignment would not adversely affect marine life or fisheries. Staff recommended approval.

Motion was made by Mr. Adams, seconded by Mr. Faircloth and adopted unanimously, that the Trustees authorize issuance of permit to the Village of Tequesta for the work requested.

PALM BEACH COUNTY - Ocean Science Reef, Incorporated, Riviera Beach, Florida, a non-profit corporation organized for the purpose of constructing an artificial reef to be used as a fish study facility for Florida Atlantic University, Florida Atlantic Ocean Sciences Institute, Inc., and the Bureau of Sports Fisheries and Wildlife of the United States, for a "Five Year Reef Plan" study, made application to construct an artificial reef offshore from the Town of Palm Beach in the Atlantic Ocean at 26° 45' 03" North Latitude and 80° 20' 05" West Longitude. Florida Board of Conservation reported that the site was not trawled commercially for fish or shrimp and the artificial reef should aid fishing and marine research. All required exhibits, including the \$50.00 processing fee, were submitted. Staff recommended approval.

Motion was made by Mr. Faircloth, seconded by Mr. Williams and adopted unanimously, that the Trustees authorize issuance of a permit for the artificial reef.

PUTNAM COUNTY - Carl C. Carnes of Keystone Heights, Florida, applied for permission to connect an upland canal with Swan Lake in Section 9, Township 9 South, Range 23 East, Putnam County, and to remove an illegal spoil island from the lake. The Florida Game and Fresh Water Fish Commission reported favorably subject to standard stipulations as to dredging. Staff recommended approval.

Motion was made by Mr. Williams, seconded by Mr. Adams and adopted unanimously, that the permit be approved.

SARASOTA COUNTY - General Telephone Company of Florida, Sarasota, Florida, applied for permission to install a subsurface submarine cable across New Pass in Sections 22 and 27, Township 36 South, Range 17 East, in Sarasota County. The Florida Board of Conservation reported no adverse effect on marine life, habitats or fisheries. Staff recommended approval.

Motion was made by Mr. Williams, seconded by Mr. Adams and adopted unanimously, that the permit be approved.

SUBJECTS UNDER CHAPTER 18296

On motion by Mr. Williams, seconded by Mr. Adams and adopted unanimously, the Trustees approved Report No. 919 listing one regular bid for sale of land in Nassau County under the provisions of Chapter 18296, Acts of 1937 - the Murphy Act.

CITRUS COUNTY - Harbond, Inc., a Florida corporation, offered \$2,248.00 for conveyance under Chapter 28317, Acts of 1953, without advertisement and public sale, of 56.20 acres of land in Citrus County which was certified to the state under tax sale certificate No. 528 of June 4, 1934, described as Government Lot 5 in Section 14, Township 18 South, Range 16 East. St. George Alexander Co. was the record owner as of June 9, 1939, the date the land became vested in the State of Florida, and the applicant claimed by, through or under the former owner.

Information furnished by the Trustees' Agent, the Clerk of the Circuit Court, showed that the present owner and the predecessor in title attempted to clear a tract of land of all taxes and claims of both the state and the county in 1942, but the then Clerk of the Circuit Court did not include the outstanding 1934 tax sale certificate.

On December 27 this matter was presented to the Trustees and the Attorney General requested deferment. Information from his office is that the application is in order and all requirements of Section 192.381, Florida Statutes, were met. Staff recommended approval.

Motion was made by Mr. Adams, seconded by Mr. Faircloth and adopted unanimously, that the application by Harbond, Inc., be approved and the land be conveyed under Chapter 28317, Acts of 1953, without advertisement and public sale, for the amount offered.

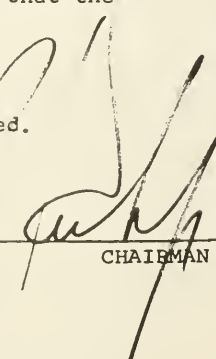
With reference to the matter brought to the attention of the Board on December 12, 1967, by the Secretary of State pertaining to releases of state road right of way reservations, the Director reported on a conference he had with John W. Cashin, "Buddy" Lewis and Bryan Henry of the State Road Department. A number of applications for release of the road reservations had been reviewed and there being no state road involved, releases had been approved and instruments were now being processed by the Trustees' office. Other applications were being reviewed by the five district engineers' offices with the idea of arriving at the same type of philosophy for deciding on such requests for release of the road reservations in Murphy Act deeds. The Director said that this matter would be considered at the next meeting of the State Road Board.

Mr. Adams moved that the report be received and that the Director be commended for pursuing this matter. The motion was unanimously adopted.

On motion duly adopted, the meeting was adjourned.



GOVERNOR



CHAIRMAN

ATTEST:

Robert C. Parker
DIRECTOR - SECRETARY

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Tallahassee, Florida
January 16, 1968

The Trustees of the Internal Improvement Fund met on this date in the Capitol Building in Room No. 307, with the following members present:

Claude R. Kirk, Jr.	Governor
Tom Adams	Secretary of State
Earl Faircloth	Attorney General
Broward Williams	Treasurer
Floyd T. Christian	Superintendent of Public Instruction
Doyle Conner	Commissioner of Agriculture

Robert C. Parker	Director
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On motion duly adopted, the Trustees approved the minutes of the meeting held on January 9, 1968.

MONROE COUNTY - File No. 2053-44-253.12. Bailey, Mooney, Post Associates, Inc., on behalf of Russell H. Cullen and wife, abutting upland owners, offered the appraised value of \$350.00 per acre for purchase of a parcel of submerged land in Buttonwood Sound in Section 32, Township 61 South, Range 39 East, containing 1.33 acres at Key Largo, Monroe County.

The Florida Board of Conservation biological report showed that sale and subsequent development of the parcel would not adversely affect marine resources of the area, and that the parcel was not a productive nursery or feeding area for marine animals of sport or commercial fishery importance.

On motion made by Mr. Christian, seconded by Mr. Faircloth and adopted unanimously, the Trustees authorized advertisement of the parcel for objections only.

MONROE COUNTY - File No. 2055-44-253.12. G. B. Adams on behalf of Albert J. Meier and wife, abutting upland owners, offered the appraised value of \$425.00 per acre for purchase of a parcel of submerged land in the Straits of Florida in Section 32, Township 63 South, Range 37 East, containing 0.551 acre at Upper Matecumbe Key in Monroe County.

Although the Board of Conservation biological report was adverse to development of the submerged land found to be heavily vegetated and a nursery area for marine life, the Staff requested that the recommendation contained in the report be overruled and the parcel be advertised for objections only. The submerged lands lying within a mile of the parcel on either side had previously been conveyed in all but a few instances, and though little dredging or filling had been done, in the event of such development of parcels already sold the applicant would have no way to prevent the parcel riparian to his upland from becoming

a stagnant pocket.

Mr. Adams said that both in the Keys as well as in some other areas where previous decisions had been made by other Boards, it appeared that the Trustees could almost create problems by leaving pockets; and that while dredging would cause damage to marine life, stagnation in pockets could cause adverse effects. He said this was just one thing to which consideration should be given.

Motion was made by Mr. Christian, seconded by Mr. Faircloth and adopted unanimously, that the parcel be advertised for objections only.

MONROE COUNTY - File No. 2061-44-253.12. Richard J. Williams and wife, abutting upland owners, offered the established value of \$425.00 per acre for purchase of a parcel of submerged land in the Bay of Florida in Section 32, Township 63 South, Range 37 East, containing 1.2 acres at Upper Matecumbe Key in Monroe County.

The biological report from the Florida Board of Conservation showed that the parcel was a productive nursery area for marine animals of sport and commercial fishery importance, and that sale and development was not recommended.

Staff recommended that the application be denied and requested authority to refund the \$50.00 application fee.

Motion was made by Mr. Christian, seconded by Mr. Faircloth and adopted unanimously, that the application be denied and the \$50.00 fee submitted by the applicant be refunded.

MONROE COUNTY - File No. 2049-44-253.12. Bailey, Mooney, Post Associates, Inc., on behalf of George W. Fortune and wife, abutting upland owners, offered \$300.00 per acre or \$100.00 minimum in this instance for a parcel of submerged land in Blackwater Sound in Section 11, Township 61 South, Range 39 East, containing 0.11 acre at Key Largo in Monroe County.

The biological report showed that approximately 40% of the submerged area was covered by turtle grass and the remainder by attached algae, and therefore, it was a productive nursery and feeding ground for marine animals.

Staff recommended denial and requested authority to refund the \$50.00 application fee to the applicant's representative, Bailey, Mooney, Post Associates, Inc.

Motion was made by Mr. Faircloth, seconded by Mr. Christian and adopted unanimously, that the Trustees accept the recommendation of the Staff to deny this application and authorize refund of the \$50.00 fee.

VOLUSIA COUNTY - File No. 2050-64-253.12. Taken off the agenda upon request of the applicant's attorney and scheduled for consideration on January 30th was an application from Max I. Ossinsky on behalf of Millard B. Conklin and wife, abutting upland owners, to purchase 1.75 acres of submerged land in the Halifax River in Section 2, Township 16 South, Range 33 East, in the City of Port Orange southerly of the Port Orange Bridge landward of the established bulkhead line in Volusia County.

SHELL LEASES - On motion by Mr. Adams, seconded by Mr. Christian and duly adopted, the Trustees accepted as information the following report of remittances received by the Florida Board of Conservation from holders of dead shell leases:

<u>Lease No.</u>	<u>Name of Company</u>	<u>Amount</u>
1718	Radcliff Materials, Inc.	\$9,001.32
2233	Bay Dredging and Construction Co.	5,757.07

FRANKLIN, GULF, CALHOUN, LIBERTY, GADSDEN AND JACKSON COUNTIES - Florida Gravel Company, of Birmingham, Alabama, requested four-year extension of Sand and Gravel Lease No. 296-A which expired on January 1, 1968. Covering the Apalachicola and Chattahoochee Rivers for removal of sand and gravel on a non-exclusive basis, the lease required a royalty of 15¢ per cubic yard, monthly minimum of \$25.00 and \$500.00 surety bond. It was renewed two years ago following an investigation regarding royalty received for sand and gravel which indicated that the royalty was sufficient for the area and conditions involved.

Staff recommended four-year extension as requested, with a new lease drawn to contain 120-day cancellation provision and surety bond increased to \$1,000.00, all in line with other commercial sand leases.

Governor Kirk commented that he had been associated in the past with that company holding the lease.

On motion by Mr. Christian, seconded by Mr. Faircloth and adopted unanimously, the Trustees authorized issuance of the new lease for four years with the provisions recommended by the Staff.

BREVARD COUNTY - File Nos. 1993 and 2008-05-253.124. Staff recommended approval of fill permit issued by the Engineering Department on behalf of the Board of County Commissioners of Brevard County on January 3, 1968, to Wendall O. Yount under the provisions of Section 253.124 Florida Statutes as amended by Chapter 67-393, Acts of 1967, to fill the 11.94 acre parcel and the 0.49 acre parcel of submerged land in the Banana River in Section 19, Township 24 South, Range 37 East, in Brevard County, which were conveyed by the Trustees under the referenced file numbers, both sales having been confirmed in meeting on November 21, 1967. The borrow areas were located in accordance with the recommendations contained in the biological report submitted by the Florida Board of Conservation to the County Engineering Department under date of September 27, 1967.

Motion was made by Mr. Adams, seconded by Mr. Faircloth and adopted unanimously, that the Trustees approve the fill permit issued by Brevard County.

CHARLOTTE COUNTY - The Board of County Commissioners of Charlotte County by Resolution adopted on January 2, 1968, located and fixed a bulkhead line offshore in Placida Harbor in Section 11, Township 42 South, Range 20 East, in Charlotte County. All required exhibits were furnished and there were no objections at the local hearing.

The Florida Board of Conservation reported that the bulkhead line and subsequent development would not adversely affect marine life, since the area was not a productive fishery or nursery ground for marine animals. Staff recommended approval of the bulkhead line.

Motion was made by Mr. Adams, seconded by Mr. Christian and adopted unanimously, that the Trustees approve the bulkhead line fixed by the Board of County Commissioners of Charlotte County on January 2, 1968.

DADE COUNTY - On the Trustees' agenda for concurrence with action taken by the Florida Board of Conservation on this date, with recommendation by the Staff for approval of the project and acceptance of the quitclaim deed from a private owner covering an area to be restored by beach nourishment, was an application from John Michel, P. E., for a coastal construction permit on behalf of the Carillon Hotel, 6801 Collins Avenue, Miami Beach, Florida, to artificially nourish sovereignty land adjacent to and seaward of its upland property in accordance with plans submitted. The president of the Carillon Hotel Corporation executed a quitclaim deed to the Trustees of the Internal Improvement Fund releasing and quitclaiming to the Trustees all rights, title and interest in the restored area, reserving to the corporation the right to an unobstructed view, by reason of structures. The instrument was approved by the office of the Attorney General.

The Board of Conservation on this date approved waiver of surety bond requirement and approved permit subject to the borrow area for the required 34,000 cubic yards of fill material being located between 1300 to 2300 feet seaward from applicant's property, and applicant's agreement to furnish profiles of the borrow area immediately after project completion.

Motion was made by Mr. Adams, seconded by Mr. Faircloth and adopted unanimously, that the Trustees take concurrent action approving the project to artificially nourish and restore sovereignty lands, and authorized acceptance of the quitclaim deed.

LEE COUNTY - The Florida Power and Light Company, Sarasota, Florida, applied for permission to install a submarine distribution cable across New Pass in Section 13, Township 47 South, Range 24 East, in Lee County. The Florida Board of Conservation biological report showed that the project would not adversely affect marine life, habitat or fisheries. Staff recommended approval.

Motion was made by Mr. Adams, seconded by Mr. Conner and adopted unanimously, that the Trustees authorize issuance of permit to the applicant for the submarine distribution cable.

MONROE COUNTY - On behalf of the Monroe County Board of County Commissioners, the firm of Bailey, Mooney, Post Associates, Inc., as county engineers, requested a navigational channel easement 500 feet wide and 5,400 feet long, containing 62.4 acres, and a dredging permit issued pursuant to Section 253.123 Florida Statutes, as amended by Chapter 67-393, Laws of Florida, Acts of 1967, in Little Card Sound adjacent to Sections 19 and 30, Township 59 South, Range 40 East, Monroe County. The request

was for the purpose of relocating and realigning the existing intracoastal waterway channel in connection with reconstruction of the Old Card Sound road and bridge system connecting the mainland with the City of North Key Largo Beach on Key Largo.

To minimize damage to marine biological resources, the County Commissioners by Resolution No. 1-1968 indicated that spoil from the dredging project will be placed on nearby uplands. The county's representatives, in view of the delay resulting from awaiting an opinion to see if provisions of Chapter 67-393 applied to Monroe County, requested that the requirement for a biological survey be waived. They also argued that even if the biological report indicated an adverse effect on marine life, benefits to the public would outweigh any damage to resources in the vicinity of the project.

The Staff requested authority to issue the easement and dredge permit to Monroe County. Several representatives of the county were present, in the event the Board had any questions.

Motion was made by Mr. Adams, seconded by Mr. Williams and adopted unanimously, that the Trustees approve the application and authorize issuance of the easement and dredging permit.

MONROE COUNTY - On behalf of the Monroe County Board of County Commissioners, the firm of Bailey, Mooney, Post Associates, Inc., county engineers, made application for two easements 75 feet wide and a dredging permit issued pursuant to Section 253.123 Florida Statutes, as amended by Chapter 67-393, Acts of 1967, for navigational purposes for ingress and egress into the Key Largo Waterway (Cross Key Canal). One parcel containing 0.35 acre was in Blackwater Sound and the other parcel in Largo Sound contained 0.30 acre.

To minimize damage to marine resources, the County Commissioners by Resolution No. 2-1968 indicated that spoil from the dredging would be utilized in nearby road construction projects. The biological report from the Florida Board of Conservation dated December 27, 1967, was adverse to this project. However, in the interest of navigation and commerce the Staff recommended approval by the Trustees of the easements and permit requested by Monroe County.

Motion was made by Mr. Adams, seconded by Mr. Williams and adopted unanimously, that the Trustees approve the application and authorize issuance of the requested easements and dredging permit.

SARASOTA COUNTY - File No. 2065-58-253.129. Staff requested authority to issue a disclaimer under the provisions of Section 253.129 Florida Statutes, covering 4 lots in a platted subdivision in Sections 27 and 34, Township 36 South, Range 17 East, in Lido "B" Ringling Estates in the City of Sarasota, which were filled prior to May 29, 1951. Michael J. Furen, of the law firm of Icard, Merrill, Cullis and Timm, had remitted the usual \$10.00 handling charge on behalf of Jack Shire, the owner of the lots.

Motion was made by Mr. Adams, seconded by Mr. Williams and adopted unanimously, that the Trustees authorize issuance of disclaimer under Section 253.129, Florida Statutes, for the \$10.00 charge.

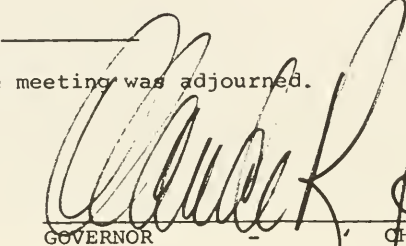
VOLUSIA COUNTY - Assistant Attorney General Thomas E. Boyle, on behalf of the Florida Board of Parks and Historic Memorials, submitted an offer from Volusia-Lake Realty Company to sell Lot 50 of River Ridge Subdivision, Map Book 23 at Page 58 of the Public Records of Volusia County, to the State of Florida for use in connection with Hontoon Island park. The lot was located directly across from State-owned Hontoon Island in Volusia County. It was needed by the Park Board to provide suitable access to the island park, and for parking, installation of utility lines and other park-related purposes.


Volusia County proposed to purchase the adjoining Lot 49 for leasing to the State at \$1.00 per year. Lot 50 was offered at the appraised value of \$5,400.00.

Staff recommended acceptance of the offer subject to formal approval by the Park Board, and approval of the title by the Attorney General.

Motion was made by Mr. Adams, seconded by Mr. Williams and adopted unanimously, that the Trustees accept the offer as recommended, subject to action by the Park Board formally approving the proposal, and review and approval of title by the Attorney General.

On motion duly adopted, the meeting was adjourned.


GOVERNOR


CHAIRMAN

ATTEST:


DIRECTOR

SECRETARY

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Tallahassee, Florida
January 23, 1968

The Trustees of the Internal Improvement Fund met on this date in the Capitol Building in Room No. 307, with the following members present:

Tom Adams	Secretary of State, Acting Chairman
Earl Faircloth	Attorney General
Fred O. Dickinson, Jr.	Comptroller
Broward Williams	Treasurer
Doyle Conner	Commissioner of Agriculture

Robert C. Parker

Director

On motion duly adopted, the Trustees approved the minutes of the meeting held on January 16, 1968.

MONROE COUNTY - The following three applications to purchase submerged land were presented in a group for consideration of authorization to advertise for objections only.

- A. File No. 2028-44-253.12. Bailey, Mooney, Post Associates, Inc., on behalf of William J. Klys and wife, abutting upland owners, offered \$425.00 per acre, the established appraised price, for a parcel of submerged land in the Straits of Florida in Section 23, Township 63 South, Range 37 East, containing 0.79 acre at Windley Key in Monroe County.
- B. File No. 2029-44-253.12. Bailey, Mooney, Post Associates, Inc., on behalf of Mark L. Trammel and wife, abutting upland owners, offered \$425.00 per acre, the established appraised price, for a parcel of submerged land in the Straits of Florida in Section 23, Township 63 South, Range 37 East, containing 0.43 acre at Windley Key in Monroe County.
- C. File No. 2030-44-253.12. Bailey, Mooney, Post Associates, Inc., on behalf of William S. Bell and wife, abutting upland owners, offered \$425.00 per acre, the established appraised price, for a parcel of submerged land in the Straits of Florida in Section 23, Township 63 South, Range 37 East, containing 0.41 acre at Windley Key in Monroe County.

All the parcels were covered by the biological report received from the Board of Conservation under date of October 4, 1967, which showed that the submerged areas supported luxuriant seagrass and algae, served as nursery and feeding grounds for marine animals, and sale would not be in the best interest of conservation. However, the map showed that almost all of the submerged lands abutting the areas had been previously conveyed by the Trustees. To date, little dredging and filling had been done, but should such work commence an applicant could not prevent the parcel riparian to his upland lot from becoming a pocket which might be esthetically unattractive and debris-collecting. Therefore, the Staff requested that the recommendation contained in the biological report be overruled and the three parcels advertised for objections only.

Secretary of State Adams said that the Board was well aware that there might have been previous sales which in some instances left small finger-parcels unsold, and they were cognizant of the need to block up such areas where it was obvious that small pockets remaining would not be good. But they wanted to look very carefully before deciding on applications if there were any reasonable reaches within such zones. The Director assured the Trustees that the Staff was aware of their thinking in this matter.

Motion was made by Mr. Faircloth, seconded and adopted unanimously, that the three parcels in File Nos. 2028, 2029, and 2030 be advertised for objections only.

MONROE COUNTY - The following three applications to purchase submerged land were presented in a group for consideration of authorization to advertise for objections only.

- A. File No. 2037-44-253.12. Bailey, Mooney, Post Associates, Inc., on behalf of J. Morgan Jones Publications, Inc., abutting upland owner, offered \$425.00 per acre, the established appraised price, for 2 separate parcels contain-

ing a total of 0.69 acre of submerged land in the Straits of Florida in Sections 27 and 28, Township 63 South, Range 37 East, Upper Matecumbe Key, in Monroe County. Parcel (a) containing 0.34 acre was shown in the biological report received by the Trustees' office under date of October 19, 1967, as supporting luxuriant seagrass. Parcel (b) containing 0.35 acre did not have an adverse report.

B. File No. 2038-44-253.12. Bailey, Mooney, Post Associates, Inc., on behalf of James C. Russell and wife, abutting upland owners, offered \$425.00 per acre, the established appraised price, for 3 separate parcels containing a total of 2.28 acres of submerged land in the Straits of Florida in Sections 27 and 28, Township 63 South, Range 37 East, Upper Matecumbe Key in Monroe County. Parcel (a) containing 0.67 acre had an adverse biological report as to sale and development. Parcel (b) containing 0.36 acre and Parcel (c) containing 1.25 acres did not have adverse biological reports.

C. File No. 2039-44-253.12. Bailey, Mooney, Post Associates, Inc., on behalf of Floyd C. Russell and wife, abutting upland owners, offered \$425.00 per acre, the established appraised price, for a parcel of submerged land containing 0.47 acre in the Straits of Florida in Section 27, Township 63 South, Range 37 East, Upper Matecumbe Key in Monroe County. The parcel had an adverse biological report.

All the parcels were covered in the biological report received from the Board of Conservation under date of October 19, 1967, which recommended against the sale and development of 3 parcels but stated that development of the other 3 would not be adverse to marine resources. A map was exhibited to show the location of the 6 parcels in an area where almost all of the submerged land abutting upland lots had previously been conveyed by the Trustees. To date, little dredging and filling had been done, but should the conveyed areas be filled the applicants could not prevent the parcels riparian to their upland lots from becoming undesirable pockets. Therefore, the Staff requested that the adverse recommendations in the biological report be overruled and the 6 parcels in the 3 above applications be advertised for objections only.

The discussion with respect to the first group of applications considered on this date applied also to these three applications. Mr. Adams said that the Board was well aware that in some areas sales previously made had left small finger-parcels unsold, and it was obvious that to leave small pockets remaining would not be good. But the Trustees wanted to look very carefully before deciding on applications if there were any reasonable reaches within such zones. The Director assured the Trustees that the Staff was aware of their thinking in this matter.

Motion was made by Mr. Faircloth, seconded and adopted unanimously, that the parcels in File Nos. 2037, 2038 and 2039 be advertised for objections only.

PALM BEACH COUNTY - File No. 2064-50-253.12. Application was made by the City of West Palm Beach, for the city and on behalf of George Greenberg and wife, and Ann S. Stewart, abutting upland owners, represented by City Attorney Bruce J. Daniels, for purchase of 3 contiguous parcels of submerged land in Lake Worth

containing a total of 1.939 acres in Section 3, Township 44 South, Range 43 East, in the City of West Palm Beach landward of the established bulkhead line in Palm Beach County.

The Board of Conservation biological study of marine life for the northerly portion of Lake Worth made in 1961, reprinted in 1963, reported that the submerged bottoms were extensively silted on both sides of the intracoastal waterway, and that sea grass and nursery grounds appeared to be lacking in the area. A biological report made in May 1963 when changes in the bulkhead line for the City of West Palm Beach were being considered showed that the area within the bulkhead line did not contain valuable sea grasses.

Motion was made by Mr. Dickinson, seconded and adopted without objection, that the parcel of submerged land be advertised for objections only.

BROWARD COUNTY - File No. 2043-06-253.12. Richard C. Reilly and wife, the abutting upland owners, represented by Donald C. McCloskey, were present in the interest of their application to purchase a parcel of submerged land in Middle River in the City of Fort Lauderdale, containing 0.25 acre in Section 25, Township 49 South, Range 42 East, landward of the established bulkhead line, in Broward County. On December 5, 1967, the Trustees authorized advertisement. Notice of sale was published in the Fort Lauderdale News, proof of publication filed, and numerous objections were received, many in the last two days.

The biological report offered no objection to the sale and development of the bottoms landward of the bulkhead line in this section of Middle River because of extensive dredging and filling which had occurred in the past in development of other waterfront property in the city.

Mr. McCloskey, attorney for the applicant, asked to be heard. He pointed out that the objectors lived on a finger-island which was dredged and filled on bottom land, that the charges of impairment of the navigability of the river and commercializing were incorrect, that it would not encroach on anyone's riparian rights. He showed on an aerial map the location, areas zoned commercial, lots where objectors lived, the river over which the U. S. Corps of Engineers held jurisdiction as to navigability. Use of the parcel would depend on the zoning regulations of the city of Fort Lauderdale. He had written a number of the objectors, enclosing a copy of the engineer's survey of the small parcel to be filled.

Mr. Faircloth asked whether the members had had sufficient time to evaluate the objections, or whether the staff had contacted the objectors. He recommended deferment for evaluation of the protests.

Motion was made by Mr. Williams, seconded and adopted unanimously, that the Trustees defer action on the application for further study because of the numerous objections filed.

LEE COUNTY - File No. 1856-36-253.12. On December 5, 1967, the Trustees considered the application from Lee Knight and wife, the abutting upland owners, who offered the appraised value of \$500.00 per acre for 4.70 acres of submerged land in Jug Creek in Section 30, Township 43 South, Range 22 East, landward of the

established bulkhead line in Lee County. Notice of sale was published in the Fort Myers News Press, proof of publication filed, and after preparation of the agenda four protests were received by the Trustees' office, one from the Lee County Conservation Association president.

The biological report received from the Board of Conservation under date of November 3, 1967, stated that dredging and filling had already altered and adversely affected the 4.7 acres, the subject area was not a grassy or productive habitat, and that sale and further development would not adversely or materially affect marine life.

The file contained an affidavit from Carl Johnson, surveyor in Lee County, as to the location of the mean high water line in the area. The Director said there had been some work done by the applicant to dig navigation channels but he was not trying to appropriate land.

The Attorney General said more information was needed, and asked if this was another instance where someone had encroached on sovereignty land and the application was an after-the-fact land application.

Mr. Knight, the applicant, said he commenced digging that channel in 1952, dug it to navigable water across the front of the subdivision, that it would serve everyone east of his property on Jug Creek including an area for which the bulkhead line was approved years ago. He said his application included a petition from about 40 owners in favor, that he was about three-fourths finished with some work before the new requirements went into effect, that he had been delayed over three years waiting to get clear title from the state. Mrs. Knight said that the conservation report was not adverse, and that the main objector had personal differences as the basis of his protest.

Mr. Faircloth said that while this application might be worked out, situations occurred too often in which development was done and then confirmation applied for, and Mr. Adams also said there were too many cases of persons with no knowledge of the law proceeding to damage bottoms. Mr. Adams said that the facts in this case needed to be established, with as much detail shown as possible.

Without objection, the Trustees deferred action on the sale for two weeks.

MARTIN COUNTY - File No. 2046-43-253.12. On December 12, 1967, the Trustees considered application from Paul S. Simpson, abutting upland owner, who offered the appraised price of \$302.48 per acre for a parcel of submerged land in the Indian River in Section 24, Township 37 South, Range 41 East, containing 2.76 acres landward of the established bulkhead line in Martin County. Notice of sale was published in the Stuart News, proof of publication filed and no objection received.

The biological report received under date of November 22, 1967, showed that sale and subsequent development of this parcel of submerged land located within the bulkhead line lying approximately 350 feet offshore, would have negligible effects upon conservation of marine resources in the area.

Upon motion adopted unanimously, the Trustees confirmed sale of the advertised parcel to the riparian owner.

MONROE COUNTY - File No. 2044-44-253.12. On December 5, 1967, the Trustees considered application from Cecil R. Sampson and wife, abutting upland owners, with offer of the established appraised price of \$425.00 per acre for purchase of a parcel of submerged land in the Bay of Florida in Section 27, Township 62 South, Range 38 East, containing 0.70 acre at Key Largo in Monroe County. Notice of sale was published in the Key West Citizen, proof of publication filed and no objection to the sale was received.

The biological report showed that the parcel was unvegetated, not a nursery or feeding ground, and that sale and development would not adversely affect marine resources.

Motion was made by Mr. Faircloth, seconded and adopted unanimously, that the Trustees confirm sale of the advertised parcel to the riparian owner.

MONROE COUNTY - File No. 491-44-253.12. Presented for further consideration was the application from Sea Farms, Inc., abutting owner, with offer of \$200.00 per acre for purchase of 9.99 acres of submerged land in the Bay of Florida in Section 6, Township 66 South, Range 28 East, Tarpon Belly Keys in Monroe County. On September 19, 1967, the Trustees authorized advertisement for objections only. The area sought is located within the Great White Heron Refuge which was dedicated by the Trustees in meeting August 12, 1936, and re-affirmed January 31, 1940.

William C. Ashe, representing the U. S. Fish and Wildlife Service, Southeastern Division Office in Atlanta, filed an objection to the sale and was heard by the Trustees on November 14. He was present on this date and pointed out that while the applicant claimed to be a riparian owner, the United States also was a riparian owner and owned a portion of the Tarpon Belly Keys. He spoke of the long-time dedication of the area and restated the objections of the Fish and Wildlife Service to disturbing the sanctuary and sale of the land.

The Staff had been reluctant to recommend confirmation of the sale due primarily to the fact that it was in the confines of the Great White Heron Refuge, but in the event the Trustees felt that sale of the parcel, to be used for establishing a pilot sea-farm project for raising shrimp, might be approved, it would be the recommendation of the Staff that the instrument of conveyance contain a restriction that the land would be subject to the dedication for the Great White Heron and limiting use of the land conveyed to certain purposes, the exact language of the special provision to be approved by the Attorney General.

The Office of the Governor had requested that final action be deferred, which was agreed. But since there were parties present to be heard, the Board granted permission and protests to the sale were expressed by Mr. Ashe, Dr. Walter Glooschenko representing the Executive Director of the Florida Audubon Society (William M. Partington), and Edward C. Genter, president of Florida Keys Recreation and Conservation Council.

Mr. Faircloth said he was in favor of the application provided

there was a reverter clause in the deed whereby the land would revert to the Trustees automatically if used for other purposes. Mr. Adams said the members were well aware of the apprehensions of the Audubon Society and others, but they were also aware of experiments being made, particularly in Japan, with the propagation of seafood and especially shrimp in commercial proportions. Therefore, while there might be some disturbance, the project would also enhance and add to the fisheries of the state, Mr. Adams pointed out.

Dr. Glooschenko requested that the record show that correspondence received had been overwhelmingly against the sale, and it was felt that it would be a bad precedent to transfer public lands to private use. He said the idea of propagating shrimp was highly experimental, in the research stage, its feasibility unknown; and he believed there were other areas with similar ecological properties that could be used instead of a refuge area. He said they would be in favor of a reverter clause mentioned by the Attorney General.

Edward C. Genter, representing the Florida Keys Recreation and Conservation Council, said this was a very controversial issue in Monroe County and his group had invited the backer of the project, William B. Hannum, to speak and had suggested other lands which he owned, or that an area be leased for the sea-farm project. Also, Mr. Genter took issue with statements in the conservation report, saying that he had personal knowledge of marine life in the area including tarpon and bonefish, and that the applicant was using stonecrab and lobster pots in that area. He said his group was not against progress but was concerned, particularly when Dr. Robert Ingle of the Conservation Department did not recommend the sale.

Mr. Faircloth expressed the gratitude of the Trustees for the presence of interested parties and the information given.

In accordance with the request from the office of the Governor, the Trustees deferred action on the matter.

PALM BEACH COUNTY - File No. 1940-50-253.12. Brockway, Owen and Anderson, Engineers, on behalf of Otto B. DiVosta and wife, offered the appraised value of \$1,934.50 per acre for a parcel of submerged land in Jupiter Sound in Section 30, Township 40 South, Range 43 East, containing 0.256 acre in the Gomez Grant landward of the bulkhead line in Palm Beach County.

Also, File No. 2004-50-253.12. Brockway, Owen and Anderson, Engineers, on behalf of Palm Beach Trust Co., et al, abutting upland owners, offered the appraised value of \$1,934.50 per acre for a parcel of submerged land in Jupiter Sound in Section 30, Township 40 South, Range 43 East, containing 1.043 acres in the Gomez Grant landward of the established bulkhead line in Palm Beach County.

On December 5, 1967, the Trustees considered the above two applications and authorized advertisement for objections only. Notice of sale was published in the Palm Beach Post on December 22, 29, 1967, and January 5, 12, 1968, proof of publication was filed in the Trustees' office, and at the time of preparation of the agenda for this meeting no objections had been received. Subsequently a number of objections were received citing damage to conservation values in Jupiter Sound. The biological report

dated August 24, 1967, secured from the Florida Board of Conservation, showed that the two adjacent parcels did not constitute a nursery area for marine animals, were sparsely vegetated and that sale or development would not adversely affect marine resources.

The Staff recommended deferment pending clarification of certain apparent discrepancies in the surveys indicated as a result of a field investigation by the Staff of the Trustees' office. The Attorney General called attention to this situation where two condominiums might have been built on state sovereignty land. The Director said there was a disparity between certain maps furnished by the engineer for the applicant, and the Staff had asked for a complete investigation.

The Attorney General said that possibly the matter could be cleared up; but if it was a fact that sovereignty lands had been used without permission, he intended to ask the Trustees for authority to take it to court and have the illegal buildings removed from sovereignty land. He said the public should know that the Trustees will pursue this matter and will not allow such a precedent.

On motion adopted without objection, the Trustees deferred action.

LEE COUNTY - Bulkhead Line. The Board of County Commissioners of Lee County by Resolution on October 11, 1967, which was amended on December 20, 1967, located and fixed a bulkhead line offshore in Ostego Bay in Section 29, Township 46 South, Range 24 East, Lee County, along the north shore of Estero Island, for applicants H. W. Marsh, et al. There were no objections at the local hearing, and all required exhibits were furnished to the Trustees' office.

The Florida Board of Conservation report dated November 20, 1967, stated that the bulkhead line would take in a pocket of submerged land between two existing seawalls, that the submerged area was not a grassy nursery or fishing ground, and that the bulkhead line and subsequent filling would not materially affect fisheries and marine ecology in Estero (Ostego) Bay.

On motion by Mr. Conner, seconded by Mr. Dickinson and adopted unanimously, the Trustees approved the bulkhead line.

INDIAN RIVER COUNTY - Danforth K. Richardson of Vero Beach, Florida, applied for a permit to construct a porpoise pen in the Indian River in Section 31, Township 32 South, Range 40 East, Indian River County. All required exhibits including \$100.00 processing fee were furnished. The City Council by resolution adopted October 3, 1967, had approved the request for the Riviera Restaurant's project. Staff recommended approval of a commercial dock permit.

Motion was made by Mr. Faircloth, seconded by Mr. Conner, and adopted without objection, that the application be approved.

LEASE AGREEMENT - Pursuant to Chapter 67-269, as amended by Chapter 67-2236, Laws of Florida (Section 253.03, Florida Statutes), authority was requested to enter into a lease agreement with the Board of Parks and Historic Memorials for all lands located in State Parks and Historic Memorials, title to which had been vested

in the Trustees by operation of law and formal instruments. The instrument to be executed by the Trustees and the Park Board authorized that Board to continue to develop, operate and maintain said lands for the purposes authorized by law.

Motion was made by Mr. Dickinson, seconded by Mr. Williams and adopted unanimously, that the Trustees authorize issuance of such lease agreement.

BROWARD COUNTY - The City of Fort Lauderdale requested an easement 60 by 10 feet for a storm sewer drain over and under a portion of the Hugh Taylor Birch State Park for drainage of Northeast 32nd Avenue and adjacent streets into the lagoon on the park property. The Director and Staff of the Park Board reviewed the request and felt that drainage of storm water into the lagoon would do no damage and might prove beneficial in maintaining the property water level of the lagoon during dry seasons.

Staff recommended issuance of the easement by the Trustees, holder of title by virtue of Chapter 67-2236, Acts of Florida, subject to formal approval by the Park Board.

Motion was made by Mr. Dickinson, seconded by Mr. Williams and adopted unanimously, that the request of the City of Fort Lauderdale be granted.

DADE COUNTY - The Trustees were requested to approve the fill permit issued by the Department of Public Works of the City of Miami under date of January 10, 1968, to the City of Miami under the provisions of Section 253.124 Florida Statutes, as amended by Chapter 67-393, Acts of 1967, to fill the submerged land in Biscayne Bay in Section 4, Township 54 South, Range 42 East, landward of an amended bulkhead line at Bayfront Park approved by the Trustees on January 9, 1968. The submerged land to be filled was granted to the City of Miami by Chapter 8305, Special Acts of 1919. Information was that the application related to the construction of the marina at the northerly end of Bayfront Park.

The Board of Conservation reported that the area was not a nursery, sport or commercial fishing ground as it had been affected by past dredging, filling, silting and spoiling.

Motion was made by Mr. Faircloth, seconded by Mr. Williams and adopted unanimously, that the Trustees approve the fill permit.

PALM BEACH COUNTY - File No. 1987-50-253.124. Staff presented for approval a fill permit issued by the City Commission of the City of West Palm Beach on January 2, 1968, to Spencer Boat Company, Inc., under the provisions of Section 253.124, Florida Statutes, as amended by Chapter 67-393, Acts of 1967, to allow bulkheading and filling of 1.306 acres of submerged land in Lake Worth in Section 10, Township 43 South, Range 43 East, conveyed by the Trustees under the referenced file number. The Trustees confirmed sale of the land in meeting September 12, 1967.

The Board of Conservation biological study of marine life for the northerly portion of Lake Worth made in 1961, reprinted in 1963, reported that the submerged bottoms were extensively silted on both sides of the intracoastal waterway, and that sea grass and

nursery grounds appeared to be lacking in the area. A May 1963 biological report made when changes in the bulkhead line for the City of West Palm Beach were being considered showed that the area did not contain valuable sea grasses.

On motion made by Mr. Dickinson, adopted without objection, the Trustees approved the fill permit to Spencer Boat Company.

SARASOTA COUNTY - File No. 2071-58-253.129. Staff requested authority to issue a disclaimer under the provisions of Section 253.129 Florida Statutes, covering two lots in a platted subdivision in Section 34, Township 36 South, Range 17 East, in the City of Sarasota, Sarasota County, which were filled prior to May 29, 1951. The \$10.00 handling charge was remitted for John G. Phipps, et ux, the owners, by their attorney, Michel J. Furen.

On motion made by Mr. Dickinson, adopted unanimously, the Trustees authorized issuance of the disclaimer.

TRUSTEES' OFFICE - Staff requested authority to advertise for invitations to bid on repairing and rebinding 133 volumes of letter files and indexes. Specifications were drafted with advice from the State Purchasing Commission, and payment would be from budgeted funds.

On motion by Mr. Williams, adopted without objection, the Trustees granted authority to advertise for bids.

SUBJECTS UNDER CHAPTER 18296

On motion by Mr. Williams, seconded and duly adopted, the Trustees approved Report No. 920 listing 5 regular bids for purchase of land under Chapter 18296, Acts of 1937, the Murphy Act, in Hillsborough, Levy and Walton Counties, and authorized execution of deeds pertaining thereto.

REFUNDS - Murphy Act. On motion made by Mr. Williams, seconded by Mr. Dickinson and adopted unanimously, the Trustees authorized issuance of refunds in the amount of \$10.00 to each of the following two applicants for release of state road right of way reservations contained in Murphy Act deeds for the reason that in those two instances the State Road Department did not recommend release of the road reservation affecting the conveyed property:

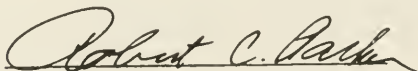
Part Hillsborough County Deed No. 1998 - \$10.00 refund to Stewart Title of Tampa:

Polk County Deed No. 923 - \$10.00 refund to Bartow Federal Savings and Loan Association.

On motion duly adopted, the meeting was adjourned.

SECRETARY OF STATE - ACTING CHAIRMAN

ATTEST:


DIRECTOR - SECRETARY

1-23-68

The Trustees of the Internal Improvement Fund met on this date in the Capitol Building in Room No. 307, with the following members present:

Claude R. Kirk, Jr.	Governor
Tom Adams	Secretary of State
Earl Faircloth	Attorney General
Floyd T. Christian	Superintendent of Public Instruction
Doyle Conner	Commissioner of Agriculture

Robert C. Parker	Director
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MONROE COUNTY - File No. 491-44-253.12. Considered on several previous dates and deferred last week was the application for confirmation of sale of 9.99 acres of submerged land in the Bay of Florida in Section 6, Township 66 South, Range 28 East, Tarpon Belly Keys in Monroe County, for which Sea Farms, Inc., abutting upland owner, offered \$200.00 per acre. The area sought was within the Great White Heron Refuge in a location which the applicants considered suitable for the establishment of a pilot project shrimp farm to raise shrimp for commercial sale. In order to limit the purpose for which the parcel might be used, in the event sale was approved, the Staff felt it would be in order to include in the deed appropriate clause couched in language to be approved by the Attorney General whereby the title would revert to the Trustees in the event the parcel was used for any other purposes than as a pilot shrimp farm proposed by the applicant.

The file contained over a hundred objections to sale of submerged land within the sanctuary area from individuals and conservation organizations, including the United States Fish and Wildlife Service, Florida Audubon Society and a number of county Audubon groups, Florida Keys conservation groups. Also, the Trustees had heard from objectors present at previous meetings.

Secretary of State Tom Adams said that he had investigated the application thoroughly, and although he realized there were numerous objections because of the White Heron Refuge which no one intends to violate, the applicants owned upland in the Tarpon Belly Keys and were seeking to propagate shrimp which was currently being worked on by Florida State University, U. S. Fish and Wildlife, Japan. If the project was successful, he said, it would be a great benefit to the Florida fisheries and use of this uniquely suitable area for this purpose would have conservation aspects. The reverter provision in the deed would prevent any other use of the submerged land.

William J. Roberts, attorney for Sea Farms, Inc., investors from Pennsylvania, said his clients planned to further their experiments by raising shrimp in pens under tidal flow conditions, that two canals of certain dimensions would be dug, that the application area was described as a barren mud flat, that the Trustees sold the abutting upland to predecessors in title, that sale of the application area will be subject to the dedication to the Great White Heron sanctuary and there would be no harm to fish and wild life. Their project was already under way on the upland

owned by the firm.

The Director said that the sanctuary covered a large area of submerged lands, that the surveyed islands within the area were in private ownership, and that the sale of the sovereignty land now owned by the applicant had been inadvertently made about ten years ago subsequent to the dedication of the Great White Heron National Wildlife Refuge.

Governor Kirk said that the same process for raising shrimp was being undertaken in several other places, including Panama City in Bay County, and that conceivably there were other areas in Florida that the applicants might use. Mr. Roberts pointed out that this site was adjacent to his clients' upland, that they were fully cognizant of the provisions of the refuge, and they would not object to a provision in the deed as suggested.

Dr. O. E. Frye, Jr., Executive Director of the Florida Game and Fresh Water Fish Commission, expressed objections to disturbance of natural conditions of the wildlife, to the precedent of selling land in a dedication area which would seriously disturb many people in Florida interested in conservation of other sites, such as in Estero Bay. He questioned that this particular place had to be used.

Objections were also expressed by Phillip A. "Bill" Lund of Jupiter, Florida, member of the Governor's Advisory Commission on Natural Resources; Arthur R. Marshall of the Vero Beach office of the U. S. Bureau of Sport Fisheries and Wildlife; Kenneth Morrison of Babson Park, member of the Audubon Society; William M. Partington of Maitland, Assistant Director of the Florida Audubon Society; Carl C. Radder, the Conservation Chairman of the St. Petersburg Audubon Society. The Trustees asked a number of questions and after hearing the many protests of damage to natural habitat and feeding grounds, the bad precedent which might affect other refuges, the threat to the very existence of the spectacular white herons which were a tourist attraction, possible nation-wide bad publicity, the fact that the proposed shrimp propagation was in the research and experimental stages, the Governor asked about the investment the applicants had made. Members questioned whether the project could be carried on by using the land now owned by the firm, whether that should be bought back and whether the firm could be helped to secure another suitable location for the shrimp farming project.

Mr. Christian said it would not be wise to revoke a sanctuary set up by former Trustees which Dr. Frye and others said was needed for wildlife. But Mr. Adams noted that former Boards were not infallible and that policies and philosophies did change. Mr. Conner commented that the applicant's attorney had mentioned Raccoon Keys, and possibly other areas would serve the project as well. Mr. Roberts said that the biologist for Sea Farms, Inc., had made an exhaustive study of the waters prior to purchasing the land, and the application area more nearly met their requirements. Mr. Conner said he based his vote on Dr. Frye's testimony against the sale. No submerged land had been sold within the sanctuary, it was reported.

Motion was made by Mr. Christian, seconded by Mr. Faircloth, and adopted, with Mr. Adams voting against the motion, that the Trustees deny the application to purchase the 9.99 acres of submerged land within the Great White Heron National Wildlife Refuge.

PALM BEACH COUNTY - File No. 2072-50-253.36. Mrs. Anna Grotke applied for a parcel of reclaimed lake bottom land of Lake Osborne containing 0.017 acre (7940 sq. ft.), more or less, which was within a part of Tract 113, Model Land Co. Subdivision, Plat Book 5, Page 79, lying northerly and abutting State Road 802 in Palm Beach County. The applicant thought she owned the parcel in question, had been living there and paying taxes for many years, and the color of title was uncovered as a result of attempts to obtain financing for improvements upon the parcel.

Staff recommended issuance of deed to clear the title for the minimum consideration of \$100.00 which was applicable in this instance.

Motion was made by Mr. Adams, seconded by Mr. Christian and adopted unanimously, that conveyance under Section 253.36 for \$100.00 consideration be approved.

VOLUSIA COUNTY - File No. 2050-64-253.12. On January 16, 1968, the Trustees deferred for two weeks consideration of the application made by Max I. Ossinsky on behalf of Millard B. Conklin and wife, abutting upland owners, with offer of the appraised value of \$300.00 per acre for a parcel of submerged land in the Halifax River in Section 2, Township 16 South, Range 33 East, containing 1.75 acres in the City of Port Orange landward of the established bulkhead line in Volusia County.

Biological report from the Board of Conservation under date of December 20, 1967, showed that it was a shallow, unvegetated sand flat which was covered with oysters, except for a small channel paralleling the shoreline approximately 10 feet offshore, and that approximately 25% of the oysters were of commercial size. Sale and development of the submerged land was not in the best interest of conservation, the report concluded.

The Director indicated on a map where other sales had been made where there was no adverse biological report.

Mr. Ossinsky said he was not sure what phase of the application was before the Board on this date, and he knew what the biological report had stated. But he said the area was polluted and the taking of shellfish from the area had been prohibited for a number of years. The file contained a letter from the Sanitation Director of the Volusia County Health Department regarding pollution matters in the general area of the Halifax River. Mr. Ossinsky was expecting a report on it from the State Board of Health, which had not yet been received. He said the Trustees had recently sold land north of the application parcel, and the Staff recommended advertisement for objections only.

On motion by Mr. Christian, seconded by Mr. Adams, the Trustees authorized the submerged land to be advertised for objections only.

GLADES COUNTY - Central and Southern Florida Flood Control District requested an easement in connection with barge canal construction and diversion of drainage of Turkey Creek drainage basin in Glades County. The easement area was described as 0.50 acre parcel of old Caloosahatchee River bottom in Sections 25 and 26, Township 42 South, Range 30 East, needed for constructing an earthen dam and navigable canal.

Motion was made by Mr. Christian, seconded by Mr. Adams and adopted unanimously, that the easement be granted.

MANATEE COUNTY - On June 20, 1967, in response to request from the Town of Longboat Key, the Trustees approved the execution of an instrument dedicating a 50-foot wide strip of submerged land to the Town of Longboat Key for public purposes only for construction of a causeway and bridge to provide access from the Town of Longboat Key to one of the three offshore mangrove flats or shallow banks conveyed by the Trustees to the town by instrument No. 22025 dated November 26, 1958, under File No. 274-41-253.12. Instrument of dedication numbered 24626 was executed by the Trustees on June 28, 1967.

Subsequent to execution and delivery of this instrument, the Trustees gave consideration to a dredge and fill permit issued to the Town of Longboat Key by the Town of Longboat Key authorizing the filling and development of the offshore island to which access would be provided by the bridge and causeway to be constructed over the area described in the instrument of dedication. On September 12, 1967, the Trustees denied approval of the dredge and fill permit and on October 10, 1967, the Trustees again considered the matter in response to request from the local city commissioners that a rehearing be granted. After an extended hearing, the Trustees refused to approve the dredge and fill permit for filling and development of the island in question.

The Staff, in response to a request from three of the Trustees, placed this matter on the agenda for consideration by the Trustees, so as to give them an opportunity to reconsider the action taken on June 20, 1967, approving execution of an instrument dedicating the submerged land for public access roadway purposes only. Officials of the Town of Longboat Key were notified of the matter being scheduled on this date.

City Attorney Richard W. Cooney said it was not on the agenda at their request, and he was present merely to defend the position of the Town of Longboat Key.

Attorney General Faircloth said it was now a question whether it was possible for the causeway to be used for the purposes for which it was dedicated in light of denial of the fill permit for the offshore island. The Director, in answer to a question, said that he understood some material had been hauled in for the causeway.

Assistant Attorney General T. T. Turnbull said that the problem was the concern as to whether or not the consideration for the dedication would fail since denial of the fill permit for the island indicated that the causeway would go out in the bay and stop, would not be a roadway to an island municipal complex. Mr. Faircloth added that if the consideration had not failed, there seemed to be a conflict with some restrictions of the Randell Act. He pointed out that for the islands owned by the city to be filled, a fill permit would have to be obtained. Otherwise, it would be a causeway across the bay that served no purpose.

Mr. Cooney said that he questioned the statement that a dredge and fill permit under provisions of the Randell Act was essential, that the town had owned the three islands for several

years and he knew of no prohibition against raising the elevation of upland property. He said the town relied on the deeds recently granted, and the Town Commission passed a resolution the preceding evening so the Board would have the whole story outlined. He asked for an opportunity to present a legal memorandum when they knew the basis of the Attorney General's opinion. Mr. Faircloth said he thought they were entitled to an opportunity to be fully heard. Mr. Parker said Mr. Cooney should be corrected as to the status of the islands, which were sold as sovereignty islands, not as upland.

Mr. Cooney also said that the town had done everything asked of them, and was given five (5) years in which to accomplish the causeway project, and the town had not violated any conditions.

Mr. Faircloth made a motion, in order to get this matter on a sound basis, in recognition of the dedication previously given and the new circumstances in light of the Randell Act which is the latest legislative expression on such subjects, that it be brought back at some future meeting at which time the issues will be made clear and the Town of Longboat Key will have opportunity to be heard. The motion was seconded by Mr. Christian and adopted without objection. The time for rescheduling was to be at the convenience of the town, within a reasonable time.

Town Commissioners Howard A. Ridyard and Michael Brescia said they were opposed to filling the bay bottoms. It was stated that notice of the special meeting was not given to all commission members, however Vice-Mayor Richard D. Noel denied this. At the suggestion of Governor Kirk and the Attorney General that their testimony would be more apropos at the future hearing, there was no further action taken.

DADE COUNTY - The Trustees in meeting on September 5, 1967, approved Resolution No. R-182-67 adopted on February 21, 1967, by the Board of County Commissioners of Dade County which eliminated and changed some bulkhead lines previously established in Townships 55 and 56 South, Range 42 East, in Dade County, in accordance with recommendations of the Florida Board of Conservation and the Staff. The plat entitled "Second Revised Plat of Sheet 12 Metropolitan Dade County, Florida, Bulkhead Line Part Four" submitted by Dade County with said resolution, was prepared from information that created an encroachment on the existing seawall. A subsequent plat was prepared to eliminate the encroachment and to conform to the intent of the County Commissioners' action.

On motion by Mr. Faircloth, duly adopted, the Trustees accepted as information the report as to the correction of errors in the plat previously approved by the Trustees for the bulkhead line amendment approved on September 5, 1967.

GLADES COUNTY - Lykes Bros., Inc., applied for one-year extension of Grazing Lease No. 2160 which expired on January 21, 1968, covering State Lot 4, Section 34, Township 40 South, Range 32 East, Glades County, containing 50.87 acres on reclaimed bottom land of Lake Okeechobee. Staff recommended one-year extension on the same terms in the lease, which provided for cancellation by the Trustees after 90-day written notice, and annual rental of \$3.00 per acre.

Motion was made by Mr. Adams, seconded by Mr. Faircloth and adopted unanimously, that the lease extension for one year be approved.

LEON COUNTY - Florida Game and Fresh Water Fish Commission received approval from the State Road Department on December 22, 1967, to lease a two-acre parcel of land in Section 9, Township 1 South, Range 1 East, in Leon County, for construction of a radio tower. The Road Department reserved the right to side-mount an antenna, should it become necessary, which was agreeable to the Game Commission. The tract, acquired by the State Road Department for a tower site, was not needed at this time. Title vested in the Trustees by virtue of Chapter 2236, Acts of Florida, which directed the Trustees to enter into leases, without consideration, with state agencies who might properly use and possess land for the benefit of the state.

Motion was made by Mr. Faircloth, seconded by Mr. Adams and adopted unanimously, that the Trustees approve lease of the two-acre parcel to the Game Commission for so long as needed and used for a radio tower facility, without cost, as approved by the Road Department.

TRUSTEES' RULES AND REGULATIONS - Staff had prepared certain new rules and modifications of existing rules and regulations for the purpose of implementing the provisions of new legislation enacted by the 1967 Legislature (Chapter 67-393). Several conferences were held with representatives of the Trustees' offices and new rules met with the approval of these staff members. On October 2, 1967, a memorandum was circulated to all parties to which was attached a copy of the rules as modified, with the exception of a rule change pertaining to the sale of reclaimed lake bottom which was submitted at the staff meeting on January 26.

Staff requested approval of the rules and regulations as modified, which, upon affirmative action being taken, will be filed with the Secretary of State in accordance with Chapter 120, Florida Statutes.

The Director said that on this date he received some suggestions from the Attorney General for certain modifications. Some of them were taken into consideration at the time the conferences were held and it had been thought that all were in agreement.

Mr. Faircloth said he had some additional things for the Trustees to consider regarding the long-standing notion that when land was sold the fill material went with it. The Director explained that an appraisal took into account the material in arriving at the amount to be charged, and this had been discussed at the conferences. The Attorney General felt that another fee should be charged for use of the fill material, and the Governor agreed.

Motion was made by Mr. Faircloth, seconded by Mr. Christian and adopted without objection, that consideration of the rules and regulations be postponed for two weeks.

CHARLOTTE COUNTY - File No. 827-08-253.124. Staff presented for approval a fill permit issued by the Board of County Commissioners of Charlotte County in meeting January 16, 1968, to Mote Scientific Foundation, Inc., represented by Smiley and Smiley,

under the provisions of Section 253.124 Florida Statutes, as amended by Chapter 67-393, Acts of 1967, for filling a small parcel of submerged land in Placida Harbor in Section 11, Township 42 South, Range 20 East, Charlotte County, which was previously conveyed by the Trustees under the referenced file number.

The biological report dated December 1, 1967, from the Florida Board of Conservation, considered by the Trustees on January 16, 1968, at the time the bulkhead line encompassing the area was approved, was favorable.

Motion was made by Mr. Adams, seconded by Mr. Conner and adopted unanimously, that the Trustees approve the fill permit issued by the county.

CHARLOTTE COUNTY - File No. 1989-08-253.124. Staff presented for approval a fill permit issued by the Board of County Commissioners of Charlotte County in meeting January 17, 1967, to Shakeshaft's Seahorse Marina, Inc., et al, under the provisions of Section 253.124 Florida Statutes, as amended by Chapter 67-393, Acts of 1967, to fill two contiguous parcels of submerged land in Charlotte Harbor in Section 36, Township 40 South, Range 22 East, previously conveyed by the Trustees under the referenced file number, containing 0.86 acre.

The biological report dated July 21, 1967, from the Florida Board of Conservation was favorable.

Motion was made by Mr. Christian, seconded by Mr. Conner and adopted unanimously, that the Trustees approve the fill permit.

COLLIER COUNTY - Deed No. 17748. Staff presented for approval a fill permit issued by the Board of County Commissioners of Collier County on December 19, 1967, to Marco Island Development Corporation under the provisions of Section 253.124, Florida Statutes, as amended by Chapter 67-393, Acts of 1967, to fill certain submerged land in Township 52 South, Range 26 East, which was conveyed by the Trustees in Deed No. 17748 dated September 14, 1926. It was a re-activation and re-issuance of a fill permit approved by the Trustees on October 22, 1964, which had expired.

The Board of County Commissioners in issuing the new dredge and fill permit gave consideration to the marine biologist's report dated December 21, 1967, from Kenneth D. Woodburn of the Florida Board of Conservation to the Collier County Engineer, which showed that portions of the undeveloped area were heavily vegetated by unattached algae (seaweed), and that the developer, Marco Island Development Corp., had complied with four major recommendations of the conservation report which would minimize damage to nursery areas.

Staff suggested that approval be conditioned upon the developer's continued compliance with the recommendations heretofore made by the Board of Conservation with respect to the type of dredge and fill operations, so as to afford maximum protection to the marine life, habitats and fisheries.

Motion was made by Mr. Christian, seconded by Mr. Faircloth and adopted unanimously, that the Trustees approve the fill permit

issued by Collier County conditioned upon continued compliance with the Board of Conservation recommendations, as suggested by the Staff.

DADE COUNTY - File No. 714-13-253.124. On October 11, 1960, the Trustees confirmed sale of 105 acres of submerged land in Sections 2 and 11, Township 56 South, Range 40 East, landward of the established bulkhead line in South Biscayne Bay in Dade County, to Marshall C. and Malcolm B. Wiseheart. On September 25, 1962, the Board of County Commissioners of Dade County by Resolution No. 7896 granted a dredge and fill permit to Malcolm B. and Marshall C. Wiseheart to fill the submerged land. The dredge and fill permit issued by Metro-Dade was considered by the Trustees on several occasions without action being taken; and on December 29, 1964, the Trustees, in recognition of adverse conservation report, denied approval.

Subsequently, the Wisehearts instituted legal procedure to require the Trustees to grant formal approval of the dredge and fill permit. Judge Hugh M. Taylor by declaratory decree on June 7, 1966, stated it was the duty of the Trustees to give formal approval of the fill permit. On August 23, 1966, the Trustees denied approval, and subsequently counsel for the applicant instituted supplemental proceedings before Judge Taylor who, on December 15, 1966, issued an order requiring the Trustees to give formal approval of the Dade County dredge and fill permit and further required the Trustees to complete all action necessary to give and record the formal approval within 20 days from and after December 19, 1966. The order contained a provision whereby notice of appeal would constitute a supersedeas pending disposition of the appeal.

The Attorney General, acting upon authority of the Trustees' action on December 27, 1966, appealed the decision to the District Court of Appeal, 1st District; and on January 9, 1968, the District Court of Appeal filed an opinion which affirmed the decree of Judge Taylor entered on December 15, 1966.

In view of the decision by the appellate court, the Staff again submitted the matter to the Trustees with the suggestion that affirmative action be taken to approve the dredge and fill permit issued by Metro-Dade to avert the necessity of coercive action being requested by counsel for the applicant.

Attorney General Faircloth said he thought the matter had been litigated as far as it should and in answer to Mr. Adams' question regarding the effect on other cases, Assistant Attorney General Turnbull said this was the last case of its kind and the new conservation legislation, the Randell Act, had intervened.

Judge Marshall C. Wiseheart said it was the only permit that was approved by Dade County. He expressed the opinion that the Board had acted previously on unsound advice, and thanked the Trustees for their consideration.

On motion by Mr. Christian, seconded by Mr. Faircloth, adopted unanimously, the Trustees approved the dredge and fill permit issued by Metro-Dade to Malcolm B. and Marshall C. Wiseheart.

PALM BEACH COUNTY - File No. 1478-50-253.124. Staff presented for approval a fill permit issued by the Village of North Palm

Beach by Resolution No. 328-67 dated November 28, 1967, to Walter J. Dolan under the provisions of Section 253.124 Florida Statutes, as amended by Chapter 67-393, Acts of 1967, to fill the 15.114 acres of submerged land in Lake Worth abutting Little Munyon Island in Sections 15 and 22, Township 42 South, Range 43 East, Palm Beach County, which had been conveyed by the Trustees under the referenced file number to Lucille DeTar Colyer, predecessor in title. This matter was deferred on December 12, 1967.

As required by provisions of the new law, the Village of North Palm Beach secured a biological report on the area to be filled, and the letter dated October 19, 1967, from the marine biologist stated that although the subject area presently has limited value as a nursery and feeding ground, he recommended denial of the fill application, that filling around Little Munyon Island would cover shallow marine soils that support seagrass growth that apparently is limited only by insufficient sunlight, and that the project would not be compatible with local and statewide interest in rehabilitation of Lake Worth.

Staff reviewed the biological report and in recognition of the fact that the parcel was confirmed for sale to the abutting upland owners on January 24, 1967, and a deed issued on March 13, 1967, which action was based upon the biological report previously prepared, it was the recommendation of the Staff that the dredge and fill permit issued by the Village of North Palm Beach be approved, conditioned upon the applicant securing all material from the adjacent intracoastal waterway and performing the dredging operations in such a manner as to prevent silting along the fringes of the area to be filled.

Mr. Phillip A. Lund said that a two-year research program was under way for the rehabilitation of upper Lake Worth and requested denial of permits for any filling until the research program was complete. He asked about plans for sewage disposal from any development.

Mr. Robert P. Wallis, engineering consultant to the owners of the upland, said the bulkhead line was started in 1959, approved in 1961, and with the benefit of one of the first biological studies of North Lake Worth the Trustees approved the line in 1963. Sale of 15.114 acres was approved after consideration of another study, the Village of North Palm Beach had another conservation report made and granted a fill permit on November 28, 1967. He said that in every instance the reports indicated marine values in the area and the developers planned to overcome objections by taking the fill material from the intracoastal waterway, containing the fill to keep silting to a minimum. He mentioned sewage discharge from the Earman River, regulations of North Palm Beach which would cover the sewer line connection and the proposed development, the boat-oriented plans from the beginning of the project, that there was no application for a causeway contemplated, and that the depth of water in the area was greater than the maximum for marine plant growth.

Mr. Adams had been informed of a proposal for causeway access, and said he would not want to give any indication of approving a causeway. Governor Kirk had a letter regarding the research program for rehabilitation of North Lake Worth.

On motion by Mr. Faircloth, seconded by Mr. Christian and adopted unanimously, the Trustees denied the application.

PALM BEACH COUNTY - File No. 1921-50-253.124. Approval was requested of fill permit issued by the City Council of the City of Riviera Beach in meeting January 3, 1963, to Lena and Annetta Wells under the provisions of Section 253.124 Florida Statutes, as amended by Chapter 67-393, Acts of 1957, to bulkhead and fill the two contiguous parcels of submerged land in Lake Worth in Section 28, Township 42 South, Range 43 East, containing 0.145 acre conveyed by the Trustees under the referenced file number.

The biological report submitted by the Florida Board of Conservation covering that portion of Lake Worth showed that the area within the bulkhead line along the western side of Lake Worth from the southern city limits to 25th Street did not contain valuable seagrass beds or fishing grounds.

Motion was made by Mr. Adams, seconded by Mr. Faircloth and adopted unanimously, that the fill permit be approved.

PALM BEACH COUNTY - Dock Permit. Staff recommended approval of a commercial dock permit to Annetta and Lena Wells for construction of a floating dock adjacent to their upland in Lake Worth in Section 28, Township 42 South, Range 43 East, Palm Beach County. All required exhibits, including \$100 processing fee, were submitted by Brockway, Owen and Anderson Engineers, Inc., on behalf of the applicants.

Motion was made by Mr. Adams, seconded by Mr. Christian and adopted unanimously, that the dock permit be approved.

PINELLAS COUNTY - Dock Permits. The Pinellas County Water and Navigation Control Authority submitted the following applications for commercial docks to be constructed in St. Josephs Sound. All required exhibits and \$100 processing fee were submitted for each, and the Staff recommended approval.

Midway Boatel, 271 Windward Passage, Island Estates in Clearwater, Florida - Small dock and launching ramp in Section 8, Township 29 South, Range 15 East, Pinellas County.

Harold Sparks, Dunedin, Florida - Dock in Section 15, Township 28 South, Range 15 East, Pinellas County.

On motion by Mr. Conner, seconded by Mr. Adams and adopted unanimously, the Trustees authorized issuance of a state commercial dock permit to each applicant.

DUVAL COUNTY - Dock Permit. The Trout River Marina, Inc., of Jacksonville, Florida, applied to modify the commercial dock permit issued April 4, 1967, to Dr. Robert F. Hook, to allow extension of the L-pier to 268 feet total length and construction of three T-piers ranging in length from 107 feet to 192 feet in the Trout River adjacent to applicant's upland. All required exhibits, including \$100 processing fee, were submitted.

On motion by Mr. Christian, seconded by Mr. Adams and adopted unanimously, the Trustees approved the application.

BREVARD COUNTY - Wendall O. Yount applied for permit to dredge 2,350 cubic yards of material from the Banana River in Section 19, Township 24 South, Range 37 East, to deposit on upland property. The borrow area was located in accordance with the recommendations in the biological report by the Board of Conservation to the Brevard County Engineering Department dated September 27, 1967. All required exhibits, including payment in the amount of \$117.50, were furnished.

Motion was made by Mr. Adams, seconded by Mr. Faircloth and adopted unanimously, that the Trustees authorize issuance of the dredging permit for the amount of material requested.

BREVARD COUNTY - The City of Titusville, Florida, made application to remove 30,000 cubic yards of material from an area 500 feet offshore in water 5.3 feet deep in the Indian River in Section 34, Township 21 South, Range 35 East, Brevard County. The city requested waiver of payment, since the material would be used on city-owned upland property.

The Trustees deferred action on the application on December 19, 1967, pending receipt of another biological report which would more clearly show the conservation recommendation. The Board of Conservation on January 24, 1968, reported that there were no attached seagrasses in the borrow area which was neither a productive sport or commercial fishing zone.

Motion was made by Mr. Adams, seconded by Mr. Christian and adopted unanimously, that the Trustees grant the request of the City of Titusville for the material without charge.

CHARLOTTE COUNTY - The Florida Power and Light Company, Sarasota, Florida, applied for permit to install a submarine distribution cable in the Myakka River in Section 33, Township 40 South, Range 21 East, in Charlotte County. The Florida Board of Conservation report dated January 19, 1968, stated that the project would not adversely affect marine life, habitats or fisheries.

Motion was made by Mr. Adams, seconded by Mr. Christian and adopted unanimously, that the permit be approved.

OKALOOSA COUNTY - The TV Cable Company, Division of Community Cable-casting Corp., Fort Walton Beach, Florida, applied for permit to install a submarine cable in Santa Rosa Sound in Section 24, Township 2 South, Range 24 West, Okaloosa County. The Florida Board of Conservation report dated January 19, 1968, showed no adverse effects anticipated from the project.

Motion was made by Mr. Adams, seconded by Mr. Christian and adopted unanimously, that the permit be approved.

ORANGE COUNTY - The Bray Dredging Company of Winter Park, Florida, applied for a dredging permit to remove 1,600 cubic yards of material from Lake Maitland in Section 6, Township 22 South, Range 30 East, Orange County, to use to restore the beach in front of the following upland owners: Meredith J. Miller, David Wagner, George C. Wormald and Mrs. M. N. Vail, all of Maitland, Florida. All required exhibits

were furnished including \$100.00 payment for the material. The Florida Game and Fresh Water Fish Commission had no objection to issuance of the permit subject to the standard stipulations as to dredging.

Motion was made by Mr. Christian, seconded by Mr. Faircloth and adopted unanimously, that the permit be approved.

POLK COUNTY - Polk County Engineering Department, Bartow, Florida, applied to dredge a channel in Crooked Lake in Section 35, Township 30 South, Range 27 East, about 200 feet long by 30 feet wide, and 3 feet deep. The Florida Game and Fresh Water Fish Commission agreed to the proposed dredging subject to standard stipulations in the permit.

Mr. Kenneth Morrison, present on another matter, said that he understood this had already been dredged without approval, and it has silted Crooked Lake to a considerable extent. Upon being questioned by the members, he said he assumed that the canal recently dug was the one in the application, and that he had been told that there were many cases of canals dug without permits.

Mr. Faircloth said that if it was an after-the-fact thing he wanted to know about it, and Mr. Adams questioned the wording of the agenda item. Mr. Conner noted that the Game and Fresh Water Fish Commission had approved the project, and he made a motion that the matter be deferred for further study of the basis of the application. The Director said that the letter from the county mentioned clearing out an existing canal, and while he did not know the complete particulars he thought the Staff could rely on the Polk County Commissioners to comply with the laws.

The motion by Mr. Conner for deferment to study the basis of the application was seconded by Mr. Christian and without objection was adopted.

CITRUS, MARION AND LEVY COUNTIES - On January 23, 1968, the Outdoor Recreational Development Council considered and approved a request from the Canal Authority of the State of Florida that it be granted a right of way to outdoor recreation lands adjacent to Lake Rousseau in connection with the Cross Florida Barge Canal project. The lands involved are those which were donated by the Florida Power Corporation for public park and recreational purposes. The Council approved the request of the Canal Authority and authorized the Trustees to execute the requested agreement on behalf of the State of Florida subject to approval of the Attorney General.

The Attorney General's office recommended that the permit be modified to limit the assignment provision to agencies of the state, federal government and other public agencies of Florida. Staff recommended execution of the agreement as modified.

Motion was made by Mr. Conner, seconded by Mr. Christian and adopted unanimously, that the Trustees execute the agreement as modified in accordance with the recommendation of the office of the Attorney General.

SHELL LEASE FUNDS - Lease No. 1718 between the Trustees and Radcliff Materials, Inc., was executed by the Trustees on February 5, 1962, covering the entire area of West Florida, with a royalty provision of .2666 per ton. Under the provisions of Section 370.16-31 Florida Statutes, the revenue derived from the lease was appropriated to the State Board of Conservation for use in financing biological and related research for fisheries, oysters, et cetera.

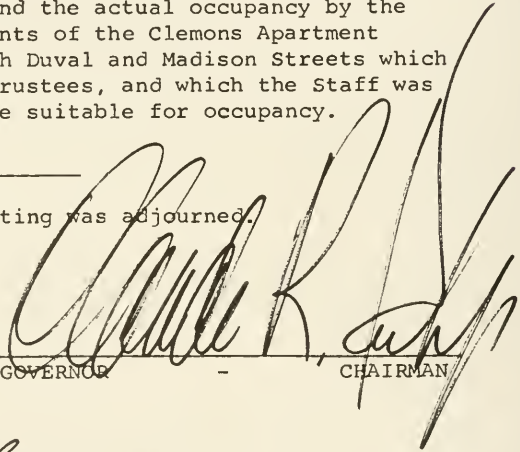
On this date the Board of Conservation considered the effect that Chapter 67-2166 adopted at the 1967 Session of the Legislature would have upon the disposition of revenue derived from the subject lease. The Legislature passed a local bill which made it mandatory to pay to Walton County 20% of moneys accruing to the state from the dredging of dead oyster shells in Walton County.

After discussion, the Board of Conservation on this date moved to deny payment of these funds.

This matter was considered by the Trustees and recorded in the minutes so that the action of the Board of Conservation with respect to this new legislation will be shown herein.

TRUSTEES' FUNDS - On motion by Mr. Christian, seconded by Mr. Faircloth and unanimously adopted, the Trustees authorized the payment from Trustees' funds of certain incidental expenses, including utilities, as they are incurred pending completion of the renovation and remodeling and the actual occupancy by the agencies which will become tenants of the Clemons Apartment buildings at the corner of South Duval and Madison Streets which were recently acquired by the Trustees, and which the Staff was authorized to take steps to make suitable for occupancy.

On motion duly adopted, the meeting was adjourned.


GOVERNOR

CHAIRMAN

ATTEST:


DIRECTOR

SECRETARY

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Tallahassee, Florida
February 6, 1968

The Trustees of the Internal Improvement Fund met on this date in the Capitol Building in Room 307, with the following members present:

Earl Faircloth
Fred O. Dickinson, Jr.
Broward Williams

Attorney General, Acting Chairman
Comptroller
Treasurer

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Floyd T. Christian
Doyle Conner

Superintendent of Public Instruction
Commissioner of Agriculture

Robert C. Parker

Director

On motion duly adopted, the Trustees approved the minutes of the meeting held on January 23 and 30, 1968.

LEE COUNTY - File No. 2076-36-253.12. Red Bud Land Company, the abutting upland owners, offered \$280.00 per acre, the established appraised price, for purchase of two contiguous parcels of submerged land in the Caloosahatchee River in Sections 35 and 36, Township 45 South, Range 23 East, containing a total of 1.07 acres landward of the established bulkhead line in Lee County.

The biological report dated January 26, 1968, from the Florida Board of Conservation stated that the land applied for was not a grassy nursery ground or sporting commercial fishing habitat, and sale and subsequent development would not adversely affect marine life, habitats or fisheries. Staff recommended that the land be advertised for objections only.

Motion was made by Mr. Christian, and adopted without objection, that the parcel be advertised for objections only.

BROWARD COUNTY - File No. 2043-06-253.12. The Trustees authorized advertisement on December 5, 1967, and on January 23, 1968, deferred action on the application of Richard C. Reilly, and wife, abutting upland owners, who offered the appraised value of \$523.00 for a parcel of submerged land containing 0.25 acre in Middle River in Section 25, Township 49 South, Range 42 East, landward of the established bulkhead line in Fort Lauderdale, Broward County. Numerous objections were received, many just prior to the advertised sale date. The biological report offered no objection to sale and development of the bottoms landward of the bulkhead line in this section of Middle River because of extensive dredging and filling which had occurred in the past in development of other waterfront property in the City of Fort Lauderdale.

In reviewing the application, the Staff erected an overlay showing the developed area in which the greater portion of the objectors resided or owned property, in relation to the parcel sought for purchase. Other objectors apparently were from locations outside of the 1000 foot radius of the riparian ownership zone. The reasons stated for objection were not valid in the opinion of the Staff. The area was zoned commercial and use of the parcel would depend on city zoning regulations. There was no infringement on riparian rights of other owners, and the U. S. Corps of Engineers had jurisdiction over the navigable waterway. Copy of a letter and sketch showing the applicants' plan had been furnished to each member.

Answering questions raised by Mr. Christian, the Director said this was not an after-the-fact application, and Donald C. McCloskey, on behalf of the applicant, said the zoning was applicable to the proposed usage and the required permits would

2-6-68

be obtained from the proper authorities. Many objectors lived on a finger-island which had been filled on bottom land.

Motion was made by Mr. Christian, and adopted without objection, that sale of the advertised parcel of submerged land be confirmed in favor of the abutting upland owners at the price offered.

LEE COUNTY - File No. 1856-36-253.12. The Trustees authorized advertisement on December 5, 1967, and on January 23, 1968, deferred action on the application of Lee Knight and wife, the abutting upland owners, who offered the appraised value of \$500.00 per acre for a parcel of submerged land in Jug Creek in Section 30, Township 43 South, Range 22 East, containing 4.70 acres landward of the established bulkhead line in Lee County. As stated at the previous meeting and shown in the minutes, the Florida Board of Conservation biological report was not adverse. Four objections were received and the Trustees requested further information to determine the nature of dredging previously done by the applicant.

Mr. Knight filed an affidavit outlining the history of the project, in which he stated that the channel excavation work was commenced in 1952 for the purpose of giving access to deep water to the area landward of the area now being sought for purchase. The bulkhead line was recently set by the county and approved by the Trustees. The Trustees' office received a substantial number of letters from residents in the general area who approved the project, and Mr. Knight in his affidavit stated that out of 103 property owners in the neighborhood, only one objected to the sale. The Staff recommended that the sale be confirmed. The Director of Lee County Mosquito Control District recommended the work proposed by Mr. Knight as beneficial to the district.

Mr. Parker explained that this was not a sale of developed land after-the-fact, that the channel dredging was done prior to the requirements now in effect, that the applicant's project was delayed by his inability to get a bulkhead line established by the county earlier and that he had to expend a large amount to show the mean high water line in connection with the establishment of the bulkhead line. Mr. Conner said he thought Mr. Knight had acted in good faith.

Mr. Christian expressed concern regarding any after-the-fact situation and mentioned the charge made by a party at the last meeting that there were fifty after-the-fact projects. The Director said that was in reference to dredging in lakes and the Staff had a conference with representatives of the Game and Fresh Water Fish Commission on the subject, following the meeting last week.

On motion by Mr. Conner, seconded by Mr. Christian and adopted unanimously, the Trustees confirmed sale of the advertised land to the applicant at the price offered.

PALM BEACH COUNTY - File Nos. 1940 and 2004-50-253.12. The Director reported that the Governor's office had requested postponement of consideration of the purchase applications of Otto B. DiVosta and wife for 0.256 acre, and Palm Beach Trust

Co., et al, for 1.043 acres of submerged land in Section 30, Township 40 South, Range 43 East, in the Gomez Grant landward of the established bulkhead line in Palm Beach County.

Mr. Dickinson made a motion that the applications be postponed as requested. He said that additional information was being sought in reference to the problem. Mr. Faircloth said that the Director was aware of what the Trustees were interested in, and the matter should be re-scheduled for a date when the Governor could be present. February 27 had been suggested.

It was so ordered.

TRUSTEES' POLICY - Issuance of Permits required under Section 253.123 Florida Statutes as amended by Chapter 67-393, Acts of 1967. Staff recommended that the Trustees authorize placing of applications for permits under Section 253.123 F. S. as amended by Chapter 67-393, Acts of 1967, on the agenda which the Staff felt justified in recommending that the Trustees waive the necessity for having a biological study made as authorized in paragraph (3)(a) of Section 253.123 F. S.

In reviewing these applications, the Staff would make a careful analysis of all factors involved prior to placing the matter on the agenda with a recommendation for waiver of biological report. Any application which indicated a need for biological study would not be processed prior to securing such a study, after which the recommendation to the Trustees would be based upon the findings of the biological study (made at the applicant's expense).

Involved were applications from governmental agencies, public utility companies and private individuals for issuance of permits for construction or maintenance of navigation channels and drainage and water control facilities and for the construction of trenches for the burial or installation of water, sewer, gas, oil, gasoline, fuel, electric, telegraph or telephone lines, cables or mains (as set forth in paragraph (2)(a) and (b) of subject section). It had become apparent that a biological report was not always considered necessary, and that the expense involved in securing biological surveys would in most instances cause undue hardship to the applicants.

Motion was made by Mr. Conner, and adopted without objection, that the Trustees accept the recommendations of the Staff on this policy.

State Treasurer Broward Williams expressed the opinion that the Trustees' actions under the new law had shown that they were "holding the line" on sales, and that applications had been closely screened so that many which did not comply with the strict guidelines were not considered for sale by the Trustees. Members of the staff of each of the Trustees had been checking closely with the Director and others from the Trustees' office, and what was done was in accordance with the new legislation. Mr. Williams said that contrary to some statements he had heard, the cases were screened and acted on in a manner to protect conservation values, and he wanted to bring it out for the record.

The Director said it might be well to point out that the Trustees had made sales, exercising discretion in some exceptions where there was a past history of sales which left a small parcel in a pocket. The staff felt that, working in cooperation with representatives of the Trustees' offices, they were carrying out the provisions of the new law.

BREVARD COUNTY - File No. 1854-05-253.124. (A) Staff requested approval of fill permit issued by the City Commission of the City of Cocoa Beach in meeting January 18, 1968, to Pecony, Inc., represented by J. Lewis Hall, Jr., attorney, under the provisions of Section 253.124 Florida Statutes, as amended by Chapter 67-393, Acts of 1967, to fill the 8.677 acre parcel of submerged land in the Banana River in Section 34, Township 24 South, Range 37 East, Brevard County. The submerged land was previously conveyed by the Trustees under the referenced file number. Biological report as submitted to the City of Cocoa Beach by the Florida Board of Conservation under date of October 3, 1967, stated that although 60% of the bottoms within the subject area were vegetated, it was not a sport or commercial fishing ground. The comments pointed mainly to the adverse effect on marine resources in the area that would result if the proposed dredging area were not reduced, and the applicant agreed to reduce the area as recommended.

(B) Pecony, Inc., also made application to remove 9,000 cubic yards of material from the reduced borrow area as recommended by the Conservation Department in the Banana River in Section 34, Township 24 South, Range 37 East, Brevard County. Staff recommended approval subject to payment in the amount of \$450.00 for the material.

Motion was made by Mr. Christian, and adopted without objection, that the Trustees approve the fill permit under Section 253.124 F. S., as amended by Chapter 67-393, and approve permit for the applicant to take the amount of material requested for a charge of \$450.00.

DADE COUNTY - The City of Miami made application for a permit for construction of three T-head piers in conjunction with the proposed enlargement of the public marina at Bayfront Park in Section 6, Township 54 South, Range 42 East, in Miami, Dade County. Waiver of the \$100.00 processing fee for the municipal project was requested. All other requirements were furnished.

On motion by Mr. Dickinson, adopted without objection, the Trustees authorized issuance of the commercial dock permit without charge.

PALM BEACH COUNTY - On behalf of Riley M. Barnes and wife, Attorney John B. Waddell applied for ex parte disclaimer to lands lying between the meander line and the platted shoreline of Lake Osborne as shown upon a plat of Sawyer's Subdivision, Plat Book 5, Page 12, recorded in the Public Records of Palm Beach County, 4.93 acres, more or less. All reclaimed lake bottom lands, sovereignty lands and swamp lands in Section 28

were conveyed many years ago, according to Trustees' records, using meander lines as boundaries. This caused color or title upon lands between the platted shoreline and the meander lines. To affirm previous conveyance and remove such color of title as might exist, Staff recommended issuance of ex parte disclaimer for the \$10.00 processing fee.

On motion by Mr. Dickinson, duly adopted, the Trustees approved issuance of the ex parte disclaimer as recommended, for \$10.00.

PINELLAS COUNTY - On motion by Mr. Dickinson, adopted without objection, the Trustees granted permit to the Division of Beaches and Shores of Florida Board of Conservation, to conduct a test project for a new dredging technique in Blind Pass in Section 15, Township 31 South, Range 15 East, Pinellas County, which will remove approximately 60 cubic yards of material from the channel and deposit it on the downdrift side of the south jetty in an area previously approved for a beach nourishment project.

POLK COUNTY - Deferred last week was an application from Polk County Engineering Department to dredge a channel in Crooked Lake in Section 35, Township 30 South, Range 27 East, Polk County. The channel would be 200 feet long, 30 feet wide and 3 feet deep, and the Florida Game and Fresh Water Fish Commission had no objection to the proposed dredging subject to standard stipulations in the permit.

Investigation by the Staff revealed that the statement made by a spectator at the meeting last week was based on incorrect information, and this was not an after-the-fact application. There was a canal on upland property which was to be cleaned out and which required no permit. The permit was for a channel to be dug out into Crooked Lake to deep water.

Motion was made by Mr. Christian, seconded by Mr. Dickinson and adopted unanimously, that issuance of the permit to Polk County be approved.

ST. JOHNS COUNTY - The State Road Department requested dedication of additional right of way for bridge construction on State Road 13 across the submerged bottoms of Trout Creek in Section 15, Township 6 South, Range 27 East, St. Johns County, Project 78070-2505. The area was a 25-foot wide strip on the southerly side of land granted to the State Road Department by the Trustees in Dedication No. 23755 dated June 16, 1964. As no dredging or filling would be necessary for the bridge, a biological survey was not required.

On motion by Mr. Dickinson, adopted without objection, the Trustees granted the request of the State Road Department for dedication of the parcel of submerged land.

TRUSTEES' FUNDS - Clemons Apartments. Pursuant to authorization by the Trustees on December 12, 1967, bids for remodeling and renovating the Clemons apartments in the Capitol Center were received in the office of the Trustees on January 25, 1968. T. T. Jones

Construction Company, Inc., of Tallahassee, was the low bidder with a base bid of \$78,847.00. The only other bid received was from Shuford Construction Company in the amount of \$84,990.00. Working with the architect, Mr. Mays LeRoy Gray, the Staff made an effort to eliminate some of the items included in the specifications and in a conference held with Staff representatives of the Trustees on February 1st, it was agreed to eliminate 7 items which totalled \$5,819.00.

Staff recommended awarding of the contract to T. T. Jones Construction Company, Inc., on an adjusted bid of \$73,028.00, the contract to be in form approved by the office of the Attorney General.

On motion by Mr. Dickinson, seconded by Mr. Christian and adopted unanimously, the Trustees approved the award of the contract for renovation of the Clemons apartments to the low bidder, the T. T. Jones Construction Company, Inc., of Tallahassee, and authorized the Director to execute the contract for and in behalf of the Trustees.

SUBJECTS UNDER CHAPTER 18296

On motion by Mr. Dickinson, seconded and adopted unanimously, the Trustees approved Report No. 921 listing 1 regular bid for sale of land in Baker County under provisions of Chapter 18296, Acts of 1937, the Murphy Act, and authorized execution of deed pertaining thereto.

On motion duly adopted, the meeting was adjourned.



ATTORNEY GENERAL - ACTING CHAIRMAN

ATTEST: 

DIRECTOR - SECRETARY

* * * * *

The Trustees of the Internal Improvement Fund met on this date in the Capitol Building, in Senate Hearing Room No. 31, with the following members present:

Earl Faircloth	Attorney General, Acting Chairman
Tom Adams	Secretary of State
Broward Williams	Treasurer
Floyd T. Christian	Superintendent of Public Instruction
Doyle Conner	Commissioner of Agriculture

Robert C. Parker	Director
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On motion duly adopted, the Trustees approved the minutes of the meeting held on February 6, 1968, which had been approved by the Attorney General.

BREVARD COUNTY - File No. 423-05-253.12. On December 19, 1967, the Trustees considered application from Hampton Homes Corporation of Cocoa, Inc., abutting upland owner, with offer of the appraised value of \$1,840.00 per acre for a tract of submerged land in Newfound Harbor in Section 25, Township 24 South, Range 36 East, lying easterly of and abutting Government Lots 4 and 5 of said Section 25, containing 34.67 acres, more or less, landward of the established bulkhead line in Brevard County, Florida. Also, the Board of County Commissioners of Brevard County requested dedication of a right of way 150 feet wide for public road purposes through the application area. The applicant agreed to dedication of this right of way.

Notice of sale was published in the Cocoa Tribune, proof of publication filed, and no objection was received to the sale. On the advertised sale date, February 13, there was not a quorum present, and the matter was presented on this date for confirmation of sale and dedication of the road right of way.

On December 19 the biological report dated November 7, 1967, was mentioned, which stated that development would not significantly affect conservation of marine resources of this area. Staff recommended the sale and dedication of right of way.

Motion was made by Mr. Conner, seconded and adopted unanimously, that the Trustees confirm sale of the 34.67 acres to the applicant at the appraised value, and dedicate the 8.41 acre strip for public road right of way purposes as requested by Brevard County.

COLLIER COUNTY - File No. 2058-11-253.12. On December 19, 1967, the Trustees considered application from Isle on the Gulf Enterprises, Inc., abutting upland owner, with offer of the appraised value, \$1,337.00 per acre, for purchase of a parcel of submerged land in the Marco River in Section 5, Township 52 South, Range 26 East, containing 0.9 acre lying northerly of and abutting Lots 5 to 11 inclusive, Block 2, of Amended Plat of Collier City as recorded in Plat Book 1, Page 58, Public Records of Collier County landward

of the established bulkhead line in Collier County.

Notice of sale was published in the Collier County News, proof of publication filed, and no objection was received to the sale. On the advertised sale date, February 13, a quorum was not present and the matter was presented on this date for consideration of confirmation of the sale.

On December 19 the Trustees considered the biological report which concluded that sale and subsequent development of the parcel would not materially affect marine resources. Staff recommended the sale.

Motion was made by Mr. Christian, seconded and adopted unanimously, that the Trustees confirm sale of the advertised parcel to the riparian owner at the appraised value.

PINELLAS COUNTY - File No. 2067-52-253.12. Application for purchase of a parcel containing 0.056 acre in Tampa Bay in Section 18, Township 32 South, Range 17 East, at Pinellas Point, St. Petersburg, landward of the established bulkhead line, was made by Adrian S. Bacon, attorney for W. Paul Resop, et ux, and William J. Grattan, Jr., et ux, abutting upland owners, who offered \$1,000.00 per acre or \$100.00 minimum in this instance.

The Pinellas County Water and Navigation Control Authority advertised the application to purchase and approved the application in official meeting on February 6, 1968. No objections were cited in the transcript of the county hearing, which brought out that letters concerning the application had been received from the Florida Board of Conservation. Letter dated January 11, 1968, stated that no marine life, habitats, fisheries, dredging or filling were involved in the application, and another letter dated January 17, 1968, stated that the necessity for a hydrological study was not indicated. Also, Mr. Bacon explained that the purpose of the application was to clear title to the small strip of land approximately 6 feet wide comprising 0.056 acre, that the problem had come about in the development of a waterfront apartment project on Pinellas Point at the time they were getting prepared for the final financing on the project because of uncertainty as to where the mean high water mark was located before a seawall was built. In order to get the title cleared the applicants had conferred with the Staff of the Trustees and were told that they would have to proceed with an application to purchase.

Mr. Bacon assured the members that there was no objection in any way, there had been no controversy on it, that the applicants thought they owned it but because of the concern of the title company they made an application to purchase.

Motion was made by Mr. Williams, seconded and adopted unanimously, that the Trustees confirm sale of the 0.056 acre parcel which was advertised by Pinellas County Water and Navigation Control Authority which recommended sale to the abutting upland owners.

BREVARD COUNTY - File No. 2080-05-253.12. Spielvogel & Goldman on behalf of Wendell O. Yount, et ux, abutting upland owners, offered the appraised value of \$400.00 per acre for a parcel of submerged land in the Banana River in Section 18, Township 24 South, Range 37 East, containing 5.93 acres landward of the established bulkhead line. The Staff recommended advertisement for objections only.

The biological report received October 27, 1965, at the time the bulkhead line was established stated that "the subject bulkhead line ties into the existing bulkhead line for the County park site abutting State Road 528 causeway. It runs southerly for approximately 9200 ft. along the western shoreline of the Banana River. To avoid potential pockets or shoreline indentations, it lies far enough offshore to contain existing fills and smooth out any potential shoreline development. It also allows room for cul-de-sacs at the end of streets from Riviera Drive south. Its farthest distance offshore is 600-900 ft. in a 1600-ft. stretch just north of Riviera Drive in an undeveloped area used for dumping. This area is also a mosquito breeding area as evidenced by the aerial spraying during our inspection. However, the submerged land and saltwaters in this one segment of the proposed line are used by commercial fishermen for mullet, spotted seatrout and some crabbing. Whether drawing the bulkhead line shoreward in this one section would accomplish much for conservation or even be practical is a moot question."

Mr. Williams asked for an up-dated biological report. Mr. Kenneth D. Woodburn, marine biologist of the Florida Board of Conservation, said that in September 1967 a biological report had been made for another parcel containing about 11 acres which was subsequently sold, in the same area, that he had pointed out that it was a grassy area, but there were other reasons to consider to bring the whole matter into perspective, and therefore the sale was made. Mr. Williams commented that many people in Brevard County did not like to see submerged lands sold. Mr. Christian said that during the period of advertising for objections, there would be an opportunity to consider a more current biological report and receive expressions from objectors.

Motion was made by Mr. Conner, seconded and adopted unanimously, that the parcel be advertised for objections only.

PINELLAS COUNTY - The Southwest Florida Water Management District requested approval for using the bottoms of Lake Tarpon in Section 19, Township 27 South, Range 16 East, Pinellas County, for construction of an earthen dike around an existing sink on the west side of the lake. The sink connects with Spring Bayou in Tarpon Springs and at certain times permits the influx of salt water into Lake Tarpon. The proposed dike will permit the sink to function in a normal manner, while at the same time it will prevent intrusion of salt water into the fresh water of Lake Tarpon. The Pinellas-Anclote River Basin Board and Pinellas County Water and Navigation Control Authority were in favor of the sink closure.

A delegation in favor of the project was present, including officers and board members of the Southwest Florida Water Management District, the Pinellas-Anclote River Basin Board, Col. Herbert C. Gee, Engineering Consultant. It was explained that through the "Four River Basins, Florida" project, flood control measures would be undertaken including the Lake Tarpon Control plan; and this would create a fine body of fresh water without spoiling the fishing potential. The most important part of the presentation, said one spokesman for the project, was the fact that sources of fresh water for Pinellas County were greatly needed. There had been three public hearings, upland owners around the lake had attended a hearing and voiced no objections.

Mr. H. E. Wallace, Assistant Director of Florida Game and Fresh Water Fish Commission, which objected to the proposal, said that

five years ago, at the request of this same group, his agency included Lake Tarpon in its Fish Management Area Program, that the inflow of brackish water from the sink was beneficial to fish and wildlife, reduced growth of small fish resulting in more large fish, deterred weed growth. He said the salinity content of this lake was a unique benefit, and there were marine biologists present who could give further explanation if the members desired. Letter from the Commission stated that if future demand necessitated isolation of the sink for a domestic water supply, they would then re-evaluate their position on fish and wildlife resources.

The Southwest Florida Water Management District was charged with the management and control of water within the boundaries of the District, and the Staff recommended granting the request.

A number of questions were asked, and Mr. Christian was particularly concerned regarding statements made on the matter of fresh water sources for Pinellas County.

On motion made by Mr. Conner, seconded by Mr. Christian and adopted unanimously, the Trustees approved the project presented by the Southwest Florida Water Management District for easement for construction of earthen dike.

SHELL LEASES - The Trustees received as information for the record the following report of remittances to the Florida Board of Conservation from the holders of dead shell leases:

<u>Lease No.</u>	<u>Name of Company</u>	<u>Amount</u>
1718	Radcliff Materials, Inc.	\$9,336.74
1788	Benton and Company	2,420.58
1788	Benton and Company	2,500.00
1788	Benton and Company	2,057.69
2233	Bay Dredging & Construction Co.	4,081.61
2235	Fort Myers Shell & Dredging Co.	532.90

DADE COUNTY - On motion by Mr. Christian, unanimously adopted, the Trustees approved assignment of the interest held by James A. Harden in Campsite Lease No. 2157 issued to Thomas A. Wills and James A. Harden, to Joseph A. Caldwell. Executed copy of assignment was filed in the Land Office.

GLADES COUNTY - Central and Southern Florida Flood Control District requested temporary spoil easement in connection with improvement of Canal C-43 (Caloosahatchee River), covering a parcel of submerged and reclaimed Caloosahatchee River bottom land in Section 30, Township 42 South, Range 31 East, and Section 25, Township 42 South, Range 30 East, in Glades County, to expire on June 1, 1970.

Motion was made by Mr. Williams, unanimously adopted, that the Trustees grant the temporary easement as requested.

COLLIER COUNTY - The Staff requested deferment of requests listed on the agenda for consideration of fill permits to Marco Island Development Corporation, (1) under provisions of Section 253.124

Florida Statutes, as amended by Chapter 67-393, Acts of 1967, to fill certain submerged land in Township 52 South, Range 26 East, conveyed by the Trustees in Deed No. 17748 dated September 14, 1926, and (2) under provisions of Section 253.123, permit to dredge 73,250 cubic yards of material from Roberts Bay in Sections 16, 17, 20 and 21, Township 53 South, Range 26 East, and from Smokehouse Creek in Sections 17 and 20, Township 53 South, Range 26 East, for which applicant tendered payment in the amount of \$3,662.50.

A lengthy report dated January 12, 1968, from the Board of Conservation showed that portions of the submerged land involved marine vegetation and resources. An interested party present on this date, Mr. William M. Partington of the Florida Audubon Society, called attention to conveyances made in the past which, in the light of changes of philosophy with respect to conservation, should now be re-examined and perhaps consideration given to how binding are the old conveyances. In addition to grassy bottoms, there were other factors which he said should enter into the conservation reports and surveys.

Mr. Christian recommended that consideration of the permits for Marco Island Development Corporation be postponed for at least two weeks. It was so ordered.

CHARLOTTE COUNTY - The Seaboard Coast Line Railroad Company applied for permit to install two submarine power cables across the channel of the Intracoastal Waterway in Gasparilla Sound in Section 13, Township 42 South, Range 20 East, in Charlotte County. Trustees were asked to waive requirement of a biological or ecological study as provided under the provision of Section 253.123(3)(a), Florida Statutes, since the public interest will be served by the project. Staff recommended approval.

On motion by Mr. Christian, unanimously adopted, the Trustees waived requirement of the biological report and approved the application for permit.

CHARLOTTE COUNTY - Clayton E. Kesselring applied for permit to remove 35,000 cubic yards of material from Lemon Bay in Section 12, Township 41 South, Range 19 East, in Charlotte County, to use to improve his upland property. The Florida Board of Conservation reported that the 9-foot deep dredge area was below the zone of optimum sunlight penetration and the bottom was unvegetated. All required exhibits were furnished, applicant tendered payment in the amount of \$1,750.00 for the material, and the Staff recommended approval.

On motion by Mr. Conner, unanimously adopted, the Trustees authorized issuance of permit for the requested amount of material.

COLLIER COUNTY - On motion by Mr. Christian, adopted unanimously, the Trustees authorized issuance of a commercial dock permit to Marco Towers, Inc., for construction of 2 docks 50 feet offshore and parallel to the applicant's upland in Big Marco Pass in Section 6, Township 52 South, Range 26 East, for which all required exhibits and \$100.00 processing fee were submitted.

DADE COUNTY - The Southern Bell Telephone and Telegraph Company, Jacksonville, Florida, applied for permission to install 2 submarine cables across Biscayne Bay in Section 33, Township 53 South, Range 42 East, and in Section 31, Township 53 South, Range 42 East, Dade County. The cables will be loosely on the bottom except in channel areas where they will be buried 12 feet and 18 feet below mean low water. Waiver of the biological survey as provided under the provisions of Section 253.123(3)(a), Florida Statutes, was requested, since the installations would be for the public benefit.

On motion by Mr. Conner, unanimously adopted, the Trustees approved installation of the cables as requested, without requirement of the biological study.

DUVAL COUNTY - The Outdoor Recreational Planning Committee, Florida State Road Department and the Board of County Commissioners of Duval County jointly applied for permit to construct a boat ramp on property title to which is vested in the Trustees for the use and benefit of the Outdoor Recreational Planning Committee, in and adjacent to the St. Johns River in Section 38, Township 1 South, Range 28 East, Duval County. The boat ramp would be for the use and benefit of the public. Florida Board of Conservation by letter of February 12, 1968, advised that the project would have no adverse effect on marine resources. Staff recommended approval.

On motion by Mr. Christian, unanimously adopted, the Trustees approved issuance of the permit for construction of the boat ramp.

HIGHLANDS COUNTY - The Board of County Commissioners of Highlands County applied for permission to construct boat ramps at the following four (4) sites:

1. Lake Sebring in Section 14, Township 34 South, Range 28 East, Public Park in Lake Sebring Subdivision as recorded on Sheet No. 1, Plat Book 2, Public Records of Highlands County;
2. Lake Clay in Section 32, Township 36 South, Range 30 East, Public Beach in Lake Blue Estates, a subdivision as recorded in Plat Book 4, Page 59, Public Records of Highlands County;
3. Lake Istokpoga in Section 34, Township 36 South, Range 30 East, Public Beach in Lake Placid Heights Subdivision as recorded in O. R. Book 72, Page 135, Public Records of Highlands County; and
4. Lake Istokpoga in Section 20, Township 35 South, Range 31 East, Park and Public Beach in Sunset Shores Subdivision as recorded in Plat Book 8, Page 3, Public Records of Highlands County.

The Florida Game and Fresh Water Fish Commission reported favorably on the boat ramp sites for public access to the lakes.

On motion by Mr. Williams, adopted unanimously, the Trustees approved issuance of permit to Highlands County for boat ramps at the sites described above.

MARTIN COUNTY - The Southern Bell Telephone and Telegraph Company, Jacksonville, Florida, applied for permit to install a submarine cable across the St. Lucie River in Section 5, Township 38 South, Range 41 East, and across the South Fork of that river in Section 17, Township 38 South, Range 41 East, Martin County. Waiver was requested of the requirement of biological or ecological study as provided under provisions of Section 253.123(3)(a) Florida Statutes, since the public interest would be served by the cable installation.

On motion by Mr. Christian, adopted unanimously, the Trustees approved issuance of permit without requiring the biological or ecological study.

PALM BEACH COUNTY - The Southern Bell Telephone and Telegraph Company, Jacksonville, Florida, applied for permit to install a submarine cable across the Intracoastal Waterway in Lake Worth in Sections 27 and 28, Township 42 South, Range 43 East, Palm Beach County, to be laid loosely on the bottom except in channel area where it will be buried 22 feet below mean sea level. Waiver of the biological or ecological study as provided under the provision of Section 253.123(3)(a) Florida Statutes, was requested since the installation was for the public benefit.

Motion was made by Mr. Christian, and adopted unanimously, that the Trustees approve permit for the cable installation without requiring biological study.

PALM BEACH COUNTY - The City of West Palm Beach applied for permit to install a 48" subaqueous force main cross Lake Worth in Section 10, Township 43 South, Range 43 East, and an ocean outfall in the Atlantic Ocean in Section 11, Township 43 South, Range 43 East, to carry pretreated sanitary sewage. The outfall will extend 6000 feet, more or less, terminating in water approximately 75 feet deep.

The Florida Board of Conservation reported that the installation across and under Lake Worth would not adversely affect marine life, habitats, or fisheries. The Florida State Board of Health, acting for and on behalf of the Florida Air and Water Pollution Control Commission, advised that there was no objection to issuance of the requested permit.

Mr. J. F. Redford, an interested party present on this date, president of the Florida Izaak Walton League, said that until the pollution standards had been approved by the federal government, he thought the sewage outfall permit should be delayed.

Mr. John Simmons, Director of Utilities for the City of West Palm Beach, pointed out that the Board of Health recommended approval, and the city would certainly be bound by any requirements of the Pollution Control Commission or any later up-grading of present requirements.

At the request of Mr. Christian, the Trustees deferred for one week further consideration of this application by the City of West Palm Beach.

PINELLAS COUNTY - On motion by Mr. Christian, unanimously adopted, the Trustees approved the application submitted by Pinellas County

Water and Navigation Control Authority for a commercial dock permit to Rovelie Simmons of Treasure Island, Florida, for a small dock in Boca Ciega Bay in Section 23, Township 31 South, Range 15 East, Pinellas County, for which all required exhibits and \$100.00 processing fee were submitted and the Staff recommended approval.

POLK COUNTY - Application was made by D. K. Martin for permit to remove 550 cubic yards of material from Lake Rosalie in Section 21, Township 29 South, Range 29 East, Polk County, to improve his upland property. All required exhibits and \$27.50 payment for the material were submitted and Staff recommended approval. Florida Game and Fresh Water Fish Commission agreed to the work, subject to inclusion of standard stipulations in the permit.

On motion by Mr. Conner, unanimously adopted, the Trustees authorized issuance of permit for the requested amount of material.

SARASOTA COUNTY - Application was made by Searcy G. Koen for permit for maintenance dredging in an existing channel in Little Sarasota Bay in Section 18, Township 37 South, Range 18 East, Sarasota County. Staff recommended approval of the project to which the Florida Board of Conservation offered no objections provided the spoiling be done so that no siltation of Little Sarasota Bay waters would inadvertently occur.

On motion by Mr. Christian, unanimously adopted, the Trustees authorized issuance of permit for the channel maintenance dredging.

SARASOTA COUNTY - The Sarasota County Water and Navigation Control Authority submitted application under Minor Work Permit 68-13 to E. H. Thomas and Wesley Crossier to dredge 12-foot channel, 4 feet deep, offshore from applicants' upland property in Lemon Bay in Section 12, Township 40 South, Range 19 East, Sarasota County. Florida Board of Conservation reported no adverse effects upon marine life in the area from the proposed dredging.

On motion by Mr. Christian, unanimously adopted, the Trustees authorized issuance of permit for the channel dredging.

SARASOTA COUNTY - General Telephone Company of Florida, Sarasota, Florida, applied for permit to install a submarine cable in Sarasota Bay in Sections 24, 25 and 26, Township 36 South, Range 17 East, Sarasota County. Florida Board of Conservation reported no adverse effects upon marine life in the area.

On motion by Mr. Conner, unanimously adopted, the Trustees authorized issuance of permit for the cable installation.

CITRUS COUNTY - File No. 1164-09-253.12. Staff requested authority to issue refund of the \$50.00 application fee submitted with the referenced application to purchase certain submerged land in Township 18 South, Range 16 East, in Citrus County. The application was submitted under date of June 15, 1962, by Cooper, Rives and

Baskin, 1275 Cleveland Street, Clearwater, Florida, on behalf of C. M. Casity, et al. Because of certain erroneous surveys, the application could not be completed.

Motion was made by Mr. Conner, seconded by Mr. Christian and adopted unanimously, that refund of the \$50.00 application fee be authorized.

ELLIOT BUILDING - Staff requested permission to advertise for bids for labor and materials for interior painting and repairs in the Trustees' office, the Elliot Building. Invitation to bid and specifications were drafted with advice from the Construction Division, Board of Commissioners of State Institutions, and the State Purchasing Commission. Payment would be from budgeted funds.

On motion by Mr. Christian, adopted without objection, the Trustees authorized the advertisement for bids.

TRUSTEES' OFFICE - On January 23 the Trustees authorized the Staff to advertise for invitations to bid on repairing and rebinding 133 volumes of letter files and indexes, which work was needed as a measure to further preserve the records in the Trustees' office. These volumes consisted of correspondence from 1824 to 1908 between the United States Commissioner of the General Land Office and the United States Surveyor General of Florida with reference to the issuance of contracts, bonds and instructions for surveys of the public lands in Florida. Included were volumes of letters of application for employment of the deputy surveyors, reports of the deputy surveyors on progress of survey work, letters from individuals to the Surveyor General in relation to surveys, letters from Registers and Receivers of local land office districts pertaining to the notes and plats, and letters from the U. S. Treasury and Treasury Departments with reference to payment for contracts issued and to the Surveyor General's Accounts.

On the advertised bid date, February 14, 1968, at 11:00 A.M., the following bids were received:

The St. Petersburg Printing Co., Inc.	\$3,100.00
Dobbs Bros. Library Binding Co., Inc., St. Augustine, Florida	\$3,813.50
John E. Jensen, Tallahassee, Florida	\$3,823.50

Motion was made by Mr. Conner, seconded and unanimously adopted, that the bid be awarded to the low bidder, the St. Petersburg Printing Co., Inc., at \$3,100.00.

SUBJECTS UNDER CHAPTER 18296

On motion made by Mr. Christian, and unanimously adopted, the Trustees approved Report No. 922 listing 2 regular bids for sale of land in Putnam County under the provisions of Chapter 18296, Acts of 1937, the Murphy Act, and authorized execution of deeds pertaining thereto.

ALACHUA COUNTY - The City of Gainesville offered \$2,000.00 for a 10-acre parcel of land which was certified to the State of Florida under tax sale certificate No. 914 of 1934 described as "Com. at NW Cor. of NE $\frac{1}{4}$ of SW $\frac{1}{4}$ run E 7 $\frac{1}{2}$ chs. S 11 chs. to Crk., thence along Crk. to W line of NE $\frac{1}{4}$ of SW $\frac{1}{4}$ N 15.4 chs. to Beg., in Section 14, Twp. 9 S., Rge. 20 E." in Alachua County. The land was within the boundaries of the City of Gainesville Airport, and was under lease to the United States until the lease was cancelled November 22, 1948, by request of U. S. War Assets Administration.

Staff recommended conveyance to the city under Chapter 21684, Acts of 1943, without advertisement and public sale, for the amount offered.

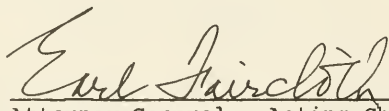
On motion by Mr. Christian, unanimously adopted, the Trustees accepted the recommendation as the action of the board.

DADE COUNTY - Milton J. Wallace, attorney on behalf of Newell-Scott-Crain Enterprises, Inc., requested waiver of the usual regulations as to size limitation for release of the oil and mineral rights reserved in Dade County Murphy Act Deed No. 3442-EDDJ dated July 19, 1945, as to S $\frac{1}{2}$ of Tract 30, Florida Fruit Lands Company's Sub-division No. 1, in Section 23, Township 53 South, Range 40 East, less the East 25 feet thereof and less right of way for the Palmetto Expressway, containing 5 acres, more or less, in Dade County, which was to be used for a large industrial building.

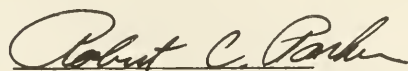
Under the statutory provisions, the whole area might not be considered as a building site, but the Staff felt that for a consideration of \$100.00 the State of Florida would be compensated for the oil and mineral interest in the land. The Director said that waiver of the rules was suggested inasmuch as the building would occupy about 85% of the parcel, with ancillary facilities, and the street had taken part of the lot.

Motion was made by Mr. Christian, and adopted unanimously, that the Trustees waive the usual size limitation rule and accept \$100.00 from the applicant for release of the oil and mineral rights.

On motion duly adopted, the meeting was adjourned.



Attorney General - Acting Chairman

ATTEST: 
Director - Secretary

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PALM BEACH COUNTY - File Nos. 1940 and 2004-50-253.12. At the request of the Attorney General for withdrawal of the matter from the agenda, the Trustees deferred consideration of confirmation of sale of two parcels in Section 30, Township 40 South, Range 43 East, Gomez Grant, landward of the established bulkhead line in Palm Beach County, identified as follows:

File No. 1940-50-253.12, Otto B. DiVosta and wife, 0.256 of an acre; and

File No. 2004-50-253.12, Palm Beach Trust Co., et al, 1.043 acre.

Mr. Dickinson asked if there were parties present who might like to be heard, and the Director advised that a conference had been held the day before between the Staff and applicants and their engineers, who had been advised that the matter would be withdrawn from the agenda on this date.

MANATEE COUNTY - File No. 2051-41-253.12. On November 7, 1967, the Trustees considered application from the City Council of Bradenton for acquisition of all submerged land located landward of the bulkhead line approved by the Trustees on that date, in the Manatee River in Sections 25 and 26, Township 34 South, Range 17 East, Manatee County. The total area in the application for the city was 54.25 acres.

Also, the Board of Trustees of Manatee Memorial Hospital, a county hospital, one of the abutting upland owners within that bulkhead line, by resolution dated October 23, 1967, requested dedication for public purposes only of 8.513 acres of submerged land adjacent to their upland ownership. The hospital was in the process of constructing a major addition, and the city and county had entered into an agreement whereby they would share the cost of filling the 8.513 acres adjacent to the hospital.

The 54.25 acres for the city, and 8.513 acres for the hospital, were advertised in the Bradenton Herald, and no objections were received.

At a conference with the Staff on February 22, 1968, City Attorney Lloyd Lyday, Council Member Ed Silver, and City Clerk and Treasurer Walter E. Golby requested consideration of modification of the application. After reviewing the history of the project and discussing several alternative plans for acquisition by the city of the parcel of submerged land, it was finally concluded by the representatives of the city that they would like to modify their request for purchase so as to make request to the Trustees for dedication for public purposes only of the parcel described in the advertisement.

Staff recommended that the Trustees dedicate the 54.25 acres of submerged land to the City of Bradenton for public purposes only with the provision for cancellation of the dedication in the event there is a breach of the public purposes provision, and that the city reimburse the Trustees for out-of-pocket expenses involved in processing the application.

Also, the Staff recommended that the Trustees dedicate the 8.513 acre parcel of submerged land to the Manatee Memorial Hospital for public purposes only.

On motion made by Mr. Adams, seconded by Mr. Dickinson and adopted unanimously, the Trustees accepted the recommendations of the Staff

for dedication of the tract of submerged land to the city for public purposes only with provision for cancellation as recommended and with requirement that the city reimburse the Trustees for certain expenses, and dedication of the parcel requested by the Manatee Memorial Hospital for public purposes only.

COLLIER COUNTY - Presented for approval was the assignment from Phillips Petroleum Company of an undivided one-half interest in Oil and Gas Drilling Lease No. 2164-S to Chambers and Kennedy, a partnership composed of C. F. Chambers and W. D. Kennedy of Houston, Texas, who had drilled the #1 Anchor Investment Corporation Well in the NW $\frac{1}{4}$ of Section 20, Township 49 South, Range 31 East, Collier County, under a farm-out agreement with Phillips and earned an undivided one-half interest in said lease as a result of drilling. The lease required approval of assignment by lessor before the assignment was effective.

On motion by Mr. Adams, seconded by Mr. Faircloth and adopted unanimously, the Trustees granted approval of the assignment.

DADE COUNTY - On motion by Mr. Adams, seconded by Mr. Faircloth and adopted unanimously, the Trustees granted approval of the application made by the Florida State Road Department for permit to remove 139,000 cubic yards of material from Biscayne Bay in Sections 21 and 28, Township 52 South, Range 42 East, Dade County, which would not adversely affect marine life, habitats or fisheries according to report from the Florida Board of Conservation.

DADE COUNTY - Staff requested approval of a fill permit issued by the Department of Public Works of the City of Miami under date of February 15, 1968, to the City of Miami under provisions of Section 253.124 Florida Statutes as amended by Chapter 67-393, Acts of 1967, to fill submerged land in Biscayne Bay in Section 4, Township 54 South, Range 42 East, Dade County, landward of the amended bulkhead line at Bayfront Park which was approved by the Trustees on January 8, 1968, lying southerly of that part of the overall project for which a fill permit was approved by the Trustees on January 23, 1968. The submerged land to be filled was granted to the city by Chapter 8305, Special Acts of 1919.

The Board of Conservation reported that the area was not a nursery, sport or commercial fishing ground, as it had been affected by past dredging, filling and spoiling. The material for the filling will be obtained either from dredge areas already authorized in the Miami Harbor or through land sources.

Senator Robert M. Haverfield and others were present on behalf of this application. The Trustees felt that they were familiar with the proposed Bayfront Park project from previous discussions. There were no objectors present.

On motion by Mr. Dickinson, seconded by Mr. Adams and adopted unanimously, the Trustees approved the fill permit to the City of Miami.

DUVAL COUNTY - Bulkhead Line. The Board of County Commissioners of Duval County by Resolution dated January 15, 1968, established a bulkhead line on the south shore of the Cedar River in Section 42, Township 3 South, Range 26 East, Duval County. All required exhibits were submitted and there were no objections at the local hearing. The Florida Board of Conservation reported that the bulkhead line and development within it would not adversely affect marine resources in the area. Staff recommended approval.

Motion was made by Mr. Adams, seconded by Mr. Faircloth and adopted unanimously, that the Trustees approve the bulkhead line as located and established by the Board of County Commissioners of Duval County on January 15, 1968.

GLADES AND HENDRY COUNTIES - The Central and Southern Florida Flood Control District requested right of way easement for Canal C-43, Sections 4 and 5A (Caloosahatchee River) through Glades and Hendry Counties in Township 42 South, Ranges 29, 30 and 31 East, and Township 43 South, Range 29 East. The easement would cover certain sovereignty land from Lake Hicpochee in Glades County westward beyond Ortona Lock in Hendry County.

Motion was made by Mr. Adams, seconded by Mr. Faircloth and adopted unanimously, that easement for the requested canal right of way be authorized.

HIGHLANDS COUNTY - Mr. Jack Dornick of Sebring, Florida, applied to purchase 5,000 cubic yards of fill material from Lake Istokpoga in Section 33, Township 35 South, Range 31 East, Highlands County, to use on his upland property. The Florida Game and Fresh Water Fish Commission discovered that the dredging had commenced without benefit of a state permit, involving use of a dragline to construct a channel about 75 yards into the lake, place material on applicant's upland and on state-owned lake bottom land.

A member of the Trustees' Staff made on-site inspection and reported that work had been stopped, and that a finger fill six feet high, fifty-five feet wide and one hundred sixty-five feet long extending into the lake should be removed. The applicant tendered his check for \$250.00 as payment for the material.

Staff recommended that the fill material be removed and the requested permit be issued.

Motion was made by Mr. Adams, seconded by Mr. Faircloth and adopted unanimously, that the recommendation be accepted as the action of the Board.

INDIAN RIVER COUNTY - Southern Bell Telephone and Telegraph Company, Jacksonville, Florida, applied for permit to install a submarine telephone cable in and across the Indian River in Section 31, Township 32 South, Range 40 East, at Vero Beach in Indian River County. Staff requested waiver of the requirement for biological or ecological study as provided under Section 253.123(3) (a) Florida Statutes, for the reason that the public interest will be served by the work.

Motion was made by Mr. Adams, seconded by Mr. Faircloth and adopted unanimously, that the permit be issued as requested.

PALM BEACH COUNTY - The City of West Palm Beach applied for permit to install a 48-inch, subaqueous force main crossing Lake Worth in Section 10, Township 43 South, Range 43 East, and an ocean outfall in the Atlantic Ocean in Section 11, Township 43 South, Range 43 East, in Palm Beach County. The outfall would extend 6000 feet more or less, terminated in water approximately 75 feet deep. On February 20, 1968, the Trustees deferred action on the application.

The Board of Conservation by letter of January 19, 1968, offered no objections. The Florida State Board of Health, acting for and on behalf of the Florida Air and Water Pollution Control Commission, advised that they had no objection to the proposed installation of a sewage outfall line into the Atlantic Ocean. Staff recommended approval of the permit.

On motion by Mr. Adams, seconded by Mr. Faircloth and adopted unanimously, the Trustees granted the request of the City of West Palm Beach for the permit for the force main crossing Lake Worth and the outfall in the ocean.

PALM BEACH COUNTY - The Jupiter Inlet Commission, Jupiter, Florida, applied for a permit for biennial maintenance dredging in the Jupiter Inlet Channel. Material removed in maintenance dredging will be deposited southerly of the Inlet and east of the high water line for beach nourishment to the south. The Beaches and Shores Division of the Florida Board of Conservation concurred in granting of the permit, and Staff recommended approval.

On motion by Mr. Adams, seconded by Mr. Faircloth and adopted unanimously, the Trustees approved issuance of the permit requested by the Jupiter Inlet Commission.

PINELLAS COUNTY - The City of Clearwater applied for permission to install a 16-inch force main sewer line across Clearwater Harbor in Section 9, Township 29 South, Range 15 East, Pinellas County. Staff requested waiver of the biological or ecological survey as provided under Section 253.123(3) (a) Florida Statutes, since the public interest will be served by the work.

Motion was made by Mr. Adams, seconded by Mr. Faircloth and adopted unanimously, that the Trustees authorize issuance of the permit requested by the City of Clearwater.

WAKULLA COUNTY - Mr. W. A. Lynn of St. Marks, Florida, applied for a commercial dock permit to modify an existing dock constructed in the St. Marks River in the Town of St. Marks, Wakulla County, for which all required exhibits, including \$100.00 processing fee, were submitted. Staff recommended approval.

Motion was made by Mr. Adams, seconded by Mr. Faircloth and adopted unanimously, that the state commercial dock permit be issued to the applicant.

WALTON COUNTY - The First American Farms, Inc., of Florida, in DeFuniak Springs, Florida, applied for a permit to construct a dock and to dredge a basin alongside said dock in Four Mile Creek in Section 15, Township 1 South, Range 19 West, in Walton County. All required exhibits including \$100.00 processing fee were submitted for the dock which would be used to unload barges in connection with a grain elevator and fertilizer plant. Report dated February 27, 1968, from the Florida Board of Conservation offered no objection as the proposed dredging would not adversely affect marine resources in the area. Staff recommended approval.

On motion by Mr. Adams, seconded by Mr. Dickinson and adopted unanimously, the Trustees authorized issuance of the permit.

TRUSTEES' RULES AND REGULATIONS - On January 30, 1968, the Trustees postponed action on the adoption of new rules and regulations, pending further review of certain rules mentioned by Attorney General Earl Faircloth. Staff conferred further with the members of the staff of the Trustees and incorporated certain revisions into the rules as a result of the conferences.

Staff recommended that the rules and regulations as modified be approved by the Trustees and filed with the Secretary of State in accordance with Chapter 120, Florida Statutes.

Mr. Faircloth presented a memorandum to the Trustees. In addition to adopting the rules as submitted on this date, he recommended that the Chairman appoint a special subcommittee to consider additional safeguards for the public interest. He suggested as members of the subcommittee, of which the Governor would be ex officio member, the Secretary of State and the Superintendent of Public Instruction, which he and his staff would be glad to assist in giving intensive study to the following:

1. In cooperation with the subcommittees of the Board of Conservation and the Outdoor Recreational Development Council, the developing master plan for projected recreation needs should be completed and a determination made as to whether or not the state should be selling any of its publicly-owned lands in some areas.
2. Methods by which the appraised prices at which state lands are to be sold are arrived at, and whether or not these appraisals are in line with the current high market value of Florida's incomparable waterfront properties which are privately owned. If it is found that the sale or filling of state-owned lands will not do damage to marine conservation values, then the citizens and taxpayers of Florida should get no less than the full value price for such lands.
3. The concept of free fill should in my opinion be eliminated and the price of fill should be set at the full current market value of such material.

On motion by Mr. Faircloth, adopted unanimously, the Trustees adopted the new rules and regulations and authorized the Staff to file them in accordance with Chapter 120, Florida Statutes; also, the Governor appointed the special subcommittee composed of the Secretary of State as chairman, the Superintendent of Public Instruction, and himself as ex officio member, to make the recommended study and report to the Trustees at a later date.

MEAN HIGH WATER COMMITTEE - On March 31, 1964, the Trustees approved a recommendation from the Florida Board of Conservation for appointment of a technical committee to be known as the Mean High Water Committee, composed of engineers, land surveyors and attorneys, for the purpose of giving study to the problems of determining and locating the line of mean high water and making recommendations concerning their findings. Pursuant to this action, Mr. Carl E. Johnson of Fort Myers, Florida, was named to the committee as one of the registered land surveyors. His resignation was received, made necessary by reason of his poor health.

Mr. M. E. Berry II, President of Florida Society of Professional Land Surveyors, advised the Staff that their Board of Directors recommended Mr. Paul T. O'Hargan of Naples, Florida, for appointment as a member of the Mean High Water Committee.

The Staff recommended that the Trustees approve the appointment of Mr. O'Hargan to fill the vacancy caused by the resignation of Mr. Johnson, and that the Trustees authorize the Director to express to Mr. Johnson their appreciation for the splendid services he had rendered to the State of Florida by serving on the committee.

Motion was made by Mr. Adams, seconded by Mr. Dickinson and adopted unanimously, that the Trustees appoint Mr. Paul T. O'Hargan as a member of the Mean High Water Committee to fill the vacancy caused by the resignation of Mr. Carl E. Johnson, to whom they offered their sincere appreciation for his services as a member of the important technical committee.

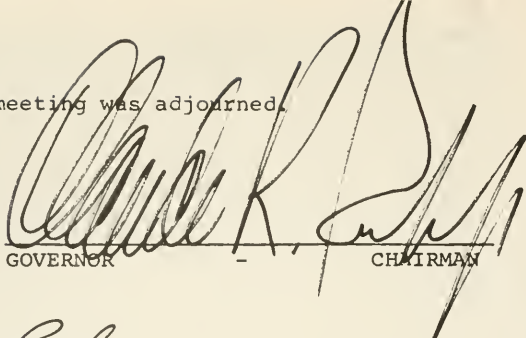
SUBJECTS UNDER CHAPTER 18296

On motion by Mr. Adams, seconded by Mr. Faircloth and adopted unanimously, the Trustees approved Report No. 923 listing 1 regular bid for sale of land in Osceola County under provisions of Chapter 18296, Acts of 1937, the Murphy Act, and authorized execution of deed pertaining thereto.

REFUNDS - Murphy Act. On motion made by Mr. Adams, seconded by Mr. Faircloth and adopted unanimously, the Trustees authorized issuance of refunds in the amount of \$10.00 to each of the following five applicants for release of state road right of way reservations contained in the Murphy Act deeds listed below, for the reason that the State Road Department recommended that no part of the road reservation affecting the conveyed property be released:

Dade County Deed No. 1835, \$10.00 refund to Richard M. Sepler, applicant;
Hardee County Deed No. 59, \$10.00 refund to L. Grady Burton, applicant;
Polk County Deed No. 416, \$10.00 refund to Colan L. Tillis, applicant;
St. Johns County Deed No. 576, \$10.00 refund to Donald E. Buck, applicant;
Volusia County Deed No. 3722, \$10.00 refund to R. B. Hunter, Jr., applicant.

On motion duly adopted, the meeting was adjourned.


GOVERNOR - CHAIRMAN

ATTEST: 
DIRECTOR - SECRETARY

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Tallahassee, Florida
March 12, 1968

The Trustees of the Internal Improvement Fund met on this date in the Capitol Building, in Senate Hearing Room No. 31, with the following members present:

Claude R. Kirk, Jr.	Governor
Tom Adams	Secretary of State
Earl Faircloth	Attorney General
Fred O. Dickinson, Jr.	Comptroller
Broward Williams	Treasurer
Floyd T. Christian	Superintendent of Public Instruction
Doyle Conner	Commissioner of Agriculture

Robert C. Parker	Director
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Without objection, the minutes of the meetings of February 20 and 27 were approved by the Trustees.

MONROE COUNTY - Presented on this, the advertised sale date, with Staff recommendation for confirmation of the sales, were the following three applications for purchase of submerged land from the adjoining upland owners:

1. File No. 2028-44-253.12 - William J. Klys and wife applied to purchase a 0.79 acre parcel of submerged land in the Straits of Florida in Section 23, Twp. 63 S., Rge. 37 E., at Windley Key in Monroe County, at the established appraised price of \$425.00 per acre.
2. File No. 2029-44-253.12 - Mark L. Trammel and wife applied to purchase a 0.43 acre parcel of submerged land in the Straits of Florida in Section 23, Twp. 63 S., Rge. 37 E., at Windley Key in Monroe County, at the established appraised price of \$425.00 per acre.
3. File No. 2030-44-253.12 - William S. Bell and wife applied to purchase a 0.41 acre parcel of submerged land in the Straits of Florida in Section 23, Twp. 63 S., Rge. 37 E., at Windley Key in Monroe County, at the established appraised price of \$425.00 per acre.

On January 23, 1968, the Trustees authorized advertisement for objections only, notice of sale was published in the Key West Citizen, and no objections to any of the three sales were received. On that date the Trustees were advised that the biological report showed the parcels to be grassy nursery and feeding grounds for marine animals, but the Staff felt that the conservation recommendation should be overruled for the reason that almost all of the submerged land abutting these three application parcels had been previously conveyed by the Trustees. Mr. Adams had said that the Board was aware where previous sales had been made, leaving small fingers or pockets unsold, there was need to block up the areas because while probable damage to marine life in the small remaining parcels by allowing sale might result, there would also be adverse effects from leaving little pockets in the shoreline.

The Director displayed an area map showing along the shoreline many sales previously made and the locations of the parcels being recommended for sale to the upland owners.

Governor Kirk said he was against the three sales and was concerned that the agenda on this date listed many more applications for sale and filling; however, he would be in favor of some of the others.

Motion was made by Mr. Dickinson, seconded by Mr. Christian, that the Trustees confirm the above described three sales. The Governor, Mr. Faircloth and Mr. Williams voted "no", which, in view of the requirement of five affirmative votes for disposition of land, caused the motion to fail. This action was reconsidered, however, and changed to deferment for a week during discussion of the Monroe County sales listed on the agenda as 4 through 8.

Also authorized by the Trustees on January 23, 1968, for advertisement for objections only, advertised in the Key West Citizen and no objections received, were the following applications for purchase of submerged land from the abutting upland owners, numbered as they were listed on the agenda on this date:

4. Monroe County - File No. 2037-44-253.12 - J. Morgan Jones Publications, Inc., applied to purchase a 0.35 acre parcel of submerged land in the Straits of Florida in Sections 27 and 28, Twp. 63 S., Rge. 37 E., Upper Matecumber Key, at the established appraised price of \$425.00 per acre.

The application on January 23 contained a second parcel of 0.34 acre which, subsequent to the date of advertising, was withdrawn from the application due to the fact that the applicant had conveyed that portion of his upland adjacent to the 0.34 acre parcel of submerged land.

5. Monroe County - File No. 2038-44-253.12 - James C. Russell and wife applied to purchase 3 separate parcels comprising a total of 2.28 acres of submerged land in the Straits of Florida in Sections 27 and 28, Twp. 63 S., Rge. 37 E., at Upper Matecumbe Key, at the established appraised price of \$425.00 per acre.
6. Monroe County - File No. 2039-44-253.12 - Floyd C. Russell and wife applied to purchase a 0.47 acre parcel of submerged land in the Straits of Florida in Section 27, Township 63 South, Rge. 37 East, Upper Matecumbe Key, at the established appraised price of \$425.00 per acre.

Also, the following two applications authorized by the Trustees on January 16, 1968, for advertisement for objections only, advertised in the Key West Citizen for sale on this date, were recommended by the Staff for confirmation of sale. (Numbered as they were listed on the agenda on this date.)

7. Monroe County - File No. 2053-44-253.12 - Russell H. Cullen and wife, abutting upland owners, offered the appraised value of \$350.00 per acre for a 1.33 acre parcel of submerged land in Buttonwood Sound fronting a portion of Lot 4 in Section 32, Twp. 61 S., Rge. 39 E., at Key Largo.

The Board of Conservation biologist reported that sale and development would not adversely affect marine resources of the area. However, an objection was received from Mary Reed Kostakos to the purchase of underwater land "by private enterprise and buildings constructed thereon which would spoil the shoreline", which she did not care to withdraw after the applicant explained he wished to construct a breakwater to provide harbor and moorings for small craft. Staff recommended that the objection be overruled.

8. Monroe County - File No. 2055-44-253.12 - Albert J. Meier and wife, abutting upland owners, offered \$425.00 per acre for a 0.551 acre parcel of submerged land in the Straits of Florida in Section 32, Twp. 63 S., Rge. 37 E., at Upper Matecumbe Key.

Although adverse biological reports applied to some of the parcels in applications numbered 4 through 8 above, the Staff recommended sales in these areas where almost all of the submerged parcels, to a limit of extension fixed by the Staff, adjacent to other upland ownerships had previously been conveyed by the Trustees.

Mr. Conner said that the members might need to develop some further policies on sales and on applications to fill parcels already sold. Mr. Adams said that recently the Board tried to develop a consistent approach, considering that in areas where sales had been consummated greater ecological damage might be done by leaving small parcels than by selling them. He thought that was the policy and he did not think these were controversial.

Mr. Dickinson said these applications were from upland owners, that no one could apply but the upland owners, and he knew from having lived on the coast of Florida all his life that there were thousands of miles of coastline where improvement by the upland owners had made usable property which had been completely unusable, even by those interested in conservation.

Mr. Conner noted that in Monroe County no dredge and fill permit was required, that the owners of parcels previously sold might fill their submerged land, and if sales were not made to the owners of adjacent parcels it would be treating some people differently.

After some further discussion, the Trustees took action on the suggestion by Mr. Adams and Mr. Faircloth that all the above eight Monroe County sales be deferred for a week and without objection, it was so ordered.

PALM BEACH COUNTY - File No. 2064-50-253.12. On January 23, 1968, the Trustees considered the application from the City of West Palm

Beach for itself, and on behalf of George Greenberg and wife, and Ann S. Stewart, abutting upland owners, for purchase of three contiguous parcels of submerged land abutting the three upland ownerships, containing a total of 1.653 acres, more or less, in Lake Worth in Section 3, Township 44 South, Range 43 East, in the City of West Palm Beach landward of the established bulkhead line. The application was made in connection with completion of the construction of South Flagler Drive between Southern Boulevard and Forest Hill Boulevard. Notice of sale was published in the Palm Beach Post, proof of publication filed, and no objection received.

Biological studies made by the Florida Board of Conservation in 1961 and 1963 reported extensive silting on both sides of the intracoastal waterway, and that the area within the bulkhead line did not contain valuable sea grasses.

On motion made by Mr. Dickinson, seconded by Mr. Adams, the Trustees confirmed sale of the advertised land to the three applicants at \$1,923.00 per acre, the appraised price, with Mr. Williams voting "No."

VOLUSIA COUNTY - File No. 2050-64-253.12. On January 30, 1968, the Trustees considered application from Millard B. Conklin and wife, abutting upland owners, to purchase 1.75 acres of submerged land in the Halifax River in Section 2, Township 16 South, Range 33 East, in the City of Port Orange landward of the established bulkhead line in Volusia County. Applicant offered the appraised value of \$300.00 per acre for the parcel. Notice of sale was published in the Daytona Beach News, proof of publication filed and no objection was received.

The Board of Conservation biologist had reported that the shallow, unvegetated sand flat was covered with oysters except for a small channel paralleling the shoreline about 10 feet offshore, and that approximately 25% of the oysters were of commercial size. However the area was polluted and the taking of shellfish prohibited, according to a letter from the Sanitation Director of the Volusia County Health Department regarding pollution in the general area of the Halifax River.

On motion made by Mr. Dickinson, seconded by Mr. Adams, with Mr. Williams voting "No", the Trustees confirmed sale of the advertised parcel of submerged land to the abutting upland owners.

ALACHUA COUNTY - Resolution dated February 5, 1968, from the Board of Regents requested that the Trustees agree to lease for a period of 99 years a 50-acre tract of land used by the University of Florida Agricultural Experiment Station in Gainesville, to the University of Florida Foundation, Inc., a non-profit corporation. The Foundation is eligible to sponsor an apartment project for low-income student families through the Federal Housing Administration. The tract would be used for the purpose of replacing converted World War II frame barracks which had deteriorated to the extent that repair or occupancy was no longer economically feasible.

The Trustees were vested with title to the tract of land pursuant to Section 253.03 Florida Statutes, as amended by Chapter 67-269 amended by Chapter 67-2236.

On motion made by Mr. Dickinson, seconded by Mr. Adams, with Mr. Williams voting "No", the Trustees authorized lease of the 50-acre tract to the University of Florida Foundation, Inc., for 99 years for the purpose requested, the lease instrument to be drawn by the Attorney General.

CHARLOTTE COUNTY - The office of the Attorney General recommended execution of a quitclaim deed by the Trustees covering three tracts of land in the Cecil M. Webb Wildlife Management area, to Lorine Greiner. The Florida Game and Fresh Water Fish Commission, pursuant to the provisions of Chapter 67-820, Laws of Florida, entered into an agreement with Lorine Greiner to exchange certain lands, title to which had been held by the Game Commission, for certain privately owned lands lying within the Webb area. Pursuant to Section 253.03 Florida Statutes, as amended by Chapter 67-269 and Chapter 67-2236, the Trustees are vested with title to lands formerly owned by agencies of the State of Florida and said law may have vested title to the Game Commission lands in the Trustees. In order that the exchange might be completed, the office of the Attorney General recommended that the Trustees quitclaim any interest they might have in the land.

On motion made by Mr. Dickinson, seconded by Mr. Adams, with Mr. Williams voting "No", the Trustees authorized issuance of quitclaim deed as recommended.

INDIAN RIVER COUNTY - The Board of County Commissioners of Indian River County by Resolution dated October 4, 1967, requested dedication of 10 acres of land owned by the Trustees in the SE $\frac{1}{4}$ of SE $\frac{1}{4}$ of NW $\frac{1}{4}$ of Section 29, Township 31 South, Range 39 East, Indian River County, lying 1 $\frac{1}{2}$ mile west of Wabasso, for public park and recreational purposes. The county submitted a proposed five-year plan of development with an estimated minimum of \$10,000 to be provided by the county for development. The West Wabasso Progressive Civic Club had indicated a desire to co-sponsor the park project. The county, during the first year, would acquire necessary road right of way, construct roads and selectively clear the entire ten acres in preparation for development.

The Director of the Outdoor Recreational Development Council reviewed the plan and schedule of development, and recommended favorable consideration be given by the Trustees.

Staff recommended dedication of the 10 acres to Indian River County for public park and recreational purposes subject to the following provisions. In the event the county shall (1) fail to develop the entire tract for public park and recreational purposes within five years, or (2) use the land or any part thereof for purposes other than county park and recreational use, this dedication shall, at the option of the Trustees, be subject to termination upon written notice as to any area remaining undeveloped for recreational purposes upon expiration of the five years and as to any area used for other than park and recreational purposes.

On motion made by Mr. Dickinson, seconded by Mr. Adams, with Mr. Williams voting "No", the Trustees approved the recommendation of the Staff as the action on the request from Indian River County.

PALM BEACH COUNTY - John E. Baker, City Attorney for Belle Glade, Florida, requested consent of the Trustees for the city to grant a perpetual easement to Florida Power and Light Company across a tract of land in Section 25, Township 43 South, Range 36 East, Palm Beach County, acquired by the city from the Trustees in Deed No. 18731 for public purposes. The easement would be for construction of electric transmission and distribution lines which the city considered was a public purpose. Staff recommended approval.

On motion by Mr. Dickinson, seconded by Mr. Adams and adopted, with Mr. Williams voting "No", the Trustees granted consent to the City of Belle Glade to issue a perpetual easement for the power lines as requested.

HENDRY COUNTY - File No. 1998-26-253.36. C. W. Kimsey, the upland owner, offered \$300.00 per acre, or \$100.00 minimum in this instance, for a parcel of reclaimed bottom land in the Caloosahatchee River in Section 32, Township 42 South, Range 29 East, containing 0.29 acre in Hendry County.

On July 18, 1967, the Trustees deferred action on this application because the rules under Chapter 120 Florida Statutes were in the process of being revised. Under the present rules as adopted and filed in the office of the Secretary of State under said Chapter, sale of reclaimed bottom lands will be advertised for objections in a local newspaper. The applicant has been so advised, and has remitted the \$25.00 application fee required under the new rules. Staff recommended advertisement for objections only.

On motion by Mr. Dickinson, seconded by Mr. Adams and adopted, with Mr. Williams voting "No", the Trustees authorized advertisement of the parcel for objections only, as required under the provisions of Rule 200-3.021 adopted by the Trustees on February 27, 1968, along with other new and modified rules and regulations.

MONROE COUNTY - File No. 2048-44-253.12. Bailey, Mooney, Post Associates, Inc., on behalf of Darryl F. Sheley, Trustee, abutting upland owner, offered the established appraised value of \$300.00 per acre for a parcel of submerged land in the Atlantic Ocean in Section 33, Township 61 South, Range 39 East, 9.65 acres at Key Largo.

The biological report dated November 22, 1967, showed that grasses covered approximately 50% of the submerged bottoms between the existing mean high water line and the proposed offshore purchase limit, that the remainder was covered by attached algae, and that sale and development would not be in the best interest of conservation. Because of the unfavorable report the Staff on December 19, 1967, did not recommend the sale but placed the application on that agenda at the request of the applicant. The Trustees, after hearing from Howard M. Post, a consulting engineer also serving as Monroe County Engineer, deferred action until a later date.

The file contained Monroe County Resolution No. 18-1968 dated February 29, 1968, requesting approval of this application which

would provide a protective breakwater, a landing strip, and would aid the Monroe County Anti-Mosquito District. Also, there were letters on behalf of the application from several local and civic groups and from the secretary of the Advisory Council of Pennekamp State Park.

On motion by Mr. Dickinson, seconded by Mr. Adams and adopted, with Mr. Williams voting "No", the Trustees authorized advertisement of the parcel for objections only.

COLLIER COUNTY - File No. 2082-11-253.12. Walter R. Condon, on behalf of the Marco Island Corporation, offered the appraised value of \$1,337.00 per acre for 2 contiguous parcels of submerged land containing 0.54 acre in the Marco River in Section 5, Township 52 South, Range 26 East, landward of the established bulkhead line in Collier County.

The biological report dated September 11, 1967, submitted to the Board of County Commissioners of Collier County at the time this bulkhead line was considered and subsequently approved by the Trustees on December 5, 1967, showed that the marine area within the bulkhead line was not a grassy nursery or fishing ground, had been affected by nearby dredging and filling, and sale inside this bulkhead line would not materially affect marine resources of the area.

On motion by Mr. Dickinson, seconded by Mr. Adams and adopted, with Mr. Williams voting "No", the Trustees authorized advertisement of the parcel for objections only.

DADE COUNTY - File No. 2086-13-253.12. M. B. Garris, Jr., on behalf of C. P. C. Associates, Inc., abutting upland owner, offered the appraised value of \$5,081.00 per acre for a parcel of submerged land in Biscayne Bay abutting uplands in Section 39, Township 54 South, Range 41 East, 0.446 acres in the City of Miami landward of the established bulkhead line, in Dade County.

The biological report from the Board of Conservation dated December 27, 1967, for File No. 2057-13-253.12, the abutting parcel (which was sold by the Trustees on February 27), stated that sale and subsequent development of the application area would have no significant effect on marine resources in Biscayne Bay.

On motion by Mr. Dickinson, seconded by Mr. Adams and adopted, with Mr. Williams voting "No", the Trustees authorized advertisement of the parcel for objections only.

PALM BEACH COUNTY - File No. 2081-50-253.12. Brockway, Owen and Anderson on behalf of Robert F. Cromwell, the abutting upland owner, offered the appraised price of \$1,800.00 per acre for a parcel of submerged land in Lake Worth in Section 28, Township 42 South, Range 43 East, containing 1.47 acres in the City of Riviera Beach landward of the established bulkhead line.

The biological report received from the Board of Conservation under date of January 26, 1968, identified with File No.

2074-50-253.12 covering an area 250 feet southerly of the subject parcel, stated that it was a heavily developed area of Lake Worth shoreline, and that sale and subsequent development would not adversely affect marine life, habitats or fisheries.

On motion by Mr. Dickinson, seconded by Mr. Adams and adopted, with Mr. Williams voting "No", the Trustees authorized advertisement for objections only.

GLADES COUNTY - File No. 2035-22-253.36. James C. Fountain on behalf of Mrs. Martha S. Thompson, abutting upland owner, offered the established appraised price of \$475.00 per acre for a parcel of reclaimed lake bottom land in Lake Okeechobee in Sections 13 and 24, Township 40 South, Range 32 East, containing 2.54 acres in Glades County.

The Outdoor Recreational Development Council advised that the parcel was too small and unsuitably located to offer any considerable outdoor recreation potential at this time. Staff recommended advertisement for objections only.

On motion by Mr. Dickinson, seconded by Mr. Christian and adopted unanimously, the Trustees authorized advertisement of the parcel for objections only.

LEE COUNTY - File No. 2069-36-253.12. Sheppard and Woolslair, on behalf of George D. Boomer and wife, abutting upland owners, offered the appraised value of \$500.00 per acre for a parcel of submerged land in Estero Bay in Section 2, Township 47 South, Range 24 East, containing 4.3 acres landward of the established bulkhead line in Lee County.

The biological report submitted by the Board of Conservation dated January 16, 1968, showed that the parcel was immediately east of the Bonita Beach Causeway, had been affected by the dredging and filling for causeway construction, and sale and filling would not adversely affect marine life, habitats or fisheries in the area.

On motion made by Mr. Dickinson, seconded by Mr. Christian and adopted unanimously, the Trustees authorized advertisement for objections only.

MONROE COUNTY - File No. 2084-44-253.12. Arnold E. Bennett, Sr., the abutting upland owner, offered the established appraised price of \$300.00 per acre for a parcel of submerged land in Tropical Bay in Section 23, Township 66 South, Range 29 East, containing 0.50 acre at Big Pine Key in Monroe County.

The biological report dated August 18, 1967, suggested that the area be reduced approximately by one-half to exclude beds of turtle grass and attached algae lying offshore about 75 feet from the mean high water mark. It is to be noted that previous sales and developed areas extend bayward to the limit of 175 to 200 feet as a limit established by the Staff, which felt that any cutback in this parcel would not be in the best interest of development of this section of Big Pine Key. Staff recommended advertisement of the parcel as applied for in the application.

On motion by Mr. Dickinson, seconded by Mr. Christian and adopted unanimously, the Trustees authorized advertisement for objections only.

MANATEE COUNTY - File No. 2051-41-253.12(5), Quitclaim. On February 27, 1968, the Trustees dedicated 54.25 acres of submerged land to the City of Bradenton for public purposes only, and dedicated 8.513 acres to Manatee Memorial Hospital. The Staff inadvertently overlooked the request of Manatee Memorial Hospital, on behalf of Manatee County, for conveyance under provisions of Section 253.12(5) Florida Statutes, of a 2.5 acre parcel of sovereignty land in Section 25, Township 34 South, Range 17 East, formerly included in grant of right of way easement to the State Road Department by the Trustees in Instrument No. 21080 dated November 16, 1955. The parcel was declared surplus and released by the State Road Department to the Trustees by Disclaimer dated August 25, 1967. The 2.5 acres lay northerly of and riparian to the uplands owned by the applicant.

Staff recommended that the request be granted for a fee of \$25.00 to cover expense of processing this application.

On motion by Mr. Dickinson, seconded by Mr. Adams, adopted unanimously, the Trustees granted the request and authorized issuance of quitclaim deed for a \$25.00 fee.

MANATEE COUNTY - File No. 2051-41-253.124, Fill Permit. Presented for approval was a fill permit issued by the City Council of the City of Bradenton in meeting February 28, 1968, to said city under provisions of Section 253.124 Florida Statutes, to fill the two tracts of submerged land in the Manatee River in Sections 25 and 26, Township 34 South, Range 17 East, Manatee County, which were dedicated by the Trustees in meeting on February 27, 1968 under the referenced file number.

The biological report covering the over-all area as submitted by the Board of Conservation and considered by the Trustees at the time the City of Bradenton-Manatee Memorial Hospital application was presented and acted upon, was not considered adverse to the marine resources in the area, and all material to be used in the improvement would come from approved dredging area.

On motion by Mr. Dickinson, seconded by Mr. Adams, adopted unanimously, the Trustees granted approval of the fill permit.

BROWARD COUNTY - File No. 2043-06-253.124, Fill Permit. Presented for approval was a fill permit issued by the City of Fort Lauderdale on September 6, 1967, and confirmed by letter dated February 21, 1968, to Richard C. Reilly under provisions of Section 253.124 Florida Statutes, to fill and bulkhead the 0.25 acre parcel of submerged land in Middle River in Section 25, Township 49 South, Range 42 East, conveyed by the Trustees in meeting February 6, 1968, under the referenced file number.

The biological report dated August 3, 1967, offered no objections to the bulkhead line, sale and development of the parcel because of extensive dredging and filling which occurred in the past in

development of other waterfront property in the City of Fort Lauderdale.

On motion by Mr. Dickinson, seconded by Mr. Adams and adopted unanimously, the Trustees granted approval of the fill permit.

LEE COUNTY - Fill Permit. Presented for approval was a fill permit issued by the Board of County Commissioners of Lee County in meeting February 14, 1968, to Claude E. Taylor, et al, under the provisions of Section 253.124 Florida Statutes, to fill a tract of submerged land in the Caloosahatchee River in Section 11, Township 44 South, Range 24 East, Lee County, title to which was vested in the City of Fort Myers by Special Act of the Legislature of 1915.

The biological report submitted to the County Engineer of Lee County under date of February 7, 1968, showed that the development would have only limited effect upon marine resources of the river.

On motion by Mr. Dickinson, seconded by Mr. Adams and adopted unanimously, the Trustees granted approval of the fill permit.

PASCO COUNTY - File No. 2006-51-253.124, Fill Permit. Presented for approval was a fill permit issued by the Board of County Commissioners of Pasco County by Resolution adopted on February 27, 1968, to James D. Brown under provisions of Section 253.124 Florida Statutes, to fill the 77.77 acre tract of submerged land in the Gulf of Mexico in Sections 32 and 33, Township 24 South, Range 16 East, previously conveyed by the Trustees on September 26, 1967, under the referenced file number.

The biologist of the State Board of Conservation reported that the tract was dominated by rock and bare bottoms except for small patches of seagrass near the western limit, that no commercial fishing was done in the very shallow parcel, and except for fishing in a canal bordering the parcel and the long fill to the north, it was not a sport fishing area and dredging and filling according to the development plan would not materially affect marine resources.

Governor Kirk questioned the size of the parcel to be filled, and the Director said this was adjacent to another parcel recently sold for development (near the community of Hudson), that the map showed very shallow depths even a great distance from the shoreline, and the Staff recommended approval of the fill permit issued by the local board.

On motion by Mr. Dickinson, seconded by Mr. Adams and adopted without objection, the Trustees approved the fill permit issued by Pasco County.

PALM BEACH COUNTY - File No. 1557-50-253.124. Presented for approval was a fill permit issued by the Town of Palm Beach by letter from the Town Manager dated February 22, 1968, to Paul L. Maddock under provisions of Section 253.124 Florida Statutes, to fill the area in Lake Worth in Section 23, Township 44 South, Range 43 East, Palm Beach County, previously conveyed by the

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Trustees under the referenced file number. A condition in the permit of the town was that no dredging or filling be done between December 1 and May 1.

The biological report submitted by the Florida Board of Conservation to the Town of Palm Beach, dated February 13, 1968, showed that there had been extensive development in this area; the few remaining parcels not yet developed, including the subject parcel, had been affected by dredging, and that future development would have little adverse effect on marine resources.

On motion by Mr. Christian, adopted unanimously, the Trustees approved the fill permit as issued by the Town of Palm Beach.

PALM BEACH COUNTY - File No. 1404-50-253.124. Presented for approval was a fill permit issued by the Town of Palm Beach to New Era, Inc., under provisions of Section 253.124 Florida Statutes, to fill the area in Lake Worth in Section 23, Township 44 South, Range 43 East, previously conveyed by the Trustees under the referenced file number, containing 0.25 acre.

The biological report submitted to the Town of Palm Beach by the Board of Conservation under date of February 13, 1968, showed that the few remaining areas not developed, including the subject parcel, had been affected by previous dredging and future development would have little adverse effect on marine resources.

On motion by Mr. Christian, adopted unanimously, the Trustees approved the fill permit as issued by the Town of Palm Beach.

PALM BEACH COUNTY - File No. 2062-50-253.124. Presented for approval was a fill permit issued by the Town Commission of the Town of Jupiter on January 16, 1968, to Ernest Histed under the provisions of Section 253.124 Florida Statutes, to fill the 0.7 acre parcel of submerged land in the Loxahatchee River in Section 31, Township 40 South, Range 43 East, sale of which was confirmed by the Trustees in meeting February 27, 1968, under the above referenced file number.

The biological report covering this application, received from the Board of Conservation under date of December 27, 1967, showed that the bottom land was within a conservative bulkhead line and filling would not adversely affect marine resources of the area, but recommended that fill material be obtained from upland sources. The applicant agreed to this restriction.

On motion by Mr. Christian, adopted unanimously, the Trustees approved the fill permit issued by the Town of Jupiter.

BREVARD COUNTY - File No. 1749-05-253.124. The County Engineering Department on behalf of the Brevard County Commission issued a fill permit dated March 1, 1968, under the provisions of Section 253.124 Florida Statutes, to Oakland Consolidated Corp., the agent for Florida-Ozier Enterprises, Inc., purchaser under Trustees Contract No. 24269(1749-05) dated April 20, 1966, for a tract of land in Newfound Harbor in Section 31, Township 24 South, Range 37 East, containing 38.99 acres in Brevard County.

In meeting June 2, 1964, the Trustees approved the bulkhead line for this portion of the easterly shoreline of Newfound Harbor after consideration of report of a field investigation made by the Staff of the Trustees office in conjunction with a biologist of the Florida Board of Conservation, which showed that the approved line was a decided improvement over the originally proposed line that lay more than twice the distance offshore in many locations. Area within the approved line was very shallow, limiting navigation even by small boats and restricting sport and commercial fishing.

A February 19, 1968, biological report submitted to the Board of County Commissioners covering the area and presumably considered by them in issuing subject fill permit showed that the project consisted of filling existing uplands and submerged lands within the bulkhead line with fill material to be dredged from an area 150 feet wide, subsequently changed on applicant's plat to 110 feet wide, parallel and adjacent to the existing bulkhead line, and three channels dug through the submerged land and upland fill areas. Seagrasses found in the northern part of the project. In the remainder the submerged land was deep, apparently from previous dredging. The dredge areas including the three access channels, were a valuable habitat for waterfowl and marine animals of sport and commercial fishery importance. The report pointed out that the Newfound Harbor-Sykes Creek region of Brevard County was a site of increasing developmental activity, including a north-south access highway planned along the eastern shore of Merritt Island.

Biological report recommended that the submerged lands within the bulkhead line which were vegetated be excluded from the project, and that the northernmost access channel be excluded and all dredging, except the two other access channels, be done within the existing bulkhead line.

Although the 1968 biological report appeared to be adverse, the Trustees had approved the bulkhead line and the subsequent sale of the parcel sought to be filled, based upon a marine biological report which did not appear to be so adverse as to be contrary to the public interest. Therefore, the Staff felt justified in recommending approval of the dredge and fill permit as issued by the local Board of County Commissioners.

Mr. Leonard Spielvogel, attorney for applicant, said the fill permit had been approved by the full County Commission with certain modifications agreed to by the applicant, that his client purchased in October 1966 with the intention of filling, that he had a copy of the conservation report which approved but he understood that a more recent survey showed growths of seagrasses, a situation now adverse to the application.

Motion was made by Mr. Christian, seconded by Mr. Dickinson, that the fill permit be approved as recommended by the Staff. Voting "No" on the motion were Governor Kirk, Mr. Williams, Mr. Adams, Mr. Faircloth and Mr. Conner. Approval of the fill permit was denied.

COLLIER COUNTY - Deed No. 17748 dated Sept. 12, 1926. Fill Permit. Deferred on February 20, 1963, was the request for approval of fill permit issued by the Board of County Commissioners of Collier County on February 6, 1963, to Marco Island Development Corporation under the provisions of Section 253.124

Florida Statutes, to fill certain submerged land in Township 52 South, Range 26 East, conveyed by the Trustees in Deed No. 17748 dated September 12, 1926. The Board of County Commissioners in issuing the permit considered the marine biologist's report dated January 12, 1968, to the County Engineer of Collier County, which showed that portions of the undeveloped area and part of the dredging area were vegetated. The Commissioners also found that in general, the area in which the dredging and filling may have any real effect on marine resources is owned by the applicant, who was working very closely with the Conservation Department to make sure that as little damage as possible to marine life will result from the development of the Marco Island area. When the bulkhead line for these areas was approved, it was understood that material would have to be taken from the upland (mangrove flats) covered in this application.

Request also was made for a dredge permit under Section 253.123 Florida Statutes. Applicant tendered payment in the amount of \$3,662.50 for 73,250 cubic yards of material to be dredged from Roberts Bay in Sections 16, 17, 20 and 21, Township 53 South, Range 26 East, and from Smokehouse Creek in Sections 17 and 20, Township 53 South, Range 25 East, Collier County.

In answer to Mr. Adams' question regarding the amount of payment, the Director said that the figures on the amount of material had been submitted by a registered engineer.

On motion by Mr. Dickinson, seconded by Mr. Christian and adopted without objection, the Trustees approved the request for both fill permits on the condition, as recommended by the Staff, that the developer continue to comply with the recommendations heretofore made by the Board of Conservation with respect to the type of dredge and fill operations so as to afford maximum protection to marine life, habitats and fisheries.

LEE COUNTY - Mr. T. M. Y. Wilson, President of Palm Acres, Inc., applied to purchase 111,200 cubic yards of material to be removed from the approved dredge area in Section 34, Township 45 South, Range 23 East, Lee County. On January 24, 1967, the Trustees approved the fill permit issued by the Board of County Commissioners of Lee County under Section 253.124 Florida Statutes, to obtain material from this dredge area to fill the 2.603 acre parcel of submerged land conveyed under Trustees File No. 1799-36-253.12. Applicant also desired to purchase material to improve his upland, making application for this material on January 17, 1968. The biological report, required under Section 253.123 Florida Statutes, showed the proposed dredge area to be a nursery and feeding ground for marine animals and recommended dredging be done inside the bulkhead line.

Since the applicant has an existing and valid permit to dredge in this area to fill his submerged land, approved by the Trustees, in the opinion of the Staff the removal of additional material to improve adjacent upland would not cause additional damage to marine biological resources. Staff recommended approval of purchase of the material at the standard rate of 5¢ per yard, for which applicant submitted check in the amount of \$5,560.00.

The Governor expressed objections to the additional application for fill material and approval of the fill permit was denied on the following vote:

Ayes: Mr. Adams, Mr. Dickinson and Mr. Christian;
Nays: Governor Kirk, Mr. Williams, Mr. Faircloth and Mr. Conner.

CHARLOTTE COUNTY - Bulkhead Line. The Board of County Commissioners of Charlotte County by Resolution adopted January 16, 1968, established a bulkhead line in Lemon Bay in Section 12, Township 41 South, Range 19 East, in Charlotte County. All required exhibits were furnished and there were no objections at the local hearing. The Florida Board of Conservation offered no objection to this bulkhead line which closely followed the mean high water line. Staff recommended approval.

On motion by Mr. Adams, seconded by Mr. Christian and adopted unanimously, the Trustees approved the bulkhead line as established by Charlotte County on January 16, 1968.

ST. LUCIE COUNTY - Deed Nos. 17126 and 17183. On August 28, 1923, the Trustees approved the application of Fort Pierce Financing and Construction Company, a Florida corporation, to purchase certain submerged land in the Indian River for right of way for a causeway across the river. Deed was issued on September 1, 1923, conveying fee title to 126 acres for "public purposes and for causeway and for harbor improvements" for the sum of \$159.00.

The Fort Pierce Port and Airport Authority is the successor in title to this land, some of which is now filled and constitutes a causeway. By Resolution No. 68-4 dated Feb. 27, 1968, the Authority requested approval of a development plan as prepared by the Regional Planning Council of St. Lucie County, approved by the Authority, the County Planning Board and the City of Fort Pierce Planning Board. The resolution also requested the Trustees to amend and redefine the public purpose clause of the original deed so as to permit use of the area described in the resolution for the purposes set forth in the development plan without violating the public purpose restriction in the original deed.

The Staff had conferred with the Authority Chairman, and by letter advised the Authority of the recommendations felt justified. The Staff did not think the Trustees should be involved in passing judgment on the development plan. The following language was recommended for use in a corrected or modified deed which would redefine what is intended by the use of "public purposes":

"Public county purposes only under the supervision and management of the Fort Pierce Port and Airport Authority, it being agreed and understood that the public county purposes for which this land is hereby conveyed shall include, but not necessarily be limited to, the following: a county complex, parking area, facilities for sports programs which would include aquatic sports, boats and docks including sanitary facilities necessary or desirable to construct and operate and lease a marina together with a food service facility if permitted by zoning regulations. Also grantee named herein is authorized to grant concessions and leases for facilities built or to be built on said land as authorized by zoning regulations for a period of time not in excess of 30 years subject to the formal approval of the Trustees, all concessions and leases to provide for

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strict regulation and control by grantee herein and to include a reverter clause to provide for reverter to grantee of all improvements upon termination of the concession or lease agreement, and subject also to the following provisions, to-wit: in the event the Fort Pierce Port and Airport Authority shall use said land for purposes other than for public purposes as hereinabove set forth, the fee title to the land herein granted shall revert to the Trustees."

Mr. Frederick L. Bell, Authority Administrator, was advised that the above language would be recommended on this date.

Mrs. Marjorie Silver, Chairman of the Authority, discussed the project, present conditions and planning for the future. So that it would not be necessary to get a determination from the Trustees for each use, she hoped it could be clarified by approval by the Trustees of the development site plan.

Motion was made by Mr. Adams that the wording defining public purposes as recommended by the Staff be approved. Motion was seconded by Mr. Faircloth and adopted unanimously, and the Staff was authorized to proceed with preparation of the modified deed.

Mr. Williams asked Mrs. Silver to contact the Fort Pierce Beach Properties Owners Association, which had addressed some questions regarding the proposal to him.

BAY COUNTY - Maurice A. Connell and Associates, on behalf of the City of Panama City, applied for permit to install a sewer out-fall in North Bay in Section 26, Township 3 South, Range 15 West, Bay County, to connect to a new sewage treatment plant and to replace the existing primary sewage treatment facility. The State Board of Health, acting on behalf of the Florida Air and Water Pollution Control Commission, approved the installation. Staff requested waiver of requirement for a biological and ecological survey since the project was in the public interest.

On motion by Mr. Adams adopted without objection, the Trustees deferred this request pending action and advice from the new Pollution Control Commission, since the Board of Health was phased out.

BREVARD COUNTY - D. E. Loverage of Eau Gallie, Florida, applied for permit to remove 25,000 cubic yards of material from a 50-foot wide channel located offshore from the bulkhead line to use for improvement of his upland property. Florida Board of Conservation had recommended that any dredging outside of the bulkhead line be limited to a continuous channel 50 feet wide. Applicant tendered check in the amount of \$1,250.00 for the material, and Staff recommended approval.

Motion was made by Mr. Christian, seconded by Mr. Faircloth and adopted unanimously, that the Trustees authorize permit for the material requested for use on upland property.

LEE COUNTY - Mel Waite of Fort Myers, Florida, applied for permit to clean out an existing basin and construct a navigation channel in the Caloosahatchee River in Section 35, Township 45

South, Range 23 East, Lee County. The material would be placed on his upland property. The Florida Board of Conservation reported that the channel crossed a shallow sand-mud flat and dredging would probably not significantly affect marine resources of the area, but some live oysters in the southwestern portion of the cove should be removed prior to dredging. Applicant's engineer advised that the oysters would be transplanted. Staff recommended approval of the dredging to improve navigation.

Motion was made by Mr. Dickinson, and adopted unanimously, that the permit for dredging under Section 253.123 be authorized.

MONROE COUNTY - On motion by Mr. Adams seconded by Mr. Christian, and adopted unanimously, the Trustees approved waiver of the biological survey and issuance of permits under Section 253.123 Florida Statutes, to improve navigation by construction of small boat channels to be constructed adjacent to the following applicants' uplands in Monroe County, the material from which would be deposited on their upland properties:

1. Mrs. Alma Carroll requested permit for a navigation channel in Florida Bay in Section 12, Township 62 South, Range 38 East, Monroe County, which met the requirements for boating needs in the area.
2. H. M. Post requested permission to construct a navigation channel in the Atlantic Ocean adjacent to his upland in Section 21, Township 60 South, Range 40 East, Monroe County, which met the boating needs in the area.
3. Dr. S. J. Wisler requested permission to construct a navigation channel in the Atlantic Ocean in Section 10, Township 60 South, Range 40 East, Monroe County, which met the boating needs in the area.
4. Seaboard Properties, Inc., requested permission to construct a perimeter channel adjacent to upland in the Atlantic Ocean in Section 7, Township 59 South, Range 41 East, which met the boating needs in the area.
5. Seaboard Properties, Inc., requested permission to construct a navigation channel in the Atlantic Ocean across the shallow area at the southeasterly end of Angelfish Creek. The material removed from channel construction would be used to construct three spoil islands 100 feet southwesterly of and parallel to the channel.

MONROE COUNTY - Philip C. Toppino, President of Charley Toppino & Sons, Inc., applied for after-the-fact permit to construct a channel 100 feet by 1400 feet by 6 feet deep in Spanish Channel east of and just offshore from No Name Key in Township 66 South, Range 30 East, Monroe County. The channel was constructed to secure flotation for a dredge to reach a borrow area on applicant's upland. The material removed from the channel was deposited on upland and no submerged bottoms were filled. The U. S. Corps of Engineers had stopped the dredge pending applicant's obtaining a Department of the Army permit.

Advised by the Staff that material from the overcut should be purchased at standard commercial yardage rates of 15¢ per cubic yard, the applicant tendered his check for \$1,663.95 as payment for 11,093 cubic yards which the Staff recommended be accepted and permit issued.

Motion was made by Mr. Christian, seconded by Mr. Adams, and adopted unanimously, that the permit be issued as recommended.

OKALOOSA COUNTY - The Southeastern Telephone Company of Fort Walton Beach, Florida, applied for permit to install a submarine cable across Little Bayou in Section 32, Township 1 South, Range 23 West, Okaloosa County. Staff requested waiver of the requirement for biological or ecological study as provided under Section 253.123 (3) (a), Florida Statutes, since the public interest would be served by the installation.

On motion by Mr. Christian, seconded by Mr. Adams, and adopted unanimously, the Trustees approved issuance of the permit as requested.

PALM BEACH COUNTY - The City of Boca Raton, Florida, applied for a permit to install a 30-inch submarine sewage force main across the Intracoastal Waterway in Lake Boca Raton south of Palmetto Park Road bridge in Section 29, Township 47 South, Range 43 East, in Palm Beach County. Staff recommended approval and waiver of the requirement for a biological or ecological study as provided under Section 253.12(3)(a) Florida Statutes, since the public interest would be served by the project.

On motion by Mr. Christian, seconded by Mr. Adams, and adopted unanimously, the Trustees approved issuance of the permit as requested.

PINELLAS COUNTY - Pinellas County Water and Navigation Control Authority submitted the following four applications for commercial dock permits. All required exhibits including \$100.00 processing fee for each state permit were submitted and the Staff recommended approval.

1. Paul Cousins of Clearwater for a dock in Clearwater Bay in Section 8, Township 29 South, Range 15 East, Pinellas County.
2. D. Eugene Mastry of St. Petersburg, Florida, for a dock in Tampa Bay in Section 29, Township 31 South, Range 17 East.
3. R. E. Barnard of Treasure Island, Florida, for a dock in Boca Ciega Bay in Section 23, Township 31 South, Range 15 East.
4. John's Pass Seafood Co. of Treasure Island, Florida, for a dock in Boca Ciega Bay in Section 15, Township 31 South, Range 15 East.

On motion by Mr. Christian, seconded by Mr. Adams and adopted unanimously, the Trustees authorized issuance of the four state

dock permits.

POLK COUNTY - On motion by Mr. Christian, seconded by Mr. Adams and adopted unanimously, the Trustees granted permission to the City of Lake Wales in Polk County, Florida, to construct a floating fishing dock adjacent to City Park in Section 1, Township 30 South, Range 27 East, in said city, for which all required exhibits were furnished. The Trustees waived the requirement of payment of \$100.00 processing fee for the structure for public recreation use.

PUTNAM COUNTY - On motion by Mr. Christian, seconded by Mr. Adams and adopted unanimously, the Trustees granted the request from the Florida Game and Fresh Water Fish Commission for a permit for a boat ramp on Cowpen Lake in Section 28, Township 10 South, Range 23 East, located south of State Road 20 and east of State Road 20A in Putnam County, for which all required exhibits were furnished.

SARASOTA COUNTY - The General Telephone Company of Florida, Sarasota, Florida, applied for permit to install a submarine crossing in Little Sarasota Bay in Section 7 and 18, Township 37 South, Range 13 East, Sarasota County. Staff recommended approval and waiver of the requirement of a biological or ecological study under the provisions of Section 253.123(3)(a) Florida Statutes for the reason that the project would serve the public interest.

On motion by Mr. Christian, seconded by Mr. Adams and adopted unanimously, the Trustees approved the application as recommended by the Staff, without requiring the biological study.

SARASOTA COUNTY - Sarasota County Water and Navigation Control Authority issued a minor work permit to the South Venice Civic Association on behalf of Sarasota County and South Venice for the removal of a sand bar in front of the Ferry Dock in Lemon Bay in Section 32, Township 39 South, Range 19 East, Sarasota County. The Florida Board of Conservation had no objection to the work.

On motion by Mr. Christian, seconded by Mr. Adams and adopted unanimously, the Trustees granted approval for the work to be done at the entrance to the ferry boat landing.

SARASOTA COUNTY - Refund. Staff requested authority to refund \$100.00 to Bowsprit-Yardarm Seawall Project, being all except a minimum charge of \$25.00 retained from a payment in the amount of \$125.00 which was deposited, for which Permit No. 2283 was issued as authorized by the Trustees on August 15, 1967, pursuant to request from E. W. Ogram on behalf of Country Club Shores Assoc. Unit #4, to remove 2,500 cubic yards of fill material from the bottom of Sarasota Bay in Section 36, Township 35 South, Range 16 East, Sarasota County.

Dale W. Noland, on behalf of the permittee, advised that the project had to be cancelled because the dredge was inadequate.

He was selected by the group of individual property owners who had organized to repair their seawalls along the canal in Unit #4, to request refund of the amount paid for the material. Staff requested that the minimum charge of \$25.00 be retained to cover the 100 cubic yards of material taken before the dredge broke down and the work stopped.

Governor Kirk questioned whether refund should be made. The Director and the Attorney General pointed out that the material paid for had not been taken.

Motion was made by Mr. Williams, seconded by Mr. Faircloth and adopted without objection, that the amount of \$100.00 be refunded to E. W. Ogram, who had tendered the payment for the group.

VOLUSIA COUNTY - J. Kermit Coble on behalf of International Telemeter Corporation, applied for permit to install a sub-aqueous TV cable across the Halifax River in Sections 5 and 37, Township 15 South, Range 33 East, Volusia County. Florida Board of Conservation reported that the installation would not adversely affect marine resources.

On motion by Mr. Williams, seconded by Mr. Christian and adopted unanimously, the Trustees approved issuance of the permit.

CAPITOL CENTER - Clemons Apartments. Staff requested authority to enter into an agreement with the State Office Building Division of the Board of Commissioners of State Institutions to manage and supervise the rental, and to perform all other necessary functions for renting the space in the Clemons Apartments to other state agencies, including collection of rent, performance of janitorial services and other services that might be needed for the operation of the buildings located at the Southwest corner of Madison and Duval Streets in Tallahassee, in the Capitol Center, which were recently purchased by the Trustees and expenditure of funds approved for the necessary remodeling and renovation to make the apartments suitable for occupancy by state agencies.

On motion by Mr. Williams, seconded by Mr. Christian and adopted unanimously, the Trustees approved the request.

SHELL LEASES - On motion duly adopted, the Trustees accepted for the record the following report of remittances to the Florida Board of Conservation from the holders of dead shell leases:

<u>Lease No.</u>	<u>Name of Company</u>	<u>Amount</u>
1718	Radcliff Materials, Inc.	\$5,291.81
1788	Benton and Company	2,000.00
1788	Benton and Company	5,000.00
1788	Benton and Company	2,000.00
2233	Bay Dredging & Construction Co.	4,834.00
2235	Ft. Myers Shell & Dredging Co.	532.07

SEMINOLE COUNTY - On December 8, 1967, the Board of Regents adopted a resolution requesting the Secretary of Health, Education and Welfare to make available a portion of the land situate within the Naval Air

Station in Seminole County which was declared surplus, for use for educational purposes for the Agricultural Experiment Station. Pursuant to the provisions of Chapter 2236, Acts of 1967, the Board of Regents requested the Trustees to approve subject resolution and to join in the application by the adoption of a separate resolution requesting that the property be made available for the purposes set forth above, and that the Trustees agree to accept title to the lands in question in the name of the Trustees acting for and on behalf of the Board of Regents for the use and benefit of the University of Florida.

RESOLUTION OF THE TRUSTEES
OF THE INTERNAL IMPROVEMENT TRUST FUND OF
THE STATE OF FLORIDA

WHEREAS, certain real property owned by the United States, located in the County of Seminole, State of Florida, has been declared surplus and is subject to assignment for disposal for educational or public health purposes by the Secretary of Health, Education, and Welfare, under the provisions of Section 203(k)(1) of the Federal Property and Administrative Services Act of 1949 (63 Stat. 377), as amended, and rules and regulations promulgated pursuant thereto; and

WHEREAS, the Florida Board of Regents did on December 8, 1967, adopt the following resolution:

"Whereas, certain real property owned by the United States, located in the County of Seminole, State of Florida, has been declared surplus and is subject to assignment for disposal for educational or public health purposes by the Secretary of Health, Education, and Welfare, under the provisions of Section 203 (k)(1) of the Federal Property and Administrative Services Act of 1949 (63 Stat. 377), as amended, and rules and regulations promulgated pursuant thereto, more particularly described as follows:

"Whereas, The Florida Board of Regents acting for and on behalf of the University, needs and can utilize said property for Educational purposes in accordance with the requirements of said Act and the rules and regulations promulgated thereunder;

"Now, Therefore, Be It Resolved, that the Florida Board of Regents acting for and on behalf of the University of Florida, shall make application to the Secretary of Health, Education, and Welfare for and secure the transfer to it of the above-mentioned property for said use upon and subject to such exceptions, reservations, terms, covenants, agreements, conditions, and restrictions as the Secretary of Health, Education, and Welfare, or his authorized representative, may require in connection with the disposal of said property under said Act and the rules and regulations issued pursuant thereto; and

"Be It Further Resolved that the Florida Board of Regents acting for and on behalf of the University of Florida, has legal authority, is willing and is in a position to assume immediate care and maintenance of the property, and that W. G. Hendricks, Business Manager, Florida Board of Regents, be and he is hereby authorized, for and on behalf of the Florida Board of Regents acting for and on behalf of the University of Florida to do and perform any and all acts and things which may be necessary to carry out the fore-

going resolution, including the preparing, making, and filing of plans, applications, reports, and other documents, the execution, acceptance, delivery, and recordation of agreements, deeds, and other instruments pertaining to the transfer of said property, and the payment of any and all sums necessary on account of the purchase price thereof or on account of fees or costs incurred in connection with the transfer of said property for surveys, title searches, appraisals, recordation of instruments, or escrow costs."

WHEREAS, Chapter 253, Florida Statutes provides that the Trustees of the Internal Improvement Trust Fund are vested and charged with the acquisition, administration, management, control, supervision, conservation, protection, and disposal of all lands owned by or which may hereafter inure to the State or any of its Agencies, Departments, Boards or Commissions, NOW THEREFORE,

BE IT RESOLVED BY THE TRUSTEES OF THE INTERNAL IMPROVEMENT TRUST FUND THAT:

1. The Trustees do hereby approve the resolution adopted by the Florida Board of Regents on December 3, 1967, applying to the Secretary of Health, Education, and Welfare of the United States for certain lands in Seminole County.
2. The Trustees do hereby join with the Florida Board of Regents as an applicant in applying for the property.
3. The Trustees agree to accept title to these lands in the name of the "Trustees of the Internal Improvement Trust Fund acting for and on behalf of the Florida Board of Regents for the use and benefit of the University of Florida."
4. The Trustees accept the property for said use upon and subject to such exceptions, reservations, terms, covenants, agreements, conditions, and restrictions as the Secretary of Health, Education, and Welfare, or his authorized representative, may require in connection with the disposal of said property under said Act and the rules and regulations issued pursuant thereto.

BE IT FURTHER RESOLVED that the Trustees of the Internal Improvement Trust Fund acting for and on behalf of the Florida Board of Regents has legal authority, is willing and is in a position to assume immediate care and maintenance of the property, and that W. G. Hendricks, Business Manager, Florida Board of Regents be and he is hereby authorized, for and on behalf of the Trustees of the Internal Improvement Trust Fund acting for and on behalf of the Florida Board of Regents to do and perform any and all acts and things which may be necessary to carry out the foregoing resolution, including the preparing, making, and filing of plans, applications, reports, and other documents, the execution, acceptance, delivery, and recordation of agreements, deeds, and other instruments pertaining to the transfer of said property, and the payment of any and all sums necessary on account of the purchase price thereof or on account of fees or costs incurred in connection with the transfer of said property for surveys, title searches, appraisals, recordation of instruments, or escrow costs.

Motion was made by Mr. Williams, seconded by Mr. Christian and

adopted unanimously, that the above resolution be adopted.

SUBJECTS UNDER CHAPTER 18296

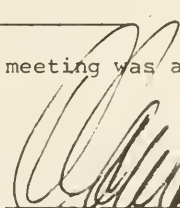
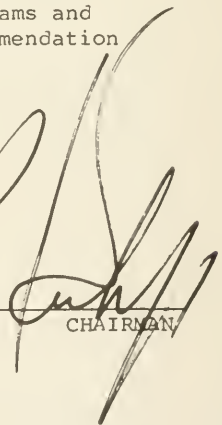
On motion by Mr. Conner, seconded by Mr. Adams and adopted unanimously, the Trustees approved Report No. 924 listing 1 regular bid for sale of land in Osceola County under provisions of Chapter 18296, Acts of 1937, the Murphy Act, and authorized execution of deed pertaining thereto.

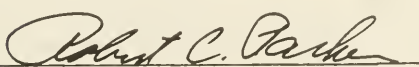
ORANGE AND OSCEOLA COUNTIES - Philip N. Smith, attorney for and on behalf of Compass East Corporation, offered \$13.75 per acre, the price determined by the Division of Geology of the Board of Conservation, for the state's reserved oil and mineral interest in seventy (70) acres of land conveyed in Orange County Murphy Act Deed Nos. 1463 and 1654, and one hundred sixty (160) acres of land conveyed in Osceola County Murphy Act Deed Nos. 1114 and 1199. In meeting on October 17, 1967, the Staff recommended quitclaim of the reserved interest in the land conveyed under the Murphy Act for the sum of \$4,312.50. The Trustees deferred action for review by the Attorney General, who advised the Staff by copy of a letter written to Mr. Wilbur W. Whitehurst, in response to a question relating also to release of oil and minerals on acreage, that the Trustees do not have a statutory prohibition against the release of the mineral reservations or their sale.

In recognition of the foregoing expression of the Attorney General concerning the matter, the Staff recommended waiver of the rules and approval of release of the oil and mineral reservations contained in the above numbered deeds affecting the 230 acres described in the application.

On motion made by Mr. Faircloth, seconded by Mr. Adams and adopted unanimously, the Trustees accepted the recommendation and authorized release for the sum of \$4,312.50.

On motion duly adopted, the meeting was adjourned.


GOVERNOR - 
CHAIRMAN

ATTEST: 
DIRECTOR - SECRETARY

* * * * * * * * *

Tallahassee, Florida
March 19, 1968

The Trustees of the Internal Improvement Fund met on this date in the Capitol Building, in Senate Hearing Room No. 31, with the

following members present:

Tom Adams	Secretary of State, Acting Chairman
Earl Faircloth	Attorney General
Fred O. Dickinson, Jr.	Comptroller
Broward Williams	Treasurer
Floyd T. Christian	Superintendent of Public Instruction
Doyle Conner	Commissioner of Agriculture

Robert C. Parker	Director
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MONROE COUNTY - The following applications to purchase submerged lands in Monroe County were presented on March 12, 1968, the advertised sale date. After considerable discussion of the biological aspects and the need to develop a consistent approach in considering sales in area where sales of submerged land had previously been made, and the fact that in Monroe County no fill permits were required, the Trustees deferred action on all the following eight (8) applications from abutting upland owners.

1. File No. 2028-44-253.12 - William J. Klys and wife applied to purchase a 0.79 acre parcel of submerged land in the Straits of Florida in Section 23, Twp. 63 S., Rge. 37 E., at Windley Key in Monroe County, at the established appraised price of \$425.00 per acre.
2. File No. 2029-44-253.12 - Mark L. Trammel and wife applied to purchase a 0.43 acre parcel of submerged land in the Straits of Florida in Section 23, Twp. 63 S., Rge. 37 E., at Windley Key in Monore County, at the above price.
3. File No. 2030-44-253.12 - William S. Bell and wife applied to purchase a 0.41 acre parcel in the Straits of Florida in Section 23, Twp. 63 S., Rge. 37 E., at Windley Key in Monore County, at the above price.
4. File No. 2037-44-253.12 - J. Morgan Jones Publications, Inc., applied to purchase a 0.35 acre parcel of submerged land in the Straits of Florida in Sections 27 and 28, Twp. 63 S., Rge. 37 E., at Upper Matecumbe Key in Monroe County, at the above price.
5. File No. 2038-44-253.12 - James C. Russell and wife applied to purchase 3 separate parcels comprising a total of 2.28 acres of submerged land in the Straits of Florida in Sections 27 and 28, Twp. 63 S., Rge. 37 E., at Upper Matecumbe Key in Monroe County, at the above price.
6. File No. 2039-44-253.12 - Floyd C. Russell and wife applied to purchase a 0.47 acre parcel in the Straits of Florida in Section 27, Twp. 63 S., Rge. 37 E., at Upper Matecumbe Key in Monroe County, at the above price.
7. File No. 2053-44-253.12 - Russell H. Cullen and wife applied to purchase 1.33 acre parcel in Buttonwood Sound fronting a portion of Lot 4 in Section 32, Twp. 61 S., Rge. 39 E., at Key Largo, at the appraised value of \$350.00 per acre.
8. File No. 2055-44-253.12 - Albert J. Meier and wife applied to purchase a 0.551 acre parcel in the Straits of Florida in Section 32, Twp. 63 S., Rge. 37 E., at Upper Matecumbe

Key, at the established appraised price of \$425.00 per acre.

On this date Mr. Adams suggested that the Board consider the adoption of a policy prepared by him, copies of which were handed to each member, and if agreeable, that the Staff then consider the eight applications to determine whether or not they meet the conditions in that policy.

Mr. Christian moved the adoption of the policy as suggested by Mr. Adams. Motion was seconded by Mr. Faircloth and without objection the Trustees adopted the following policy regarding the sale of submerged lands in Monroe County:

In areas of Monroe County where the so-called "sawtooth" situation exists, and the marine biological report on the property in question is adverse to the sale and development of that property, then the application should be denied, unless the land purchased previously on either side has, in fact, been filled. If it has been filled on either side and it can be shown that the submerged land riparian to the applicant's property is being affected adversely by the filling, then the sale should be confirmed. If, however, the adjacent submerged lands are not presently filled but are filled between now and the next legislative session, then any application denied heretofore should be reconsidered.

Applications numbered 1, 2 and 3 above had received unfavorable biological reports but there had been other sales made in the area. The Staff was directed to review these three applications in the light of the above policy, and bring them back for consideration of confirmation of the sales if conditions met the requirements.

As to application numbered 4 above, File No. 2037-44-253.12, motion was made by Mr. Christian and adopted on a vote of five to one, with Mr. Williams voting "No", that the Trustees confirm sale to J. Morgan Jones Publications, Inc., the abutting upland owner, of Parcel "b" containing 0.35 acre which was given a favorable biological report, at the price offered, \$425.00 per acre.

With respect to the application numbered 5 above, File No. 2038-44-253.12, motion was made by Mr. Christian and adopted on a vote of five to one, with Mr. Williams voting "No", that the Trustees deny the application for Parcel "a" containing 0.67 acre which had an adverse biological report from the Florida Board of Conservation, and that the Trustees confirm the sale of Parcel "b" containing 0.36 acre and Parcel "c" containing 1.25 acres which two parcels received biological reports not adverse to sale and development. The abutting upland owner, James C. Russell and wife, had offered the established appraised price of \$425.00 per acre for the total of 1.61 acres approved for sale.

The application numbered 6 above, File No. 2039-44-253.12, was then considered. The Board of Conservation had reported a pocket in the area with an accumulation of debris along the shoreline of the parcel, but that about 75% of the submerged bottom was crassy nursery and feeding ground. Mr. Williams made a motion that the application be denied. There were adverse comments, the Trustees directing in this case, also, that the Staff review the application in the light of the new policy to determine if it met the conditions, and advise the Board at a later date.

The biological report on the application numbered "7" above stated that sale and development would not adversely affect marine

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resources of the area, and the objection from one party was not considered valid. Therefore, on motion by Mr. Christian, seconded by Mr. Faircloth and adopted unanimously, the Trustees confirmed sale of 1.33 acres in Buttonwood Sound (File No. 2053-44-253.12) to Russell H. Cullen and wife at the appraised value of \$350.00 per acre.

As to application numbered "8", the last of this group of Monroe County sales, motion was made by Mr. Williams that it be denied. There was an adverse report and the Board directed that the Staff review the application in the light of the new policy to determine if conditions met the criteria, in which case File No. 2055-44-253.12 was to be brought back to the Trustees for consideration of confirmation of the sale.

PALM BEACH COUNTY - File Nos. 1940 and 2004-50-253.12. Brockway, Owen and Anderson, Engineers, on behalf of the abutting upland owners, offered the appraised value of \$1,934.50 per acre for two parcels of submerged land in Jupiter Sound in Section 30, Township 40 South, Range 43 East, in the Gomez Grant landward of the established bulkhead line in Palm Beach County, as follows:

File No. 1940-50-253.12 - Otto B. DiVosta and wife applied for a 0.256 acre parcel abutting their upland ownership; and

File No. 2004-50-253.12 - Palm Beach Trust Co., et al, applied for 1.043 acres abutting their upland property.

On December 5, 1967, the Trustees authorized advertisement for objections only, action was deferred on the advertised sale date of January 23 and again on February 6, 1968. At the meeting on February 27, 1968, the Attorney General requested further deferment to give his office an opportunity to further investigate certain technical matters relating to the application.

The Staff was advised that there appeared to be no legal matter outstanding which would preclude confirmation of the sales. Inasmuch as the biological report indicated that fill and development would not adversely affect marine resources, confirmation of the two sales of submerged land to the two abutting upland owners was recommended.

On motion by Mr. Dickinson, seconded by Mr. Faircloth, adopted unanimously, the Trustees confirmed sale of the two advertised parcels of land to the two upland owners at the price offered.

DUVAL COUNTY - File No. 2035-16-253.12. Bruce, Smith and Proctor on behalf of Pritchett Corporation and Cedar Shores Apartments, Inc., the abutting upland owners, offered the appraised value of \$1,330.00 per acre for 2 contiguous parcels of submerged land in the Cedar River abutting uplands in Section 42, Township 3 South, Range 26 East, City of Jacksonville, containing a total of 0.53 acre on the south shore of said river landward of the established bulkhead line.

The biological survey report submitted by the Board of Conservation under date of December 6, 1967, to the Duval County Engineer, used in establishing the bulkhead line which was approved by the Trustees on February 27, 1968, showed a shallow,

unvegetated area, not a productive nursery or feeding ground for marine animals of commercial or sport fishery importance.

On motion by Mr. Christian, seconded by Mr. Dickinson, and adopted unanimously, the Trustees authorized the parcel advertised for objections only.

GLADES COUNTY - File No. 2090-22-253.36. Mrs. W. B. Norton and Carol L. Norton, abutting upland owners, applied to purchase 1.81 acres of reclaimed Lake Okeechobee bottom land abutting State Lot 2 in Section 8, Township 40 South, Range 33 East, in Glades County. Applicants offered \$938.00 for the 1.81 acres, of which 0.65 acre fronted on State Road 78, and the 1.16 acre parcel had no road frontage. The price of \$594.57 per acre for land on the highway, and \$475.00 per acre for land without road frontage, was established on the northwest shore of Lake Okeechobee in the reach between Fisheating Creek and the Kissimmee River by the Staff Appraiser.

The Outdoor Recreational Development Council waived objection to sale as the parcel was too small and unsuitably located for their use.

On motion by Mr. Christian, seconded and adopted unanimously, the Trustees authorized advertisement of the parcel for objections only.

MONROE COUNTY - File No 2079-44-253.12. Bailey, Mooney, Post Associates, Inc., on behalf of Ismael Fuentes and wife, abutting upland owners, offered the established appraised value of \$300.00 per acre for a parcel of submerged land in the Straits of Florida in Section 8, Township 63 South, Range 38 East, at Plantation Key in Monroe County, containing 0.76 acre.

The biological report submitted March 8, 1968, by the Board of Conservation showed that the submerged land in the area was very sparsely vegetated, the bottom was a rocky shelf with patches of hard sand, and that sale and development should not have significant adverse effects on the marine resources in the area.

On motion by Mr. Dickinson, seconded by Mr. Christian and adopted unanimously, the Trustees authorized advertisement of the parcel for objections only.

DADE COUNTY - File No. 2073-13-253.12. F. A. Mike Calhoun, Jr., on behalf of Annette L. Maguire, the abutting upland owner, offered the area appraised value of \$4,655.00 per acre for a parcel of submerged land in Biscayne Bay abutting uplands in Section 40, Township 54 South, Range 41 East, in the City of Miami landward of the established bulkhead line, in Dade County, containing 0.39 acres.

The biological report from the Florida Board of Conservation by letter dated March 11, 1968, stated that the land was within an area partially vegetated with turtle grass and Cuban shoalweed, and was considered as a nursery and feeding ground for marine life. Sales had not been made in the area shown on the map to be between the hospital and Rickenbacker Causeway. In view of the adverse report, the application was placed on the agenda for

review by the Trustees and a determination as to whether or not the sale of this parcel, and contiguous parcels if and when applied for, would be contrary to the public interest after taking into account and giving due consideration to any economic benefit that might flow by reason of sale and development of the parcel in the application.

Motion was made by Mr. Conner, seconded by Mr. Faircloth, that the application be denied. Mr. Conner suggested that it might be advertised, but it was agreed that with an adverse conservation report and no sales previously made in the area the Board would not be inclined to approve sale of the land.

The motion to deny was adopted five to one, and the \$50.00 application fee was ordered to be refunded, with Comptroller Dickinson voting against the motion.

MONROE COUNTY - File No. 2066-44-253.12. Phillips and Trice Surveying, on behalf of Laura M. Corbin, abutting upland owner, offered the established appraised price of \$200.00 per acre for 1.04 acres of submerged land in the Straits of Florida in Section 14, Township 67 South, Range 27 East, at Sugarloaf Key in Monroe County.

The marine biological report covering the parcel indicated that the area was approximately 65% vegetated with turtle grass, Cuban shoalweed and attached algae. In view of the adverse report, the application was placed on the agenda for review by the Trustees and a determination as to whether or not the sale of this parcel or others in the immediate area, if and when applied for, would be contrary to the public interest. Staff found that the application would not meet the conditions in the policy approved on this date.

On motion by Mr. Christian, seconded by Mr. Faircloth, the application was denied, and the \$50.00 application fee was authorized to be refunded.

MONROE COUNTY - File No. 2068-44-253.12. Phillips and Trice Surveying, on behalf of Mark Denburg and wife, abutting upland owners, offered \$425.00 per acre, the established appraised price, for a parcel of submerged land in Niles Channel in Section 36, Township 66 South, Range 28 East, containing 0.31 acre at Summerland Key in Monroe County.

ALSO: File No. 2078-44-253.12. Phillips & Trice Surveying, on behalf of Henrietta Zanglein, abutting upland owner, offered the established appraised price of \$300.00 per acre for a parcel of submerged land in the Sacarma Bay in Section 29, Township 66 South, Range 28 East, containing 0.46 acre at Cudjoe Key in Monroe County.

The marine biological reports dated March 11, 1968, on the two parcels of submerged land indicated marine vegetation, approximately 50% on the 0.31 acre parcel and "heavily" on the 0.46 acre parcel, and that the areas were considered as nursery and feeding grounds for marine life. In view of the adverse reports, the applications were placed on the agenda for review by the Trustees and determination as to whether or not the sale of the parcels, and contiguous parcels, if and when applied for, would be contrary to the public interest.

Motion was made by Mr. Williams to deny the applications, which was seconded by Mr. Faircloth.

The Director said that the applications could be reviewed in the light of the policy adopted on this date, to see if there was filling on either side. If this were the case, Mr. Faircloth said, the applications should be brought back to be considered by the Board.

At the request of Mr. Christian, the motion was re-worded, to take the applications off the agenda to be reviewed by the Staff in the light of the new policy.

Mr. Conner said the Trustees found themselves oftentimes being inconsistent, it seemed, and they wanted to know when an application for one parcel would create a pocket or a finger-projection. He could vote for development in a reasonable line, and a shoreline uniformly developed which would be compatible with the area in the next cove; but he thought an individual application would be very difficult in the future. Mr. Adams said the owners desiring to fill would have to plan with the adjoining owners. The Director pointed out that many of the parties in Monroe County did not desire to fill but to create breakwaters and sheltered boat harbors, but that the Staff would develop what information they could along this line.

MANATEE COUNTY - File No. 2087-41-253.03. The Board of County Commissioners of Manatee County, acting as the governing body of the Manatee County Port Authority, by resolution of March 7, 1968, requested dedication of 36.91 acres of submerged land in Tampa Bay landward of the established bulkhead line abutting uplands in Section 1, Township 33 South, Range 17 East, owned by the county.

Pursuant to Administrative Rule 200-2.061, adopted February 27, 1968, and Section 253.126 Florida Statutes, land requested for dedication by public bodies must be advertised for objections in the same manner as any submerged land sale. Staff recommended advertisement.

The biological report relative to establishment of the bulkhead line stated that this area could not be considered a grassy nursery ground.

Motion was made by Mr. Christian, seconded by Mr. Faircloth and adopted unanimously, that the 36.91 acres requested by the Manatee County Port Authority be advertised for objections only.

GULF COUNTY - Bulkhead Line. The Board of County Commissioners of Gulf County on January 9, 1968, established a bulkhead line in St. Joseph's Bay in Section 1, Township 9 South, Range 12 West, Gulf County. There were no objections locally, and all exhibits were furnished to the Trustees' office. Sale of two parcels of submerged land had occurred within a previously established bulkhead line which is 2,830 feet offshore, and establishment of a line one foot offshore of the mean high water line in the area would not be realistic. The Florida Board of Conservation reported dense growths of seagrasses and a nursery and feeding ground included within the bulkhead line. It appeared that establishment of a bulkhead line conforming to the shape of the natural shoreline, bringing the line back toward the shore, would be an improvement.

However, after further review and receipt of objections from the Florida Board of Parks and Historic Memorials, which owned land in

the immediate vicinity, the Staff did not recommend approval of the bulkhead line. The Director said the generous bulkhead line and sale made in the late fifties were in a very shallow area, but that action taken even to bring the line back shoreward might appear to be an indication to the upland owner that purchase would be allowed.

Motion was made by Mr. Faircloth, seconded by Mr. Williams and adopted unanimously, that the Trustees deny approval of the bulkhead line fixed by Gulf County on January 9, 1968.

BREVARD COUNTY - File No. 1895-05-253.124. Presented for approval was a fill permit issued by the City Council of the City of Titusville in meeting September 22, 1967, to Edward Nelson under the provisions of Section 253.124 Florida Statutes, to fill a portion of the 3.18 acre parcel of submerged land conveyed by the Trustees in February 1967 under the referenced file number. The biological report covering the city area, submitted under date of October 6, 1967, by the Board of Conservation, showed that the subject parcel which lay in the reach between State Road 402 causeway and River-view Place, westerly shore of intracoastal waterway, was not as extensive, grassy or productive as other portions of the city shoreline.

Mr. Adams asked if there had not been requests from Brevard County for withholding sales and filling. The Director said the office had received no official word from the county or any municipality, but had heard of conservation meetings and publicity, Mr. Christian said moratoriums should treat public bodies and individuals alike. In this case, Mr. Adams noted, the conservation report showed no adverse effects.

Motion was made by Mr. Williams seconded by Mr. Christian and adopted, with Mr. Dickinson voting "No", that the application for approval of the fill permit issued by the City of Titusville be denied.

VOLUSIA COUNTY - File No. 21206-64-253.124. Presented for approval was the fill permit issued by the City Council of the City of Edgewater on September 6, 1967, to Thomas A. Russell under the provisions of Section 253.124 Florida Statutes, to fill a portion of the 1.35 acre parcel of submerged land in Indian River North in Section 33, Township 17 South, Range 34 East, conveyed by the Trustees in 1956 under the referenced file number.

Copy of the biological report submitted to the City of Edgewater by the Florida Board of Conservation under date of February 13, 1968, stated that the project consisted of filling upland and submerged land, the proposed dredge area located immediately offshore from the fill area was owned by the applicant, the submerged land was three to six feet deep and apparently previously dredged or altered, the soft mud bottom supports no sea-grasses, but the sand shoal shown on the map supported small scattered oysters. It concluded by stating that this project would probably have no significant effects upon marine life of the area, and recommended that the proposed dredge area be reduced in size to exclude the oysters and that the fill area be diked to minimize siltation.

Mr. Williams called attention to the fact that there were oysters on the sand area. The Director pointed out that the area was

polluted and oysters could not be taken for use.

Motion was made by Mr. Faircloth, seconded by Mr. Williams and adopted unanimously, that the Trustees approve the fill permit issued by the City of Edgewater.

MONROE COUNTY - On motion by Mr. Conner, seconded by Mr. Faircloth and adopted unanimously, the Trustees approved issuance of a commercial dock permit to Walter B. Weidler to construct a dock in the Bay of Florida in Section 9, Township 66 South, Range 32 East, Monroe County, for which all required exhibits, including \$100.00 processing fee, were submitted.

OKALOOSA COUNTY - On motion by Mr. Christian, seconded by Mr. Conner and adopted unanimously, the Trustees approved issuance of a commercial dock permit to T. P. Cheshire and R. J. Freshwater to construct a dock on the north shore of Santa Rosa Sound (Inter-coastal Waterway) in Township 2 South, Range 24 West, Okaloosa County, for which all required exhibits, including \$100.00 processing fee, were submitted.

PINELLAS COUNTY - On motion by Mr. Christian, seconded by Mr. Dickinson, and adopted unanimously, the Trustees approved issuance of state commercial dock permits, for which all required exhibits including \$100.00 processing fee for each permit were submitted, to the following two applicants:

1. Fred Menzel, for a dock in St. Josephs Sound in Section 5, Township 29 South, Range 15 East;
 2. Causeway Construction Co., for a dock in St. Josephs Sound in Section 29, Township 28 South, Range 15 East.
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BAY COUNTY - Maurice A. Connell & Associates, on behalf of the City of Panama City, submitted an application for permit to install a 24" sewer outfall in North Bay in Section 26, Township 3 South, Range 15 West, Bay County, to connect a new sewage treatment plant and replace existing primary sewage treatment facility. The application enclosed a letter from the State Board of Health, but the Trustees on March 12th deferred action to permit the staff of the Air and Water Pollution Control Commission to review the matter and make recommendations.

Mr. Vincent D. Patton, Acting Director of the Pollution Control Commission, concurred in the finding by the Board of Health that the application met the criteria for approval, and the Staff requested that the Trustees waive requirement for a biological and ecological survey and approve the request for the city installation.

On motion by Mr. Dickinson, seconded by Mr. Faircloth and adopted unanimously, the Trustees authorized issuance of the requested permit under provisions of Section 253.123(3)(a).

LEE COUNTY - An application for a fill permit under Section 253.123 Florida Statutes, which was denied by the Trustees last week, was presented for clarification and reconsideration. Mr. T. M. Y. Wilson, President of Palm Acres, Inc., applied to purchase 111,200 cubic yards of material to be removed from a dredge area in Section 34, Township 45 South, Range 23 East, Lee County, which the Trustees had approved in meeting January 24, 1967, for issuance of a fill permit under Section 253.124 Florida Statutes, by the Board of County Commissioners of Lee County. The permit under Section 253.124 allowed the applicant to construct a channel 150 feet wide and 10 feet deep parallel to the existing bulkhead line, and the material removed was to be placed landward of the bulkhead line.

The applicant's engineer advised that 111,200 cubic yards of the 148,000 cubic yards to be removed from the approved dredge area would be used to improve upland, and tendered his check in the amount of \$5,560.00 as payment for this material. The balance of the total amount removed from the dredge area would be used to fill the 2.603 acre parcel purchased from the Trustees on September 13, 1966.

Senator Robert M. Haverfield of Miami, representing the applicant firm, asked for approval of the purchase of fill material to be used on the upland property, for which payment had been tendered, so that the applicant could proceed with the filling approved on January 24, 1967. The Director said it appeared that the information on the agenda last week was not fully understood.

Motion was made by Mr. Dickinson, seconded by Mr. Faircloth and adopted unanimously, that the purchase of fill material under Section 253.123 Florida Statutes, be approved.

POLK COUNTY - Mr. J. Hardin Peterson, Jr., Attorney for the City of Lakeland, Florida, applied for a continuing permit to remove sand and silt that was deposited in Lake Parker at the lakeward end of the storm sewer outfalls. Periodic maintenance was necessary to keep the outfalls free from obstruction so as to permit adequate run-off during periods of heavy rainfall. The material would be hauled away.

Motion was made by Mr. Dickinson, seconded by Mr. Conner, that the Trustees grant permission for the City of Lakeland to keep the storm sewer outfalls in Lake Parker free from obstruction as requested.

SARASOTA COUNTY - General Telephone Company of Florida, Sarasota, Florida, applied for permit to install a submarine power cable in Little Sarasota Bay in Section 19, Township 37 South, Range 18 East, Sarasota County. Staff requested waiver of the requirement for a biological or ecological survey as provided under Section 253.123(3)(a), since the public interest would be served by the installation.


Motion was made by Mr. Christian, seconded by Mr. Dickinson and adopted unanimously, that issuance of the permit be approved.

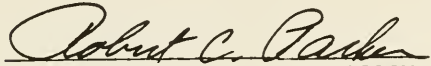
WAKULLA COUNTY - Clifton Brock, Secretary-Treasurer of McMillan Land and Development Company, applied for permit to dredge and backfill a channel in the Gulf of Mexico to provide access to applicant's upland at Ochlockonee Point in Township 6 South, Range 1 West, in Wakulla County. This was in connection with the project approved by the Trustees on August 8, 1967, including restoration of beach, improvement of upland property, dedication of a public beach and access roads.

The Florida Board of Conservation advised that the project would not adversely affect marine resources of the area. Staff recommended approval. The Director explained that the water was so shallow they had to dredge for flotation and would backfill as the dredge progressed.

On motion by Mr. Christian, unanimously adopted, the Trustees approved issuance of the permit.

On motion duly adopted, the meeting was adjourned.


SECRETARY OF STATE - ACTING CHAIRMAN

ATTEST: 
DIRECTOR - SECRETARY

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Tallahassee, Florida
March 26, 1968

The Trustees of the Internal Improvement Fund met on this date in the Capitol Building, in Senate Hearing Room No. 31, with the following members present:

Claude R. Kirk, Jr.	Governor
Tom Adams	Secretary of State
Fred O. Dickinson, Jr.	Comptroller
Doyle Conner	Commissioner of Agriculture

Robert C. Parker Director

Minutes of the meetings held on March 12 and 19 were approved.

For the reason that there was not present on this date at least the five members required under the new law to sell, transfer or otherwise dispose of lands, the following items listed as 1 through 6 on the agenda were deferred, and also item numbered 7 which had been requested to be removed from the agenda:

1. ALACHUA COUNTY - Easement requested by the City of Gainesville and approved by the Board of Regents for constructing a sanitary sewer line

2. COLLIER COUNTY - Dedication requested by the Board of County Commissioners of Collier County in connection with State Road 837
3. LEE COUNTY - File 2076-36-253.12 - Application for confirmation of sale of 1.07 acre parcel to Red Bud Land Co., et al, the abutting upland owners
4. MONROE COUNTY - File 2039-44-253.12 - Application for confirmation of sale of 0.47 acre parcel to Floyd C. Russell, et ux, abutting upland owners
5. PALM BEACH COUNTY - File 2032-50-253.12 - Application to advertise for objections only 0.701 acre parcel for Frank L. Lash, et ux, abutting upland owners
6. PALM BEACH COUNTY - File 2088-50-253.12 - Application to advertise for objections only 0.029 acre parcel for Willard C. Wheeler, Jr., on behalf of three abutting upland owners
7. MANATEE COUNTY - File 455-41-253.12 - Application to advertise for objections only 39.97 acres applied for by Clyde C. Goebel for the Estate of Bessie Richards

MONROE COUNTY - SAJSP Permit 64-615 of November 9, 1964.

The Trustees received a copy of notice of application for permit to be issued by the United States Army Corps of Engineers to Bernie C. Papy, Jr., of Key West, Florida, which requested authority to dredge a channel seaward from upland property owned by him and his mother, the material to be used to fill two parcels of submerged land purchased from the Trustees. Staff reviewed the notice and advised the District Engineer that our file revealed no basis for objection or protest on the part of the Trustees for issuance of subject Department of the Army permit. The permit was issued, and after issuance the applicant applied for and subsequently purchased 2 additional parcels of submerged land abutting the 2 parcels that were owned by Mr. Papy and his mother at the time of issuance of the Corps of Engineers permit.

Mr. Papy and Mrs. Pauline B. Papy, his mother, made application to purchase 2 additional tracts of submerged land consisting of some 81 acres which were advertised and confirmed as provided by law, and contracts for purchase were prepared and forwarded to these applicants; but after the lapse of more than one year they failed to execute the contracts and on August 29, 1967, the Trustees cancelled the 2 purchase contracts without prejudice.

On December 15, 1967, the Trustees received a copy of notice from the Corps office in Jacksonville dated December 13, 1967, which was an application by Bernie C. Papy, Jr., to modify and extend subject Corps permit, the modification consisting of extending the depth of dredging from 8 feet to 35 feet below mean low water. Upon receipt of this notice, an on-site inspection was made by a member of the Trustees' Staff and it was learned that none of the material dredged from the submerged bottoms as authorized in the original Army Corps of Engineers permit was deposited on the submerged land purchased by the applicant, but to the contrary the material so dredged appeared to have been hauled away and

presumably disposed of on a commercial basis. Upon completion of this investigation, the Staff requested the Corps not to extend and modify this permit pending resolution of all matters relating to this situation with the 'Trustees' office.

The Staff has communicated with Mr. Papy concerning all matters related to these dredge operations but without satisfactory results. On this date it was therefore recommended that the Trustees authorize the Attorney General to review all facts concerning these dredging operations and take whatever steps he deemed appropriate to properly protect the interest of the State of Florida with respect to these dredging operations.

Mr. Adams said it was an involved matter that needed to be studied, and he recommended that it be referred to the Attorney General for appropriate action.

On motion by Mr. Adams, unanimously adopted, it was so ordered.

BREVARD COUNTY - File No. 1494-05-253.124. Presented for approval was a fill permit issued by the Engineering Department on behalf of the Board of County Commissioners of Brevard County on November 14, 1967, under the provisions of Section 253.124 Florida Statutes, to Pied Piper, Inc., to fill the 2.37 acre parcel of submerged land in the Indian River in Section 36, Township 27 South, Range 37 East, Brevard County, purchased by the applicant under the above file number.

The biological report submitted to Brevard County officials by the Florida Board of Conservation under date of November 8, 1967, copy of which was furnished to the Trustees with the agenda of this date, showed that "the proposed fill area is within the established Brevard County bulkhead line. The submerged land within the bulkhead line is very sparsely vegetated; filling in the area will not significantly affect marine resources in the area."

Motion was made by Mr. Adams, seconded by Mr. Dickinson, that the fill permit be approved. Governor Kirk said he would vote "No". Mr. Conner said if there were any objections, he also would vote against the fill permit. Mr. Adams pointed out that the applicant already owned the land, and was asking to fill it.

The Director said the Trustees were being asked to take action on a dredge and fill permit issued by the local governing body, and the biological report was not adverse in the opinion of the Staff.

At the request of the Governor for clarification of the biological report, the Trustees deferred action on the request for approval of the fill permit.

PALM BEACH COUNTY - File Nos. 511, 661, 1082 and 1083-50-253.124. Presented for approval by the Trustees was the fill permit issued under the provisions of Section 253.124 Florida Statutes by the City Commission of the City of West Palm Beach in meeting March 11, 1963, to Har-Bet Corporation, West Palm Beach Pier, Inc., and Mugwamp, Inc., to fill four contiguous parcels of submerged land in Lake Worth in Section 27, Township 43 South, Range 43 East, containing a total of 2.563 acres in Palm Beach County. All four parcels were conveyed by the Trustees under the referenced file

numbers.

Biological studies made by the Florida Board of Conservation in 1961 and 1963 reported extensive silting on both sides of the Intracoastal Waterway and that seagrass and nursery grounds appeared to be lacking in the area. A May 1963 report made when changes in the bulkhead line for the City of West Palm Beach were being considered, showed that the area within said line did not contain valuable seagrasses.

Mr. Dickinson spoke of his personal knowledge of this relatively small area and that in the next application on the agenda. He had talked with an official of the Florida Board of Conservation and could assure the members as to there being no adverse effects to conservation and no seagrasses present in that location.

Motion was made by Mr. Adams, seconded by Mr. Dickinson and adopted without objection, that the Trustees approve the fill permit issued by the City of West Palm Beach under Section 253.124 Florida Statutes.

PALM BEACH COUNTY - File No. 2064-50-253.124. Approval was requested of the fill permit issued by the City of West Palm Beach by Resolution No. 34-68 dated March 22, 1968, to said city and to George Greenburg and Ann S. Stewart under the provisions of Section 253.124 Florida Statutes to fill the three contiguous parcels of submerged land in Lake Worth in Section 3, Township 44 South, Range 43 East, containing a total of 1.653 acres conveyed by the Trustees in meeting March 12, 1968, under the referenced file number. The parcel is to be filled in connection with the completion of the construction of South Flagler Drive between Southern Boulevard and Forest Hill Boulevard in West Palm Beach, Florida. Mr. Bruce Daniels, Assistant City Attorney, was present.

Biological studies made by the Florida Board of Conservation in 1961 and 1963 reported extensive silting on both sides of the Intracoastal Waterway and that seagrasses and nursery grounds appeared to be lacking in the area. May 1963 report, made when changes in the bulkhead line for the City of West Palm Beach were being considered, showed that the area within said line did not contain valuable seagrasses.

Mr. Dickinson said he was personally familiar with the physical conditions, that he had talked to an official of the Conservation Board and there would be no adverse biological effects, but substantial progress on the extension of Flagler Drive.

Motion was made by Mr. Adams, seconded by Mr. Dickinson and adopted unanimously, that the Trustees approve the fill permit issued by the City of West Palm Beach under provisions of Section 253.124 Florida Statutes.

SARASOTA COUNTY - Bulkhead Line. The Board of County Commissioners of Sarasota County, sitting as the Water and Navigation Control Authority, upon petition of William S. Boylston, attorney for Marion Lucci, requested reconsideration by the Trustees of the request for approval of a bulkhead line which on March 28, 1967, the Trustees denied until after the end of the moratorium then in

effect and the legislative session, after which time the Board indicated that the application might be reconsidered.

The bulkhead line was established by Sarasota County Resolution No. 67-2-M dated March 7, 1967, which changed and fixed the line and approved application to purchase 0.046 acre parcel of submerged land in Blackburn Bay in Section 22, Township 38 South, Range 18 East, Sarasota County, on which a house had been in place for over 15 years, constructed on pilings. All required exhibits were furnished and there were no local objections to the application which would enable the applicant to obtain title insurance.

Staff recommended approval of the bulkhead line provided subsequent sale and deed to the submerged parcel within the line contain a condition that there will be no filling of the parcel of submerged land, said condition to run with the land. The Board of Conservation stated that no damage to marine life and habitat will occur since no dredging or filling is desired.

On motion by Mr. Adams, seconded by Mr. Dickinson and adopted unanimously, the Trustees approved the bulkhead line as changed and located by Sarasota County.

BREVARD COUNTY - Robert J. Malley, President, Pied Piper, Inc., applied for a dredge permit to remove 63,000 cubic yards of material from the Indian River in Section 36, Township 27 South, Range 37 East, Brevard County, to use for improvement of upland property. The dredge area has been limited to an unvegetated area in accordance with recommendation of the Florida Board of Conservation which reported that marine resources in this area would not be significantly affected. Applicant tendered his check for \$3,150.00 as payment at standard yardage rates and Staff recommended approval.

Motion was made by Mr. Dickinson, seconded by Mr. Adams, that the permit be approved. However, this application for a permit under Section 253.123 Florida Statutes, was for work related to the application under File No. 1494-05-253.124 for filling a parcel of submerged land, considered on this same date and deferred at the request of the Governor for clarification of the biological report. Therefore, the motion was withdrawn and action was deferred.

LEE COUNTY - Florida Power and Light Company of Sarasota, Florida, applied for a permit to install a submarine cable across Big Hickory Pass in Section 24, Township 47 South, Range 24 East, in Lee County. Staff recommended approval and waiver of the requirement of a biological or ecological survey as provided in Section 253.123(3)(a) Florida Statutes, since the public interest will be served by the work.

Motion was made by Mr. Adams, seconded by Mr. Conner and adopted unanimously, that Staff recommendation be approved as the action of the Board.

MANATEE COUNTY - Manatee County Highway Department applied for permit to do channel maintenance dredging in Palma Sola Bay in Section 36, Township 34 South, Range 16 East, Manatee County. Staff recommended approval and waiver of the requirement of a biological or ecological survey as provided in Section 253.123(3)(a)

Florida Statutes, since the public interest will be served by the work.

Motion was made by Mr. Adams, seconded and adopted unanimously, that the recommendation of the Staff be approved as the action of the Board.

PALM BEACH COUNTY - Application was made by Otto B. DiVosta, DiVosta Construction Company, Inc., for permit under provisions of Section 253.123 Florida Statutes, to install an 8-inch sanitary force main across the Intracoastal Waterway in Section 31, Township 40 South, Range 43 East, Palm Beach County.

The Florida Board of Conservation biological report showed that the proposed installation was across unvegetated bottoms except at the western end which crossed moderately vegetated bottoms, and that the installation would disturb a small amount of marine vegetation.

Motion was made by Mr. Adams, seconded by Mr. Dickinson and adopted unanimously, that the application be approved for issuance of the permit.

PALM BEACH COUNTY - Removed from the agenda at the request of the Governor's Office, for consideration at a later date, was an application from Otto B. DiVosta for permit to remove 5,600 cubic yards of material from the Intracoastal Waterway in Section 31, Township 40 South, Range 43 East, Palm Beach County, in an area reported by the Board of Conservation as unvegetated. Applicant had tendered check in the amount of \$280.00 for issuance of a permit under Section 253.123 Florida Statutes.

SARASOTA COUNTY - The Board of County Commissioners of Sarasota County, sitting as the Water and Navigation Control Authority, granted Major Work Permit No. 67-6-M to Cowan Construction Company for a navigation channel in the Intracoastal Waterway in Section 18, Township 37 South, Range 18 East, Sarasota County. The Florida Board of Conservation reported that the dredge area was not a grassy nursery ground or sport and commercial fishing habitat. Staff recommended approval.

Motion was made by Mr. Adams, seconded by Mr. Dickinson and adopted unanimously, that the Trustees approve issuance of the permit under provisions of Section 253.123 Florida Statutes.

PINELLAS AND SUMTER COUNTIES - On motion by Mr. Adams, seconded by Mr. Dickinson and adopted unanimously, the Trustees authorized issuance of commercial dock permits to the following 3 applicants, from whom all required exhibits and the \$100.00 application fee had been received by the Trustees' office.

1. Pinellas County Water and Navigation Control Authority forwarded application of Fair, Inc., for a dock in Boca Ciega Bay in Section 14, Township 31 South, Range 15 East, Pinellas County

2. Pinellas County Water and Navigation Control Authority forwarded application of Arthur A. Joos for a dock in Boca Ciega Bay in Section 23, Township 31 South, Range 15 East, Pinellas County
3. Sumter County - C. L. Hooker, Jr., for boathouses in Lake Panasofkee in Section 30, Township 19 South, Range 22 East.

SUBJECTS UNDER CHAPTER 18296

For the reason that there was not present on this date the required five members for sale, transfer or other disposition of lands, the Trustees deferred action on request for approval of Murphy Act Report No. 925 listing 2 regular bids for sale of land in Putnam County under provisions of Chapter 18296, Acts of 1937.

Motion was made by Mr. Adams, seconded by Mr. Dickinson and adopted unanimously, that the Trustees authorize refund in the amount of \$10.00 to Michael G. Littman, for the reason that the State Road Department did not recommend release of the state road right of way reservation contained in Martin County Murphy Act Deed No. 369.

On motion duly adopted, the meeting was adjourned.

GOVERNOR

CHAIRMAN

ATTEST:

DIRECTOR

SECRETARY

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Tallahassee, Florida
April 2, 1968

The Trustees of the Internal Improvement Fund met on this date in the Capitol Building, in Senate Hearing Room No. 31, with the following members present:

Tom Adams	Secretary of State, Acting Chairman
Earl Faircloth	Attorney General
Broward Williams	Treasurer
Floyd T. Christian	Superintendent of Public Instruction
Doyle Conner	Commissioner of Agriculture

Robert C. Parker Director

On motion duly adopted, the Trustees approved minutes of the meeting held on March 26, 1968, which had been approved by the Attorney General.

LEE COUNTY - File No. 2076-36-253.12. On February 6, 1968, the Trustees authorized advertisement of land applied for by Red Bud Land Co., et al, abutting upland owners, described as two contiguous parcels of submerged land in the Caloosahatchee River in Sections 35 and 36, Township 45 South, Range 23 East, landward of the established bulkhead line in Lee County containing a total of 1.07 acres, more or less, with the established appraised price of \$280.00 per acre.

Notice of sale was published in the Fort Myers News-Press, proof of publication filed and no objection to the sale was received. On the advertised sale date, March 26, there was not present the five members required by law to vote affirmatively on a land sale, and consideration of confirmation of sale was deferred until this date.

The biological report dated January 26, 1968, from the Florida Board of Conservation stated that the application parcel was not a grassy nursery ground or sporting commercial fishing habitat, and that sale and subsequent development would not adversely affect marine life, habitats or fisheries. Staff recommended approval of the sale.

Motion was made by Mr. Christian, seconded by Mr. Faircloth and adopted unanimously, that the Trustees confirm sale of the advertised parcel to the abutting upland owners at the price offered.

MONROE COUNTY - File No. 2039-44-253.12. On January 23, 1968, the Trustees authorized advertisement of a parcel of submerged land in the Straits of Florida in Section 27, Township 63 South, Range 37 East, containing 0.47 acre, more or less, at Upper Matecumbe Key in Monroe County, for which Floyd C. Russell, et ux, the abutting upland owners, offered \$425.00 per acre, the established appraised price.

Notice of sale was published in the Key West Citizen, proof of publication filed, and no objections to the sale were received. The Trustees considered the sale on the advertised sale date, March 12, and deferred action. The application was one of the group on the agenda March 19 which the Staff was directed to review in the light of the new policy adopted and subsequent clarification of said policy submitted by the Secretary of State by memorandum of March 20, 1968, to the Staff. On March 26 the Trustees deferred action for the reason that only four members were present.

Almost all of the submerged land abutting upland lots in this area has been conveyed. The plat of survey submitted with the application shows that an area approximately 115 feet easterly of subject parcel and also a parcel lying approximately 300 feet westerly thereof, were filled in order to create enclosed boat basins. Inspection by a member of the Trustees' Staff disclosed that there was filling on the abutting parcel, also.

The biological report stated that a jetty resulting from channel

construction in the submerged land adjacent to the subject parcel had created a pocket and deciduous turtle grass leaves and flotsam had accumulated along the shoreline. However, from about 50 feet offshore to the bulkhead line, dense growths of turtle grass covered 80 to 90% of the bottom, about 75% of the submerged land within the tract was nursery and feeding ground for marine animals, and its sale and development would not be in the best interest of conservation of Florida's marine resources.

Because of the existing conditions and the policy adopted on March 19, the Staff recommended confirmation of sale of the 0.47 acre parcel.

Motion was made by Mr. Faircloth, seconded by Mr. Christian and adopted unanimously, that the Trustees confirm sale of the advertised parcel of submerged land to the abutting upland owners at the price offered.

MARTIN COUNTY - File No. 2077-43-253.12. James F. Littman, attorney for Warren S. Tucker, Sr., et al, abutting upland owners, offered the appraised value of \$302.48 per acre for purchase of two contiguous parcels of submerged land in the Indian River in Section 5, Township 38 South, Range 42 East, Hutchinson Island, containing 1.85 acres landward of the established bulkhead line in Martin County.

The biological report received from the Board of Conservation under date of November 8, 1967, stated that the bulkhead line approved by the Trustees on July 18, 1967, for this area was a decided improvement over the earlier line approved by Martin County that lay as much as 1200 feet westerly into the Indian River from the mean high water line of Hutchinson Island. The new approved line takes in little bottom land covered by attached seaqrasses, because most of the water depths involved are greater than minus-three feet mean low water where seaqrass growth diminishes in this section of the Indian River. The biologist made certain recommendations as to dredging for fill material and channels.

On motion by Mr. Conner, adopted without objection, the Trustees authorized the parcel to be advertised for objections only.

PALM BEACH COUNTY - File No. 2032-50-253.12. At the request of the Governor's office, to allow opportunity for review in the light of planning under way for the Lake Worth area, the Trustees removed from the agenda the application from Brockway, Owen and Anderson Engineers, Inc., on behalf of Frank L. Lash, et ux, abutting upland owners, with offer of the appraised value of \$3,267.00 per acre for a parcel of submerged land in Lake Worth in Section 3, Township 43 South, Range 43 East, in the City of West Palm Beach, containing 0.701 acre landward of the established bulkhead line in Palm Beach County.

PALM BEACH COUNTY - File No. 2088-50-253.12. Willard C. Wheeler, Jr., on behalf of James E. Williams, Jr., Lorne S. Knaub and Thomas L. Orr, abutting upland owners, made application to purchase for the appraised value of \$1,934.50 per acre, or a minimum of \$100.00 for each of three contiguous parcels of submerged land in the

Loxahatchee River in Section 36, Township 40 South, Range 42 East, totalling 0.029 acre in the Town of Jupiter landward of the established bulkhead line in Palm Beach County. Staff recommended advertisement for objections only.

The biological report submitted under date of March 15, 1968, by the Florida Board of Conservation showed that the parcel sought lay within a very conservative bulkhead line set for the Town of Jupiter, and that provided all fill material is trucked in from upland sources the biologist could see no adverse effects on marine habitats, or fisheries from the sale and subsequent development of the 0.029 acre parcel involved in the joint application by three upland owners.

Mr. Williams asked if this Palm Beach County application should also be removed. The Director said it was not in Lake Worth, and fill material would be hauled in for development.

Motion was made by Mr. Faircloth, seconded by Mr. Christian and adopted unanimously, that the land be advertised for objections.

ALACHUA COUNTY - Deferred last week, when there were only four members present, and presented with recommendation for approval was request for an easement to the City of Gainesville for the purpose of constructing a sanitary sewer line to serve the Phi Sigma Sorority property in Section 8, Township 10 South, Range 20 East, Alachua County. Title to the land vested in the Trustees under Section 253.03 Florida Statutes (Chapter 67-2236). The easement was approved by the Board of Regents, and approved as to form by the Attorney General.

On motion by Mr. Faircloth, adopted without objection, the Board authorized issuance of the easement requested by the City of Gainesville.

COLLIER COUNTY - The Board of County Commissioners of Collier County by resolution adopted March 12, 1968, requested dedication of the West 50 feet of East 100 feet of Section 16, Township 52 South, Range 30 East, Collier County, for a proposed road and for canal purposes in connection with construction of State Road 837.

The 50 feet was in addition to the East 50 feet of said section which was dedicated on July 21, 1959, for road purposes. It had been found necessary to have a 200-foot right of way for the road in order to provide for a borrow and drainage canal.

Staff recommended approval of the request, which was deferred last week when there were only four members present.

Motion was made by Mr. Faircloth, seconded by Mr. Christian and adopted unanimously, that the parcel of land be dedicated for public road purposes under the supervision of Collier County.

DUVAL COUNTY - File No. 2098-16-253.129. Staff requested authority to issue a disclaimer under the provisions of Section 253.129 Florida Statutes, to Denyse Stancell, et al, covering a parcel of sovereignty land in the St. Johns River abutting uplands

in Section 59, Township 1 South, Range 27 East, Duval County, containing 0.59 acre which was filled prior to May 29, 1951. The handling charge of \$10.00 for the instrument was remitted by the applicant.

Motion was made by Mr. Faircloth, seconded by Mr. Christian and adopted unanimously, that the disclaimer be issued under the statutory authority.

HILLSBOROUGH COUNTY - Request was made for issuance of a perpetual dedication of two parcels of land, being part of the W. T. Edwards Tuberculosis Hospital in Tampa, to the State Road Department for construction and improvement of State Road 600 (U. S. 92). Title to the land vested in the Trustees under Section 253.03 Florida Statutes (Chapter 67-2236). The State Tuberculosis Board offered no objection provided that the relocation of the hospital fence be taken care of by the Road Department at no expense to the Tuberculosis Board.

On motion by Mr. Faircloth, adopted without objection, the Trustees authorized dedication of the land requested.

LEE COUNTY - File No. 2099-36-253.12(6) Julian D. Clarkson on behalf of Cayo Costa Land, Inc., made application for conveyance under the provisions of Section 253.12(6) Florida Statutes, of 0.15 acre parcel of sovereignty land in Charlotte Harbor in Section 23, Township 43 South, Range 20 East, filled subsequent to May 29, 1951, and prior to June 11, 1957. Applicant offered the appraised value of \$40.00 per acre, being the value of the submerged land as it existed prior to filling, as provided by the statutes.

On motion by Mr. Christian, adopted without objection, the Trustees authorized the conveyance under the statutory provisions.

VOLUSIA COUNTY - Ponce de Leon Inlet and Port District on behalf of the United States of America made application for easements as follows:

1. Temporary easement for right of way for "North Jetty"
2. Temporary easement for right of way for "South Jetty"
3. Perpetual easement for right of way for entrance and connecting channel
4. Temporary easement for construction spoil area
5. Perpetual easement for right of way for pipe line
6. Seven perpetual easements for maintenance spoil areas

all over submerged lands in the Atlantic Ocean, Ponce de Leon Inlet and Halifax River in Townships 16 and 17 South, Ranges 33 and 34 East, in Volusia County, and necessary for the approved federal project for the stabilization of the Ponce de Leon Inlet.

The temporary easements will terminate two years from the date of the grant. The United States is vested with fee title to those uplands abutting the areas on which the jetties will be constructed.

The Florida Board of Conservation reviewed the project plans and specifications and offered no objections to the location of the required channel dredging and spoil disposal areas insofar as conservation aspects were concerned. In answer to a question by Mr. Williams, Board of Conservation Biologist Kenneth D. Woodburn

said that this was a needed project. The Director said that it was a matter of some urgency, as the Corps of Engineers was awaiting action by the Trustees. Senator E. William Gautier, attorney for the Ponce de Leon Inlet and Port District, and Engineer Harold A. Scott were present on behalf of the application.

Motion was made by Attorney General Faircloth, seconded and adopted unanimously, that all required easements be granted.

BREVARD COUNTY - File No. 1494-05-253.124. The Trustees deferred last week for clarification of the biological report, a request for approval of a fill permit issued by the Engineering Department on behalf of the Board of County Commissioners of Brevard County on November 14, 1967, under the provisions of Section 253.124 Florida Statutes, to Pied Piper, Inc., to fill the 2.37 acre parcel of submerged land in Indian River in Section 36, Township 27 South, Range 37 East, which was being purchased by the applicant under the referenced file number.

The biological report submitted to Brevard County officials by the Florida Board of Conservation under date of November 8, 1967, stated that "the proposed fill area is within the established Brevard County bulkhead line. The submerged land within the bulkhead line is very sparsely vegetated; filling in the area will not significantly affect marine resources in the area."

The biological report further stated that the proposed dredge area was bisected by a sand shoal running almost due west from the point of land on the upland. Dense growths of seagrasses occur north of the shoal but there is no vegetation south of the shoal. If dredging were limited to an area south of the sand shoal, and within 50 feet of the bulkhead line north of the shoal (for an access channel), marine resources would not be significantly affected.

The applicant accepted the recommendations of the marine biologist to limit dredging to an area south of the sand shoal, and the maps submitted with this permit application were revised accordingly.

Also, Dredge Permit, Section 253.123. Robert J. Malley, President of Pied Piper, Inc., applied for dredge permit to remove 63,000 cubic yards of material from the Indian River in Section 36, Township 27 South, Range 37 East, Brevard County. The material, to be used to improve applicant's upland, was to be taken from the dredge area limited in accordance with the Board of Conservation recommendations to that area south of the sand shoal as described above. Marine resources in the area would not be significantly affected from taking the material and the applicant tendered his check in the amount of \$3,150.00 as payment at the standard yardage rates. Staff recommended approval.

Motion was made by Mr. Christian, seconded by Mr. Williams and adopted unanimously, that the Trustees approve the fill permit under Section 253.124, and also the dredge permit under Section 253.123 Florida Statutes.

DADE COUNTY - File No. 2057-13-253.124. The Trustees were requested to approve the fill permit issued by the Department of Public Works of the City of Miami under authority of Resolution No. 39400 adopted by the City Commission on February 14, 1968, under provisions of Section 253.124 Florida Statutes, to Fred Snowman to fill the 0.459 acre parcel of submerged land in Biscayne Bay abutting uplands in Section 39, Township 54 South, Range 41

East, Dade County, conveyed by the Trustees in meeting of February 27, 1968, under the referenced file number.

The biological report from Florida Board of Conservation dated December 27, 1967, stated that sale and subsequent development of the subject area would have no significant effect upon marine resources in Biscayne Bay.

On motion by Mr. Christian, seconded and adopted without objection, the Trustees approved the fill permit issued by the City of Miami.

MONROE COUNTY - Dredge Permit, Navigation Channel. Frank Martin applied for a permit for construction of a navigation channel parallel to his upland property in Florida Bay in Section 14, Township 63 South, Range 37 East, at Plantation Key in Monroe County. Material from the channel would be placed on uplands.

Staff recommended waiver of biological or ecological report and approval of the dredging to improve navigation. Mr. Parker said that the Bulkhead Act did not apply to Monroe County but some action by the Trustees was needed to indicate to the U. S. Corps of Engineers approval of the proposed work. Mr. Faircloth agreed that the Trustees should take action on such applications.

On motion by Mr. Christian, seconded by Mr. Faircloth and adopted unanimously, the Trustees approved issuance of permit for the navigation channel.

PALM BEACH COUNTY - File Nos. 1940 and 2004-50-253.124. The Trustees were requested to approve the fill permit issued by the Village of Tequesta on March 28, 1968, under the provisions of Section 253.124 Florida Statutes, to DiVosta Construction Company, Inc., to fill the two contiguous parcels of submerged land containing a total area of 1.299 acres, conveyed by the Trustees in meeting March 19, 1968, under the referenced file numbers. The biological report submitted by the Florida Board of Conservation under date of August 24, 1967, showed that the two contiguous parcels do not constitute a nursery area for marine animals, are sparsely vegetated and that development thereof would not adversely affect marine resources in the area. The material would be secured from an approved dredging area within the right of way of the Intracoastal Waterway.

The applicant had withdrawn the request that was on the agenda last week (#17) for a dredge permit under Section 253.123 Florida Statutes to remove 5,600 cubic yards of material from the Waterway at the standard yardage rates. Also, this applicant applied for a state commercial dock permit to construct 15 piers in Jupiter Sound in Section 31, Township 40 South, Range 43 East, Palm Beach County, for which all required exhibits and \$100.00 processing fee were submitted.

On motion by Mr. Christian, seconded by Mr. Conner and adopted unanimously, the Trustees approved the fill permit under Section 253.124 issued by the Village of Tequesta, authorized issuance of the state commercial dock permit, and accepted as information the report that the application for material under Section 253.123 was withdrawn by the applicant.

PINELLAS COUNTY - Florida Power Corporation of St. Petersburg, Florida, applied for a permit for installation of a submarine transmission cable in Boca Ciega Bay in Section 23, Township 31

South, Range 15 East, to serve the Treasure Island area in Pinellas County. Staff recommended approval and waiver of biological or ecological report as provided under the provisions of Section 253.123(3)(a).

On motion by Mr. Conner, adopted without objection, the Trustees approved waiver of the biological report and issuance of the permit.

WAKULLA COUNTY - Charles C. Shields, Sr., of Curtis Shields Marina, applied for a commercial dock permit for enlargement of an existing marina in the Saint Marks River at the Town of St. Marks in Wakulla County. All required exhibits, including \$100.00 processing fee, were submitted and the Staff recommended approval.

On motion by Mr. Christian, adopted without objection, the Trustees authorized issuance of the state commercial dock permit.

TRUSTEES FUNDS - The Trustees were advised that \$544,000.00 was now invested in short-term U. S. Treasury bills which would be maturing on April 11, 1968. Staff asked for authority to request the Board of Administration to reinvest these funds in like securities.

On motion by Mr. Williams, seconded and adopted unanimously, the Trustees authorized that such action be taken.

MONROE COUNTY - SAJSP Permit 64-615. On March 26, 1968, the Trustees referred to the Attorney General for review and appropriate action the matter of dredging operations by Bernie C. Papy, Jr., of Key West, as related to state owned submerged lands. On this date Attorney General Faircloth distributed to the members copies of a memorandum dated March 28, 1968, prepared by Assistant Attorney General T.T. Turnbull of his office. He asked that the record show that his report with recommendations was submitted.

It was so ordered.

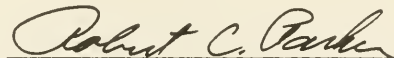
SUBJECTS UNDER CHAPTER 18296

Motion was made by Mr. Faircloth, seconded and adopted unanimously, that the Trustees approve Report No. 925 listing 2 regular bids for sale of land in Putnam County under the provisions of Chapter 18296, Acts of 1937, the Murphy Act.

On motion duly adopted, the meeting was adjourned.


SECRETARY OF STATE - ACTING CHAIRMAN

ATTEST:


DIRECTOR - SECRETARY

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Tallahassee, Florida
April 9, 1968

The Trustees of the Internal Improvement Fund met on this date in the Capitol Building, in Senate Hearing Room No. 31, with the

following members present:

Claude R. Kirk, Jr.	Governor
Tom Adams	Secretary of State
Earl Faircloth	Attorney General
Fred O. Dickinson, Jr.	Comptroller
Broward Williams	Treasurer
Floyd T. Christian	Superintendent of Public Instruction
Doyle Conner	Commissioner of Agriculture

Robert C. Parker	Director
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On motion duly adopted, the Trustees approved the minutes of the meeting of April 2, 1968.

SARASOTA COUNTY - Bulkhead Line. The City Commissioners of the City of Sarasota by resolution adopted February 12, 1968, established a bulkhead line offshore from lands or islands bordering on or being in the navigable waters within the City of Sarasota, to-wit: Lido Key, Otter Key, Coon Key, Bird Key, City Island, and connecting lands, all lying and being in Sections 22, 23, 25, 26, 27, 34, 35, 36, Township 36 South, Range 17 East, Sarasota County, as shown on the official City of Sarasota Bulkhead Line Plats designated as E-1, E-2 and E-21 through E-34 inclusive. All required exhibits were submitted.

The bulkhead line established by the city is generally along established seawalls or along the shoreline or rather close thereto, with some few exceptions, throughout the entire area enclosed by the bulkhead line. Such location would afford adequate protection to the existing marine biological values in this part of Sarasota Bay. The Florida Board of Conservation biological report dated November 7, 1967, made for the City of Sarasota, recommended this "preservation line", reduced to an engineered bulkhead line for the city, as especially important to conservation of heavily vegetated grassy submerged bottoms, marine life and habitats.

The City Commission conducted hearings on ten separate occasions during the months of September, November and December 1967, heard a large number of expert witnesses, marine biologist, professional engineers, interested parties, members of groups favoring conservation of the remaining bottoms of Sarasota Bay.

At the local hearing the Arvida Corporation, the principal land owner affected by the bulkhead line being considered, submitted substantial testimony by experts in the fields of marine biology, engineering and others, including local financial and real estate interests, in support of their position of desiring another bulkhead line which would include certain portions of the submerged land owned by them which were purchased from the Ringling interests as well as certain additional submerged lands which they desired to be made available for purchase in the event Arvida wished to purchase, fill and develop such submerged land in conjunction with their comprehensive development plan.

In view of what appeared to be a conflict between the philosophy of preservation of the marine resources in a restricted area, and the desire of the principal owner to implement a comprehensive development plan, it was the feeling of the Staff that

the decision with respect to this bulkhead line involved matters of policy coming within the exclusive purview of the Trustees.

A map with overlays was used to show (1) in red, the bulkhead line adopted by the City of Sarasota and presented to the Trustees for consideration on this date, (2) in green the ownership of the Arvida company, and (3) a white line representing the bulkhead line which Arvida petitioned the city to set but the city denied.

The Trustees heard from many appearing for and against the City of Sarasota bulkhead line. Appearing in support were City Attorney John M. Scheb, City Manager Ken Thompson, Mayor Jack Betz, Vice-Mayor David Cohen, Commissioner Gilbert Waters, Dr. Eugenie Clark, a biologist, James D. Neville, Senator Warren S. Henderson, State Representative J. K. Tillman, supporting letters from Representatives Kent S. McKinley and Granville H. Crabtree, Jr., Henry P. Trawick, Jr., on behalf of Save Our Bay, Inc. of Sarasota County, Matt Duryea as president of the Florida Audubon Society, Carl C. Radder for the Audubon Society as was Dr. Walter Glooschenko, and Wayne Meade who represented several associations of fishermen and dealers.

Mr. Scheb reviewed the efforts and procedures followed by the City of Sarasota to fix a comprehensive engineered bulkhead line, taking into consideration the public interest, riparian rights, navigation, conservation of marine and wildlife, beaches and shores, nursery or habitats. He told of the many hearings, pages of testimony and exhibits, leading to the finding of fact by the City Commissioners voting unanimously in favor of the "preservation bulkhead line" close to the mean high water line. The city did not feel there was demonstrated a need for filling of the bay which the Arvida firm included in their proposed line, and the Trustees were requested to carefully review the matter and the judgment of the local governmental body, and to approve the bulkhead line as shown in red on the map displayed at this meeting.

Those heard by the Trustees who were against approval of the city bulkhead line, but favored the line shown in white on the map which the Arvida company had petitioned the city to set, included Chief Counsel for Arvida, Glenn L. Berry; Lane Marshall, landscape architect speaking as a private citizen; Alec Stevens representing Lido Key resort owners; Herbert L. Field, Chairman of Board of Public Instruction of Sarasota County and a resort owner; Dr. Wallace L. Minto, Chairman of Sarasota Anti-Pollution Committee; Arthur Young of Bird Key Yacht Club; Bruce Westmoreland representing St. Armands Merchants Association; Douglas Matcham, connected with the building industry of Sarasota; Mark Woods, a realtor; Bill Carey, Vice-Chairman of the County Commissioners; Brown L. Whatley, President of Arvida Corporation.

Mr. Berry, speaking for Arvida and calling on others, brought out information on the concept of the Arvida open-space development, a plan of urban conservation oriented around a golf course which was the feature for which an additional 24 acres of submerged land was needed, one-half devoted to recreation and open spaces, three-fourths landscaped and water areas, described as the optimum of land use development with negligible damage to conservation values. He denied that there was any great public support for the city line, which he said was a taking of Arvida-owned land. He mentioned a 1961 Ordinance No. 763 which in the past had established property lines as development limits, under which permits for development had previously been secured. He spoke of the economic benefits to be derived from the proposed development and said the issue was not whether the land would be developed, but when and in what

manner. He informed Mr. Dickinson that none of the properties were in litigation.

The Trustees asked questions regarding the probable effects of development within the city line, deepening of the Pass, the Ringling agreement matter, an area called Brushy Bayou said to be in ownership dispute, and were told that without the additional 24 acres of submerged land the developer's project was not economically feasible.

Mr. Scheb expressed for the City of Sarasota the feeling that the local body was in the best position to resolve many things on which questions had been raised, that opinions of Attorney Generals had supported the legality of placing bulkhead lines on privately-owned submerged lands, and that by unanimous vote the City Commission had established a comprehensive engineered line.

Governor Kirk said that what was before the Trustees was either approval or rejection of the city line, but that neither of the lines discussed today necessarily had to be accepted. Mr. Berry said he considered this presentation in the nature of an appeal.

Attorney General Faircloth said it was a difficult situation. Usually it was clear-cut city or county recommendation for a bulkhead line, but here other issues were presented, almost as an alternative. It was, he said, a classic confrontation between the philosophy of the Randell Act which was not to stop all development, but to give weight to conservation. He made a motion that action be postponed until another meeting, and agreed to furnish an opinion requested by Mr. Christian as to whether or not the other line could be considered. Mr. Christain seconded the motion.

The Governor asked about the effect on bird and wildlife, other than marine life. W. M. Partington of the Florida Audubon Society said it was very much affected by developments. Mr. Conner pointed out that the land would not stay in its present condition, in any case. Mr. Dickinson asked further questions regarding the lines on the map, the possibility of settlement.

Mr. Adams asked for an expression from Marine Biologist Kenneth D. Woodburn of the Board of Conservation, who spoke of the very important principle involved, whether the fisheries and extremely productive estuarine areas in Sarasota Bay were worth more than commercial and economic considerations. The Attorney General asked him to help by furnishing a report, recognizing the fact that the area privately-owned will not remain as it is. What damage might be done within the city bulkhead line as compared to what would be done if developed in the Arvida concept?

On the motion made by Mr. Faircloth, seconded by Mr. Christian and unanimously adopted, action on the City of Sarasota bulkhead line was postponed for two weeks.

ST LUCIE COUNTY - Bulkhead Line. The Board of County Commissioners of St. Lucie County by Resolution No. 68-22 adopted on February 13, 1968, established a bulkhead line offshore in the Indian River in Section 11, Township 37 South, Range 41 East, in St. Lucie County. All required exhibits were submitted.

The Florida Board of Conservation reported that the revised bulkhead line conformed to the recommendations made by their marine biologist at the local public hearing on August 28, 1967.

Staff recommended approval of the bulkhead line.

Motion was made by Mr. Adams, seconded by Mr. Faircloth and adopted unanimously, that the Trustees approve the bulkhead line as fixed by the Board of County Commissioners of St. Lucie County.

SANTA ROSA COUNTY - Bulkhead Line. The City Council of the City of Gulf Breeze, Florida, by Resolution No. 2-68 adopted February 20, 1968, established a bulkhead line offshore in Pensacola Bay in Section 5, Township 3 South, Range 29 West, Santa Rosa County. All required exhibits were furnished and the Staff recommended approval.

The Florida Board of Conservation reported that the proposed line and subsequent filling would not adversely affect adjacent shorelines and that a hydrographic study was not needed. Because of the light, sandy bottom and lack of attached seagrasses, the area was low in biological productivity.

Motion was made by Mr. Adams, seconded by Mr. Conner and adopted unanimously, that the Trustees approve the bulkhead line as established by the City Council of Gulf Breeze in Santa Rosa County.

BREVARD COUNTY - File No. 2080-05-253.12. On February 20, 1968, the Trustees considered application from Wendell O. Yount, et ux, abutting upland owners, who offered the appraised value of \$400.00 per acre for purchase of a parcel of submerged land in the Banana River in Section 18, Township 24 South, Range 37 East, containing 5.93 acres, more or less, lying easterly of and abutting the South 3/4 of Government Lot 3 of said Section 18, landward of the established bulkhead line in Brevard County. Notice of sale was published in the Cocoa Tribune, proof of publication filed and no objection to the sale was received.

The biological report made at the time the bulkhead line was established stated that the line tied into the existing bulkhead line for the County Park site abutting State Road 528 causeway and ran southerly for approximately 9,200 feet along the western shoreline of the Banana River. To avoid potential pockets or shoreline indentations it lay far enough offshore to contain existing fills and smooth out any potential shoreline development, allowing room for cul-de-sacs at street ends from Riviera Drive south. In September 1967 a biological report was made for another parcel containing about 11 acres in the area which was grassy, but there were other considerations to bring the whole matter into perspective and therefore the other sale was made.

On motion by Mr. Conner, seconded by Mr. Faircloth and adopted unanimously, the Trustees confirmed sale of the advertised parcel.

MONROE COUNTY - File Nos. 2028, 2029, 2030-44-253.12 - The following three applications were submitted for confirmation of sale of three parcels on March 12 and 19, 1968:

1. File 2028-44-253.12 William J. Klys and wife, abutting upland owners, applied to purchase 0.79 acre parcel of submerged land in the Straits of Florida in Section 23, Township 63 South, Range 37 East, Windley Key in Monroe County, at the established appraised price of \$425.00 per acre.

2. File 2029-44-253.12 Mark L. Trammel and wife, abutting upland owners, applied to purchase 0.43 acre parcel of submerged land in the Straits of Florida in Section 23, Township 63 South, Range 37 East, Windley Key in Monroe County, at the established appraised price of \$425 per acre.

3. File 2030-44-253.12 William S. Bell and wife, abutting upland owners, applied to purchase 0.41 acre parcel of submerged land in the Straits of Florida in Section 23, Township 63 South, Range 37 East, Windley Key in Monroe County, at the established appraised price of \$425.00 per acre.

Because of the adverse biological report under date of October 4, 1967, the Staff was directed to review the applications in the light of the "sawtooth" policy adopted on March 19 and report back to the Trustees with further information for consideration. During a field investigation the Staff found that previously conveyed submerged land had actually been filled on either side of these three parcels and trash and debris had collected along the fore-shore of the areas. Staff recommended confirmation of the sales.

Mr. Adams expressed the opinion that approval would prevent an adverse ecological situation from developing.

Motion was made by Mr. Adams, seconded by Mr. Faircloth and adopted unanimously, that the Trustees confirm sale of the three advertised parcels to the riparian owners.

MONROE COUNTY - File No. 2055-44-253.12 Albert J. Meier and wife, abutting upland owners, made application to purchase a parcel of submerged land in the Straits of Florida in Section 32, Township 63 South, Range 37 East, 0.551 acre at Upper Matecumbe Key in Monroe County, at the established appraised price of \$425.00 per acre.

Application for confirmation of sale appeared as Item 8 of the group included on the agenda for the meeting of March 19, 1968, and because of an adverse biological report under date of December 27, 1967, the Trustees directed that the Staff review the application in the light of the newly adopted "sawtooth" policy and report back to the Board with further information for consideration.

After a field investigation, the Staff reported that although a number of sales of submerged parcels had been made on each side of the subject area, none was filled and developed. Therefore, Staff recommended that this sale be denied without prejudice pending further physical development as provided for in the newly adopted policy.

On motion by Mr. Williams, seconded by Mr. Faircloth and adopted unanimously, the Trustees accepted the recommendation as the action of the Board.

DADE COUNTY - File No. 2089-13-253.12. Harold P. Kravitz on behalf of Mary R. Miley, abutting upland owner, made application to purchase a parcel of submerged land in Biscayne Bay in Section 22, Township 54 South, Range 41 East, containing 0.892 acre in the City of Miami (Dinner Key area), landward of the established bulkhead line in Dade County. Applicant offered the appraised value, \$7,217.00 per acre.

The biological report from the Florida Board of Conservation

dated August 13, 1967, covering the area in and around the abutting parcel conveyed by the Trustees on October 10, 1967, (File 1738-13-253.12) showed that the water depth was approximately twelve feet, no seagrasses existed in the area and therefore, no objections were offered to the sale. The subject parcel was identical in every respect to the area sold then and would be an extension of the marina facilities existing thereon. Staff recommended advertisement.

Motion was made by Mr. Conner, seconded by Mr. Adams and adopted unanimously, that the parcel be advertised for objections only.

GULF COUNTY - File No. 1937-23-253.12. Refund. The Staff requested authority for issuance of refund of the \$50.00 application fee submitted under date of November 4, 1966, by Silas R. Stone with application on behalf of Glen J. Henning, et al, to purchase submerged land in St. Josephs Bay in Gulf County.

The bulkhead line for the area was finally established by the Board of County Commissioners on January 9, 1968, but after a thorough review by the Staff and consideration by the Trustees in meeting March 19, 1968, the Trustees denied approval of the line.

Motion was made by Mr. Faircloth, seconded by Mr. Williams and adopted unanimously, that the \$50.00 application fee which had been deposited by the Staff on November 22, 1966, be refunded to Mr. Stone.

MANATEE COUNTY - File No. 455-41-253.12. Presented for further consideration was the long-pending application (see minutes of Oct. 3, 1967 and March 26, 1968) by Clyde C. Goebel on behalf of the Estate of Bessie Richards, abutting upland owner, to purchase two parcels of submerged land, one in the Manatee River and the other in Terra Ceia Bay in Section 16, Township 34 South, Range 17 East, landward of the established bulkhead line, containing a total of 39.97 acres, more or less. Applicant offered \$375.00 per acre for 34.5 acres, and \$450.00 per acre for 5.47 acres, being the 1962 appraisal up-dated by the Staff Appraiser in 1964.

Subsequent to the filing of this application, the County became the upland owner as to the parcel applied for located in the Manatee River. The county has submitted application to purchase the 5.47 acres in the Manatee River adjacent to their upland ownership which was acquired by condemnation, in order to comply with the commitment made to the upland owners of the property condemned for road purposes.

The biological report from the Board of Conservation dated February 17, 1966, shows that the two areas sought for purchase are nursery grounds and support commercial and sport fishing, and stated that the sale would not be in the best interests of conservation. On the basis of the biological report and other factors involved, the Staff recommended that the application to purchase both parcels be denied.

The Attorney General had reviewed the question of whether or not the Trustees should give consideration, in reviewing this application to purchase, to the commitments made by the local Board of County Commissioners concerning the parcel of submerged land in the Manatee River. He advised that there appeared to be no reason why the Trustees should treat the request of the county any differently from that of a private individual.

Mr. Adams stated that he thought the members were familiar with the application, and that in view of the situation existing he thought the Trustees should allow it to be advertised. This would provide an opportunity for everyone to be heard.

Mr. Goebel said he was under the impression that his clients were there seeking approval of the application. He was advised that it would have to be advertised for objections only.

On motion by Mr. Adams, seconded by Mr. Christian and adopted unanimously, the Trustees authorized the land advertised for objections only.

MONROE COUNTY - At the request of the Attorney General, the application by Bernie C. Papy, Jr., et ux, et al, for the purchase of 2 contiguous parcels of submerged land in the Bay of Florida in Township 67 South, Range 25 East, lying Northwesterly of Stock Island, containing a total of 81.15 acres, was taken off the agenda. Mr. Papy had re-applied for the land in File No. 1782-44-253.12.

On March 26, 1968, attention had been called to certain dredge operations, and the matter had been referred to the Attorney General for appropriate action.

Mr. Faircloth said that his recommendation was that the Trustees authorize him to seek restitution at the full fair market value. Governor Kirk asked that the Board of Conservation also check into the removal of material.

On motion unanimously adopted, the Trustees accepted the recommendation of the Attorney General as the action of the Board.

MONROE COUNTY - File No. 2068-44-253.12. Phillips and Trice Surveying, on behalf of Mark Denburg and wife, abutting upland owners, offered the established appraised price of \$425.00 per acre for a parcel of submerged land in Niles Channel in Section 36, Township 66 South, Range 28 East, 0.31 acre at Summerland Key in Monroe County.

The marine biological report dated March 11, 1968, indicated that the 0.31 acre parcel was located within an area approximately 50% vegetated with turtle grass and attached algae. It further stated that those unsold areas where the parcel was located were considered as feeding and nursery grounds for marine life.

This application was submitted to the Trustees on March 19 for authority to advertise, and because of the adverse biological report the Board directed that the application be reviewed in the light of the "saw-tooth" policy adopted on that date. During a field investigation, the Staff found that the abutting owner of the submerged land to the south had constructed a solid filled area projecting 150 feet seaward from the shore and that debris had accumulated along the applicant's rocky foreshore. Answering Mr. Adams' question, the Director said that the Staff felt that the existing conditions had materially contributed to the debris collection.

On motion by Mr. Conner, seconded by Mr. Faircloth and adopted unanimously, the Trustees authorized the parcel to be advertised for objections only.

MONROE COUNTY - File No. 2078-44-253.12. Phillips and Trice Surveying, on behalf of Henrietta Zanglein, abutting upland owner, offered the established appraised price of \$300.00 per acre for a parcel of submerged land in the Sacarma Bay in Section 29, Township 66 South, Range 28 East, 0.46 acre at Cudjoe Key, Monroe County.

This application was submitted on March 19 for authority to advertise, and because of an adverse biological report dated March 11, the Board directed that the Staff review the area in light of the "saw-tooth" policy adopted at said meeting and report back to the Trustees. During a field investigation the Staff found that the abutting owner of submerged lands to the west had constructed a solid filled area projecting 185 feet seaward from the shore, and that debris accumulated along the foreshore area of the subject parcel.

Motion was made by Mr. Conner, seconded by Mr. Faircloth and adopted unanimously, that the parcel be advertised for objections only.

MONROE COUNTY - File No. 2056-44-253.12. John D. Weiler on behalf of Herman R. Zinn and wife, abutting upland owners, offered the established appraised price of \$300.00 per acre for a parcel of submerged land in the Straits of Florida in Section 7, Township 63 South, Range 38 East, 0.28 acre at Plantation Key, Monroe County.

The biological report from the Board of Conservation dated December 27, 1967, showed that the "Submerged land within the above-referenced area is sandy and unvegetated. It is not a nursery area for marine animals. Sale and subsequent development of this parcel will not adversely affect marine resources of the area." Staff recommended advertisement of the parcel.

Motion was made by Mr. Christian, seconded by Mr. Faircloth and adopted unanimously, that the parcel be advertised for objections only.

MONROE COUNTY - File No. 2096-44-253.12. Jon Threlkeld and wife, abutting upland owners, offered the established appraised price of \$300.00 per acre for a parcel of submerged land in Spanish Harbor in Section 31, Township 66 South, Range 30 East, containing 6.4 acres at Big Pine Key in Monroe County.

The biological report received from the Board of Conservation dated April 1, 1968, showed that the tract was vegetated with turtle grass, shoalweed, attached algae, and constituted a nursery and feeding area for marine life. Red mangroves occur along the shoreline which serve as places of attachment for algae, shelter for marine animals, and as habitat for sea and shore birds. Sale and development would have a definite adverse effect on marine resources in the area.

There were no former sales of submerged bottoms nor filling along the shoreline near this parcel. Therefore the provisions in the newly adopted policy do not apply. In view of the adverse report, the application was placed on the agenda for review and a determination as to whether or not the sale of this parcel and contiguous parcels if and when applied for would be contrary to the public interest.

Motion was made by Mr. Adams, seconded by Mr. Williams and adopted

unanimously, that it be denied.

DADE COUNTY - Purchase Contract 23846(518-13) On May 23, 1967, the Trustees granted a one-year moratorium on installment payment #6 and subsequent payments of Purchase Contract No. 23846(518-13) dated October 1, 1964, issued to George Stamos, now deceased, in order that the settlement of the estate and liquidation of certain assets could be accomplished. As disposition of the submerged land being purchased under subject contract had been unsuccessful due to the land being in the Ragged Keys where uncertainties were created by the proposed national monument, request was made by Robert E. Roache, the attorney for Mrs. George Stamos, for an additional deferment of payments for a period not to exceed six months.

Motion was made by Mr. Faircloth, seconded by Mr. Adams and adopted unanimously, that the moratorium be continued for an additional six months.

ESCAMBIA COUNTY - File No. 2100-17-253.129 - Disclaimer. The Department of the Navy requested disclaimers for 16 separate parcels of land containing a total of 52.60 acres in Sections 1 and 5, Township 3 South, Range 30 West, Escambia County, upon which improvements have been constructed, or fill has been placed upon sovereignty lands in Pensacola Bay and Bayou Grande prior to May 29, 1951, being at the Naval Air Station at Pensacola, Florida.

All necessary exhibits were submitted to substantiate the Department's claim and the Staff recommended issuance of 16 disclaimers for the usual processing fee of \$10.00 per instrument.

On motion by Mr. Adams, seconded by Mr. Faircloth and adopted unanimously, the Trustees approved the recommendation for issuance of the disclaimers requested by the Navy.

CITRUS COUNTY - Removed from the agenda at the request of the Staff was an application from B. B. Braze for a dredge permit under Section 253.03 Florida Statutes to remove material from Lake Tsala Apopka for improvement of his upland property. The Director said the Staff had heard this morning that requirements of the Game and Fresh Water Fish Commission had not been complied with in the proposed work, and for that reason the Staff asked for the item to be removed from the agenda.

DUVAL COUNTY - Gary Weaver, Monty's Marina, Inc., Mayport, Florida, applied for a permit to perform maintenance dredging in an existing boat basin in Section 38, Township 1 South, Range 29 East, in the St. Johns River in Duval County.

Staff requested waiver of biological and ecological survey as provided under Section 253.123(3)(a), and approval of the permit.

Motion was made by Mr. Christian, seconded by Mr. Faircloth and adopted unanimously, that the Trustees approve issuance of the dredge permit under Section 253.123 Florida Statutes.

LAKE COUNTY - M. E. Day of Leesburg, Florida, applied for a permit

to remove 10,000 cubic yards of material from Lake Yale in Section 24, Township 18 South, Range 25 East, to use for improvement of his upland property.

The Florida Game and Fresh Water Fish Commission had no objections subject to certain stipulations in the permit as to dredging.

Applicant tendered his check in the amount of \$500.00 as payment for the material, and Staff recommended approval.

Motion was made by Mr. Adams, seconded by Mr. Faircloth and adopted unanimously, that the Trustees authorize issuance of the dredge permit under Section 253.03 Florida Statutes.

POLK COUNTY - Polk County Engineering Department applied for a permit to construct a channel by widening and deepening the passage between two sections of Crooked Lake in Sections 13 and 24, Township 31 South, Range 27 East, Polk County. The material from the channel would not be deposited on state-owned lake bottom lands.

The Florida Game and Fresh Water Fish Commission offered no objections to issuance of the permit subject to inclusion in the permit of certain stipulations as to dredging. Staff recommended approval.

Motion was made by Mr. Adams, seconded by Mr. Faircloth and adopted unanimously, that the Trustees approve issuance of the dredge permit under Section 253.03 Florida Statutes.

MONROE COUNTY - The Utility Board of the City of Key West applied for a commercial dock permit to construct a dock in Safe Harbor Channel in Section 36, Township 67 South, Range 25 East, Monroe County.

Staff requested waiver of the processing fee since the proposed structure would be used for unloading fuel oil to be used by the Utility Board, a municipal agency.

Motion was made by Mr. Adams, seconded by Mr. Faircloth and adopted unanimously, that the Trustees authorize issuance of the permit without charge.

BREVARD COUNTY - Harold J. Tucker applied for a permit to construct a navigation channel in the Indian River in Section 33, Township 28 South, Range 38 East, Brevard County. The channel was to be cut to a depth of 7 feet, and applicant tendered check in the amount of \$55.56 as payment for the material from the 2-foot over-cut.

Staff requested waiver of the biological survey provided under Section 253.123(3)(a) Florida Statutes, and approval of the permit.

Motion was made by Mr. Christian, seconded by Mr. Faircloth and adopted unanimously, that permit be issued for the navigation channel.

TRUSTEES LOAN - The Trustees by action in meeting January 28, 1964, approved a loan in the amount of \$250,000 to the Florida Keys Aqueduct Commission for the purpose of installing urgently needed additional water treatment facilities. The Commission agreed to

repay the loan by annual installments of \$25,000 plus 3% interest on the unpaid principal. Only \$213,000 were actually loaned to the Commission, which has made regular annual payments on the loan leaving a present balance of \$112,988.22.

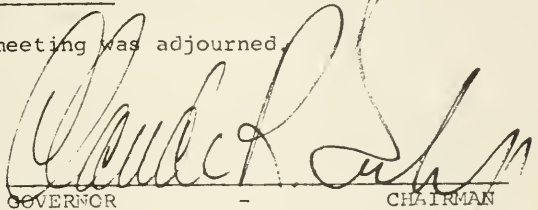
The Commission requested that the Trustees authorize monthly payments rather than annual payments for the remaining balance in order that repayment may be made on a more regular recurring basis. Staff recommended that the request be granted.


On motion by Mr. Christian, seconded by Mr. Faircloth, and adopted unanimously, the Trustees authorized acceptance from the Commission of monthly payments on the loan in accordance with the proposed monthly payment schedule.

SUBJECTS UNDER CHAPTER 18296

On motion by Mr. Adams, seconded by Mr. Faircloth and adopted without objection, the Trustees approved Report No. 926 listing 3 regular bids for sale of land in Marion County under the Murphy Act.

On motion duly adopted, the meeting was adjourned.


GOVERNOR - CHAIRMAN

ATTEST: 
DIRECTOR - SECRETARY

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Tallahassee, Florida
April 16, 1968

The Trustees of the Internal Improvement Fund met on this date in the Capitol Building, in Senate Hearing Room No. 31, with the following members present:

Tom Adams	Secretary of State, Acting Chairman
Fred O. Dickinson, Jr.	Comptroller
Floyd T. Christian	Superintendent of Public Instruction
Doyle Conner	Commissioner of Agriculture

Robert C. Parker Director

Since the new law to sell, transfer or otherwise dispose of lands requires the affirmative vote of at least five Trustees and due to the fact that only four members were present, the following items on the agenda were deferred:

1. GLADES COUNTY - File 2035-22-253.26 - Application for confirmation of sale of 2.54 acres to Mrs. Martha S. Thompson, abutting owner

4-16-68

2. GLADES COUNTY - File 2090-22-253.36 - Application for confirmation of sale of 1.81 acre parcel to Mrs. W. B. Norton and Carol L. Norton, abutting owners
3. HENDRY COUNTY - File 1998-26-253.36 - Application for land sale of 0.29 acre parcel to C. W. Kimsey, upland owner
4. GLADES COUNTY - File 1954-22-253.36 - Application to advertise for objections only 47.79 acres applied for by U. S. Sugar Corporation, abutting owner
5. GLADES COUNTY - File 2091-22-253.36 - Application to advertise for objections only 11.01 acres applied for by Bertha Gram and Anne Gram Couse, abutting owners
6. BAY COUNTY - Lease of an 8.0 acre parcel of submerged land in Little Goose Bayou requested by Akima International, Inc.
11. UNION AND WALTON COUNTIES - Murphy Act Report - Request for approval of Report No. 927 listing 2 regular bids for sale of land in Union and Walton Counties under provisions of Chapter 18296, Acts of 1937 - the Murphy Act.

DUVAL COUNTY - File 1764-16-253.12(1). Upon motion by Mr. Dickinson, seconded without objection, the Trustees approved issuance of a corrective dedication to the one authorized by the Trustees at meeting of December 28, 1965, which was issued for the exclusive use of the U.S.A, of an 11-acre area between the mean high and the low water marks of the St. Johns River along the entire perimeter of the U. S. Navy Fuel Depot. The new instrument would delete the phrase "the United States for the U. S. Navy Fuel Depot" and substitute "required by the United States for National Defense Purposes" within the "Now, Therefore" clause of the instrument. This correction is being made upon notification by the Department of the Navy that the major portion of the upland tract has been reassigned to the Marine Corps.

MONROE COUNTY - File 2055-44-253.12 (REFUND). Motion was made by Mr. Dickinson, seconded and adopted without objection, that refund of \$234.18 be made to Albert J. Meier, the applicant in subject application which was denied without prejudice by the Trustees in meeting April 9, 1968.

SHELL LEASES - The Trustees accepted as information for the Minutes the following report of remittances received by the Florida Board of Conservation from holders of shell leases as follows:

Lease No. 1718	Radcliff Materials, Inc.	\$7,406.17
Lease No. 2233	Bay Dredging & Const. Co.	4,838.32
Lease No. 1788	Benton and Company	3,051.60
		(partial payment on arrears)

Lease No. 1788 (Tampa Bay, Hillsborough and Pinellas Counties) dated February 1, 1962, is delinquent on payment of royalties due under provisions of this lease in the amount of \$25,000.00.

The lessee, Benton and Company, Inc., has been notified that unless payment is received for this delinquent amount on or before April 15, 1968, appropriate action will be taken to properly protect the interest of the State with respect to this failure to make payment as required by the lease.

Motion was made by Mr. Dickinson, seconded and adopted without objection, that the Trustees authorize the office of Attorney General to take appropriate action to protect the State's interest with respect to this failure on the part of the lessee to make payment as required under the lease.

Concurrent action was taken this date by the Board of Conservation.

BROWARD COUNTY - Dock Permit, Section 253.03, and Dredging for Navigation, Section 253.123 - Application was made by Charles R. Blickle, 3051 State Road 84, Ft. Lauderdale, Florida, for a permit to construct a marina and perimeter channel in Section 20, Township 50 South, Range 42 East, at the intersection of the North New River Canal and the South Fork of New River, in Broward County. The perimeter channel is to improve navigability in the area of proposed construction.

The staff requested waiver of the biological survey as provided under provisions of Section 253.123(3)(a), Florida Statutes.

Motion was made by Mr. Christian, seconded and adopted, that the Trustees approve subject permit.

FRANKLIN COUNTY - Dredge Permit, Section 253.123 - Mr. Finley L. McMillan, Post Office Box 67, Panacea, Florida, requested permission to construct a navigation channel 200 feet long and 50 feet wide by 5 feet deep, in Ochlockonee Bay in Section 2, Township 6 South, Range 2 West, Franklin County. Material removed from the channel is to be placed upon the applicant's upland.

The staff requested a waiver of the biological survey under provisions of Section 253.123(3)(a), Florida Statutes.

Motion was made by Mr. Conner, seconded and adopted without objection, that permit be authorized for dredging the navigation channel.

POLK COUNTY - Dredge Permits, Section 253.03

Staff recommended approval of applications for removal of fill material from fresh water lakes for improvement of upland property, for which all necessary exhibits were submitted, the Florida Game and Fresh Water Fish Commission had inspected and had no objections providing standard stipulations were included in the permits, and applicants tendered payment for the material, as follows:

- D. A. Despard, applicant for removal of 2,000 cubic yards of material from Lake Lulu in Section 4, Township 29 South, Range 26 East - remitted \$100.00.
- Robert L. Blanding, applicant for removal of 1,900 cubic yards of material from Crooked Lake in Section 31, Township 30 South, Range 28 East - remitted \$95.00.

Motion was made by Mr. Dickinson, seconded and adopted without objection, that subject applications be approved.

COLLIER COUNTY - Bulkhead Line, Section 253.122 - Naples Yacht Club

The City Council of the City of Naples, Florida, by Resolution No. 965 initially adopted a bulkhead line in November 1962. Due to the lapse of time prior to submission to the Trustees, the City Council by Resolution No. 1350 adopted January 3, 1968, confirmed City of Naples Resolution No. 965, relocating and establishing a bulkhead line offshore in Naples Bay. The Staff recommended approval of this bulkhead line.

Present for the meeting and requesting to be heard were Mr. Walter Condon, attorney for Naples Yacht Club, and Mr. George Schwartz, attorney for a number of objectors residing along canals and upland adjacent to the Bay.

Mr. Schwartz requested the Trustees to refuse to approve the bulkhead line as modified by the City of Naples for the reason that the development of the area to be included within the amended bulkhead line would require dredging and filling which would result in injury to all these property owners. Another basis for objection was the additional parking that would be provided and perhaps anchorage facilities for additional boats. Mr. Schwartz said the Yacht Club had paid to Mr. J. Fred Abrahamson, the riparian owner located closest to the bulkhead line under consideration, the sum of \$17,000 as a consideration for withdrawal of his objection to this bulkhead line modification.

Mr. Condon stated that the City Council of the City of Naples approved by unanimous vote the modification of the bulkhead line as set forth in Resolution No. 965 of November 1962. Mr. Condon stated that this action was taken by the City Council after having heard the attorney for the objectors.

The Florida Board of Conservation reports that this section of Naples Bay has been intimately affected by dredging and filling for waterfront development and navigation and that the area involved in the bulkhead line and dredging operations in connection with the development thereof is not a grassy nursery ground for a sport and commercial fishing ground.

Upon motion by Mr. Christian, seconded by Mr. Dickinson and duly adopted, the Trustees approved the bulkhead line as set by the City of Naples in Section 10, Township 50 South, Range 25 East, Collier County.

GORDY-ASHLEY SALVAGE MATTER - Mr. Robert Williams, Executive Director for the Board of Archives and History, advised the Trustees office that the Attorney General recommends that the Trustees join with their Board in certain litigation between Ken F. Gordy and Albert N. Ashley of Fort Pierce regarding certain items salvaged offshore from St. Lucie County several years ago. The matter was explained in detail earlier in the Cabinet meeting by Mr. Williams.

Motion was made by Mr. Christian, seconded by Mr. Dickinson and duly adopted, that joint efforts be made by the Trustees, the Board of Archives and History and the Attorney General to pursue the matter to a satisfactory conclusion.

On motion duly adopted, the meeting was adjourned.

Bill Adams
SECRETARY OF STATE - ACTING CHAIRMAN

ATTEST: Robert C. Parker
DIRECTOR - SECRETARY

* * * * *

Tallahassee, Florida
April 22, 1968

The Trustees of the Internal Improvement Fund met on this date in the Capitol Building in Senate Hearing Room No. 31, with the following members present:

Claude R. Kirk, Jr.	Governor
Tom Adams	Secretary of State
Earl Faircloth	Attorney General
Fred O. Dickinson, Jr.	Comptroller
Broward Williams	Treasurer
Floyd T. Christian	Superintendent of Public Instruction (Present part time)
Doyle Conner	Commissioner of Agriculture

Robert C. Parker	Director
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The Trustees granted to Representative Ted Randell of Fort Myers, Florida, an opportunity to appear on this date to make known details of his criticism of the Director recently publicized. Secretary of State Tom Adams and Superintendent Floyd T. Christian both reminded Mr. Randell that he had been requested to furnish the Trustees a written report of the charges prior to the meeting, rather for them to have to hear someone make statements relative to an employee of the board when there was no basis or opportunity for defense. The general summary which Mr. Randell said he had sent each member and the Director was only a letter containing general statements as Mr. Christian pointed out. Mr. Christian said the charges should be furnished in writing. Mr. Adams said he would receive whatever Mr. Randell had but he felt no action should be taken today, and it was an improper procedure. Governor Kirk expressed agreement.

Mr. Randell accepted the remarks and then proceeded to read a prepared statement which charged that a survey dating back to 1955 showed a trend to dispose of state lands, that records furnished to a legislative committee showing lands sold were inaccurate and misleading, that the Director had done nothing to stop filling of fresh water lakes, and referred to certain specific cases where he charged that biological and ecological reports were not followed and recommendations were contrary to conservation, protection and preservation of state-owned lands.

Mr. Conner asked if he planned to make any recommendations to the Trustees. Mr. Randell said he did not but was calling the matter

to the board's attention so that they would look into it. Mr. Christian said there were many benefits which could accrue to the state, that in the specific cases mentioned they had a right to hear from their Director and he was not in favor of taking any action today. Mr. Randell said he would be happy to forward to the Trustees, and to the Director, copies of his remarks.

Mr. Adams pointed out that it was an indictment of the Trustees, that the whole program required more supervision for which the 1967 Legislature did not make provision and appropriation. The Governor strongly criticized Mr. Randell for the procedure and methods used against a staff member when the responsibility should rest on the board, and what had been brought out was suspect of being used for political reasons.

Attorney J. Lewis Hall, Jr., of Tallahassee, was present uninvited, to make a statement to the effect that his firm had done business with the state for many years and knew Mr. Parker and his staff to exercise their duties diligently, with honesty and integrity.

Mr. Parker said he thought it inopportune for him to make a statement, but he would prepare a report when he had received the copy of Mr. Randell's statement.

Mr. Williams suggested the formation of a committee to study the statement to be furnished by Mr. Randell and the other cases he had referred to, and Mr. Conner also felt that a committee could receive the report for investigation. The Governor said that the board needed no hearing or Mr. Randell's approval, that it functioned as a board and the public had total access to the records. Mr. Adams said the records were carefully kept and the facts would obviate the taking of testimony. Mr. Williams said the staff was developing a new format for agenda which could be understood and followed more closely.

The Trustees agreed to the suggestion by the Governor that he would take the matter under advisement while awaiting Mr. Randell's communication, and then further action could be taken.

GLADES COUNTY - File No. 2035-22-253.36. Mrs. Martha S. Thompson, the abutting upland owner, offered \$475.00 per acre, the established appraised price, for a parcel of reclaimed Lake Okeechobee bottom land lying southerly of fractional Sections 13 and 24, Township 40 South, Range 32 East, containing 2.54 acres, more or less, in Glades County. Notice of sale was published in Glades County Democrat, proof of publication filed, and no objection to the sale was received. On March 12 the Trustees had authorized advertisement.

The Outdoor Recreational Development Council advised that this parcel was too small and unsuitably located to offer any considerable outdoor recreation potential at this time.

On the advertised sale date, April 16, there was not present the required number of Trustees (5) to take action on a land sale.

On motion by Mr. Adams, unanimously adopted, the Trustees confirmed sale of the advertised parcel to the abutting upland owner at the price offered.

GLADES COUNTY - File No. 2090-22-253.36. On March 19 the Trustees

considered application from Mrs. W. B. Norton and Carol L. Norton, abutting owners, to purchase 1.81 acres of reclaimed Lake Okeechobee bottom land lying southerly of State Lot 2 in Section 8, Township 40 South, Range 33 East, Glades County. Applicants offered \$938.00 for the 1.81 acres, of which 0.65 acre has frontage on State Road 78 and 1.16 acre parcel has no road frontage. The price of \$594.57 per acre for land adjoining the highway, and \$475.00 per acre for land without road frontage, was established on the northwest shore of Lake Okeechobee in the reach between Fisheating Creek and the Kissimmee River by the Staff Appraiser.

Notice of sale was published in the Glades County Democrat, proof of publication filed, and no objection to the sale was received. On the advertised sale date, April 16, there was not present the required number of Trustees (5) to take action on a land sale.

The Outdoor Recreational Development Council advised that this parcel was too small and unsuitably located to offer any considerable outdoor recreation potential at this time.

On motion by Mr. Adams, unanimously adopted, the Trustees confirmed sale of the advertised parcel to the abutting upland owners at the price offered.

HENDRY COUNTY - File No. 1998-26-253.36. On March 12 the Trustees considered application from C. W. Kimsey, the upland owner, with offer of \$300.00 per acre, or \$100.00 minimum in this instance, for purchase of a 0.29 acre parcel of reclaimed Caloosahatchee River bottom land abutting a part of Government Lot 1 in Section 32, Township 42 South, Range 29 East, Hendry County. Notice of sale was published in the Hendry County News, proof of publication filed. On the advertised sale date, April 16, there was not present the required number of Trustees (5) to take action on disposition of land.

The Staff recommended that action be deferred because of objections which had been received from the Board of County Commissioners of Hendry County.

On motion by Mr. Adams, unanimously adopted, the Trustees deferred action, as recommended.

BAY COUNTY - Lease of Submerged Land. On April 16 the Trustees deferred action, for the reason that there was not present the required number (5) to take action on disposition of land, on the application from Akima International, Inc., for lease of an 8.0 acre parcel of submerged land in Little Goose Bayou in Section 19, Township 3 South, Range 14 West, Bay County, abutting uplands title to which is in the Panama City-Bay County Airport and Industrial District. The District had consented to a lease for the purpose of use of the submerged land in the corporation's marine biological research project. The Director of the Florida Board of Conservation reported that he could see no adverse effects on any marine resources from the project, by report dated March 6, 1968.

Applicant offered \$1.00 per acre per annum for an initial 2-year period with option to renew for 3 consecutive 5-year periods, if the project is successful. The Director advised that the option to renew would be for the Trustees or the applicant and that the rent was nominal to encourage a pilot shrimp-farming project by

this group, which already had similar activities in Japan. In the event of renewal or extension of the period, the rent would be re-negotiated.

Motion was made by Mr. Williams, seconded by Mr. Faircloth and adopted unanimously, that the Trustees approve an initial 2-year lease of the 8.0 acre parcel at the nominal charge of \$1.00 per acre per annum, with option on the part of both parties to renew for 3 consecutive 5-year periods with the terms and rental for each future period to be agreed upon, with the consent of the Panama City-Bay County Airport and Industrial District for such use of the land.

Applications numbered 6 through 11 on the agenda were land sales advertised for consideration of confirmation on April 23, 1968, the regular meeting date of the Trustees. However, the meeting was held this week on Monday, the 22nd, and this difference in dates was called to the attention of the Trustees by the Director. The applicant in #11 was present and the Board agreed to hear him, but on motion by Mr. Adams, seconded and duly adopted, the Trustees postponed until next week action on the following applications for land sales:

6. COLLIER COUNTY - File No. 2082-11-253.12 - Application for confirmation of sale of 0.54 acre parcel to Marco Island Corporation and Roger L. Johnson, abutting upland owners
7. DADE COUNTY - File No. 2086-13-253.12 - Application for confirmation of sale of 0.446 acre to C. P. C. Associates, Inc., abutting upland owner
8. LEE COUNTY - File No. 2069-36-253.12 - Application for confirmation of sale of 4.3 acres to George D. Boomer, and wife, the abutting upland owners
9. MONROE COUNTY - File No. 2048-44-253.12 - Application for confirmation of sale of 9.65 acres to Darryl F. Sheley, Trustee, abutting upland owner
10. MONROE COUNTY - File No. 2084-44-253.12 - Deferment recommended by the staff of consideration of sale of 0.36 acre applied for by Arnold E. Bennett, Sr.

PALM BEACH COUNTY - File No. 2081-50-253.12. On March 12, 1968, the Trustees considered application from Robert F. Cromwell, abutting upland owner, for a parcel of submerged land in Lake Worth in Section 28, Township 42 South, Range 43 East, 1.47 acres landward of the established bulkhead line in the City of Riviera Beach, Palm Beach County. The applicant offered the appraised price, \$1,800.00 per acre. Notice of sale was published in the Palm Beach Post, proof of publication filed in the Trustees' office.

The biological report received from the Board of Conservation under date of January 26, 1968, covering an area 250 feet southerly of the subject parcel, stated that it was a heavily developed area of Lake Worth shoreline, and that sale and subsequent development would not adversely affect marine life, habitats or fisheries.

Objections to the sale were received from James Freeland, together with a list of residents and homeowners in Riviera Beach, from Raymond J. Moudry on behalf of William Lee and many of his

neighbors, and from Mr. and Mrs. Fritz Sondermann.

Reference was made to a memorandum addressed to the Trustees from the Director dated April 17, 1968, forwarding copy of a letter to the Director from John H. Flancher, Chairman of the Area Planning Board of Palm Beach County, making certain requests of the Trustees with respect to sale and development of submerged land in Lake Worth. The objections noted above all appeared to relate to the planning efforts of that group, and action on this application appeared to be directly related to a determination of the Trustees as to the necessity for approving a moratorium with respect to these applications to permit this area planning group to complete its work. This determination would affect, in the opinion of the Staff, all other applications for purchase and development of submerged land in Lake Worth, some of which were on the agenda on this date.

Mr. Cromwell exhibited a map and explained the location of the parcel near another sold by the Trustees a few months ago to another applicant, and near submerged land previously sold to him out to the established bulkhead line, in a cove-like shallow area with subdivision development to the north and to the south, with zoning established by the City of Riviera Beach and no adverse biological report.

Mr. Dickinson said he knew the area well, and was prepared to vote for it unless the board was going to withhold action until the planning group took some action.

Governor Kirk called on Mr. Nathaniel P. Reed, of his office, who said the Area Planning Board, an authorized body, had requested the Trustees to delay any sales until the complete study was made. He said that the parcel under consideration did not have any particular significance from a biological standpoint, however. In answer to Mr. Adams' question regarding the time, he said the planning program would probably be ready in another eight or nine months.

Governor Kirk suggested that action be taken with the understanding that the area planning board will consider this an exception, and the Trustees would cooperate in every way they could.

On motion by Mr. Dickinson, seconded by Mr. Faircloth, that the Trustees confirm sale of the advertised parcel to Mr. Cromwell as suggested by the Governor, Mr. Conner and the Governor voted "Aye", and Mr. Adams and Mr. Williams voted "No." Mr. Christian had left the meeting.

Since five affirmative votes were not received, Mr. Dickinson told the applicant that he should secure from the planning group a waiver or exception from their request for withholding sales in Lake Worth and the Board would give the application further consideration.

GLADES COUNTY - File No. 1954-22-253.36. Deferred on April 16, 1968, due to the lack of the statutory quorum of five members was the application for advertisement for objections only of 47.79 acres of reclaimed lake bottom land in Lake Okeechobee in Section 23, Township 42 South, Range 33 East, landward of the Herbert Hoover Dike in Glades County, for which the U. S. Sugar Corporation, abutting owner, offered the appraised value of \$12,168.50 for the tract.

4-22-68

The Outdoor Recreational Development Council and Central and Southern Florida Flood Control District both advised that their agencies had no objection to sale of the tract of land.

On motion by Mr. Adams, seconded by Mr. Dickinson and adopted unanimously, the Trustees authorized advertisement for objections only.

GLADES COUNTY - File No. 2091-22-253.36. Deferred on April 16, 1968, due to the lack of the statutory quorum of five members, was the application for advertisement for objections only of 11.01 acres of reclaimed Lake Okeechobee bottom land abutting Section 12, Township 42 South, Range 32 East, in Glades County, for which the abutting owners, Bertha Gram and Anne Gram Couse, offered \$225.00 per acre or \$2,477.25 for the parcel, the value established by the former Staff Appraiser.

The Outdoor Recreational Development Council and Central and Southern Florida Flood Control District both advised that their agencies had no objection to sale of the parcel.

On motion by Mr. Adams, seconded by Mr. Faircloth and adopted unanimously, the Trustees authorized advertisement for objections only.

INDIAN RIVER COUNTY - File No. 1972-31-253.12. J. T. Gilbert and wife, abutting upland owners, offered the area appraised value of \$200.00 per acre for a parcel of submerged land in the Indian River in Section 34, Township 33 South, Range 40 East, containing 2.31 acres landward of the established bulkhead line in Indian River County.

The marine biological report dated July 17, 1967, stated that the subject area had been adversely affected by dredging and spoiling for the Round Island project of the local mosquito control district and that sale and development would not materially affect marine resources.

On motion by Mr. Adams, seconded by Mr. Faircloth and adopted unanimously, the Trustees authorized advertisement for objections only.

PALM BEACH COUNTY - File No. 2032-50-253.12. Brockway, Owen and Anderson Engineers, Inc., on behalf of Frank L. Lash, et ux, abutting upland owners, made application for a parcel of submerged land in Lake Worth in Section 3, Township 43 South, Range 43 East, in the City of West Palm Beach landward of the established bulkhead line in Palm Beach County, containing 0.701 acre appraised at \$3,267.00 per acre.

Biological studies made by the Florida Board of Conservation in 1961 and 1963 reported extensive silting on both sides of the Intracoastal Waterway, and that seagrass and nursery grounds appeared to be lacking in the area. A May 1963 report made when changes in the bulkhead line for the City of West Palm Beach were being considered, showed that the area did not contain valuable seagrasses.

Deferred on April 2, 1968, at the request of the Governor's office to allow opportunity for review in the light of planning under way for the Lake Worth area, this application was placed on the agenda at the time another application (No. 2081-50-253.12) for submerged land in Lake Worth was to be considered for action by the Board as to whether or not a moratorium would be approved for this area.

Mr. Adams said he voted against the other application to sustain the local planning group, and Mr. Williams made a motion that Mr. Lash's application be denied with the understanding that it might be brought back with an expression of waiver or exception from the Area Planning Board of Palm Beach County. Mr. Dickinson said he was in tune with the other members insofar as lands with adverse biological reports were concerned; but he knew this area and particularly on the west side of the lake where there were old pilings and fish houses and would hope the area planning board should not take eight months on this kind of small application where approval would help progress.

On Mr. Williams' motion the Trustees denied the application, which they indicated would be reconsidered in the event an expression was received from the Area Planning Board of Palm Beach County that an exception might be made for this parcel.

SARASOTA COUNTY - Bulkhead Line. On April 9, 1968, the Trustees postponed for two weeks action on the bulkhead line established by the City Commission of the City of Sarasota by resolution adopted February 12, 1968. The Attorney General requested Kenneth D. Woodburn, Chief Survey and Management, Florida Board of Conservation, to furnish a report comparing the biological and ecological damage that might occur within the city bulkhead line with the damage that might occur if developed in accordance with the concept of Arvida Corporation. This study dated April 17, 1968, was furnished to the Trustees by the Board of Conservation.

Mr. Brown L. Whatley, representing Arvida, introduced the following witnesses who made brief statements in support of the bulkhead line requested by Arvida Corporation:

Mr. John Dequine, fishery biologist
Dr. Gordon Gunter, marine biologist
Col. Herbert C. Gee, consulting engineer
Mr. Irwin J. Premack, public opinion polling firm
Mr. Allan C. George, national hotel consultant
Mr. Richard Tobin, Jr., economic and marketing consultant
Mr. Godfrey Stillwell, St. Armand's Merchants Association
Mr. Stanley R. Harwood, Lido Innkeepers Association
Mr. Claude A. Cook, Sarasota Chamber of Commerce
Mr. Albert Wright, Longboat Key Golf Association
Mr. Russell Currin, Builders' Association
Mr. Stanley Goldman, engineer and hotel owner
Mr. Wallace Minto of Sarasota County Pollution Committee
and about twelve others in favor of the Arvida proposal.

City Attorney John Scheb gave a brief resume of the procedure followed by the city in the establishment of the line and suggested that the unanimous vote of the City Commission in establishing this bulkhead line represented the conclusions of the city with respect to the location of a bulkhead line in this area of the city of Sarasota.

During the course of the presentation it was brought to the attention of the Trustees that Arvida Corporation had filed a petition for writ of certiorari in the Circuit Court in Sarasota County requesting the Court to review the action taken by the City of Sarasota in establishing the bulkhead line under consideration, which action had the effect of denying the establishment of a bulkhead line requested by the Arvida Corporation. This litigation is a procedure which is authorized in the statute and the attorney for Arvida made the statement that the action was filed in order

to comply with the time limitation provided for in the statute.

The Trustees discussed the litigation, and if additional testimony might be heard. Mr. Faircloth pointed out that this controversy was a classic case as to whether or not urban development could be justified in view of Mr. Woodburn's biological report. He and Mr. Conner brought up the question of possibility of compromise. Mr. Conner felt that extreme positions were presented here, that he did not believe the conservationists were against progress or the developers entirely against conservation, that this was in an urban area.

At this point the Trustees heard brief statements from Senator Warren Henderson, Senator Richard J. Deeb, Representative A. S. Jim Robinson, Mr. Francis Millikan and Mr. William Partington who urged approval of the city's bulkhead line.

Motion was made by Mr. Conner, seconded by Mr. Faircloth, to refuse approval at this time and return the bulkhead line to the City of Sarasota with a request that an effort be made to compromise in areas where possible, and return a revised line to the Trustees for consideration.

Mr. Adams said he recognized this was a weighty decision,, that there was a long history of local action, and the Trustees should be guided as much as possible by the local governing body. He agreed that Arvida's concept had merit but in the long run he thought the people would gain more by preserving natural resources. He offered a substitute motion that the city bulkhead line be accepted which, however, died for lack of a second.

Mayor Jack Betz said he was unable to say whether review and renegotiation were possible. Mr. Conner said if not, he would be ready to make a decision whenever the bulkhead line was brought back.

Mr. Conner restated his motion, that the bulkhead line be refused approval at this time and be sent back to the City of Sarasota for review with a request that efforts be made looking toward modification in the way of compromise, and Governor Kirk offered his good services to assist the parties in arriving at an amicable settlement of the various areas of difference with respect to this bulkhead line. The motion was seconded by Mr. Faircloth and adopted with a vote of five to one, Mr. Adams voting "No."

PINELLAS COUNTY - Dock Permits, Section 253.03. On motion made by Mr. Adams, seconded and duly adopted, the Trustees authorized issuance of state commercial dock permits to the following three parties whose applications were submitted by the Pinellas County Water and Navigation Control Authority. All required exhibits, including \$100.00 processing fee, were submitted for each application.

1. Charles E. Farrington, for a dock in Mandalay Channel in Section 8, Township 29 South, Range 15 East, Pinellas County
2. David H. Konrad, for a dock in Boca Ciega Bay in Section 23, Township 31 South, Range 15 East, Pinellas County
3. M. John Brand, for a dock in Clearwater Harbor in Section 8, Township 29 South, Range 15 East, Pinellas County

POLK COUNTY - Dredge Permit, Section 253.03. In meeting April 16, 1968, the Trustees approved application to remove 2,000 cubic yards of material from Lake Lulu in Polk County. The applicant advised that an error was made in calculations and the application should have been made for 2,800 cubic yards of material. Check in the amount of \$40.00 was submitted as payment for the additional 800 cubic yards for D. A. Despard of Lake Alfred, Florida.

On motion by Mr. Adams, seconded by Mr. Faircloth and adopted unanimously, the Trustees approved the request for the additional amount of material.

POLK COUNTY - Refund, Fill Permit No. 2313. The Trustees in meeting on December 12, 1967, authorized issuance of permit to Walter T. Jank to remove 2,500 cubic yards of material from Lake Winterset in Section 12, Township 29 South, Range 26 East, Polk County, to improve the applicant's upland property. However, applicant advised that the Haven Dredging Co., Inc., was unable to find suitable fill material. He requested refund of \$125.00, the amount paid for the material.

On motion by Mr. Adams, seconded by Mr. Williams and adopted unanimously, the Trustees authorized cancellation of the permit and refund of the \$125.00 paid for the material.

TRUSTEES' POLICY - In meeting March 19, 1968, the Trustees adopted the so-called "sawtooth" policy, as presented by Secretary of State Tom Adams, relative to sales of submerged land in Monroe County. By memorandum dated March 20, 1968, to the Director, a copy to each of the Trustees, Mr. Adams implemented this policy by clarifying the terminology used in the original. The phrase "on either side" may apply to only one side of the property under application, or it may apply to both sides. Also, the property "on either side" need not necessarily abut the property under application, but can be within a distance where its filling or development may affect the property under application.

A review of sales of submerged land in other areas of the state indicates the existence of situations similar to those brought to the attention of the Trustees in Monroe County, and it was thought that the Trustees might wish to consider adopting the policy for all counties when these conditions were found to exist.

Mr. Adams said that obviously this should be considered, but the wording should be very carefully studied.

On motion by Mr. Adams, seconded by Mr. Williams and adopted unanimously, the Trustees deferred action until study and preparation of a carefully worded statement of policy has been completed.

MOMROE COUNTY - Dredge Permit, Section 253.03. Attorney Ralph Cunningham of Marathon, Florida, applied for after-the-fact permit to dredge a channel 20 feet wide by 3 feet deep by 195 feet long, north of Pigeon Key near Seven Mile Bridge in Monroe County, which was necessary to facilitate removal of a 65-foot yacht which had run aground and could not be towed off without ripping the bottom of the yacht. The U. S. Coast Guard had investigated, and the Florida Board of Conservation. It was reported that the vessel was grounded in shallow water, was listing badly, and the only way to remove it was to construct a channel and float it out.

and on this date only four members were present, the Trustees deferred action on the following items numbered as they appeared on the agenda:

1. COLLIER COUNTY - File No. 2082-11-253.12 - Application for confirmation of sale of 0.54 acre parcel of submerged land to Marco Island Corporation and Roger L. Johnson, et ux, abutting upland owners
2. DADE COUNTY - File No. 2086-13-253.12 - Application for confirmation of sale of 0.446 acre of submerged land to C. P. C. Assoc., Inc., abutting upland owner
3. LEE COUNTY - File No. 2069-36-253.12 - Application for confirmation of sale of 4.3 acres of submerged land to George D. Boomer, et ux, abutting upland owners
4. MONROE COUNTY - File No. 2048-44-253.12 - Application for confirmation of sale of 9.65 acres of submerged land to Darryl F. Sheley, Trustee, abutting upland owner
6. MONROE COUNTY - File No. 2111-44-253.12 - Application for confirmation of sale of 0.72 acre of submerged land to J. Morgan Jones Publications, Inc., abutting owners
15. ESCAMBIA COUNTY - File No. 2100-17-253.03 - Request from the United States Department of the Navy for dedication of three parcels of submerged land
16. VOLUSIA COUNTY - Lease - Request for extension of lease of 641.58 acres, more or less, to the DeLand Chapter of Future Farmers of America

With reference to the three Monroe County applications (4 and 6 above, and 5 explained hereafter), the Attorney General called attention to the appraisal having been established in 1959. He requested that an up-to-date appraisal be secured. It was explained that the prices were set by the Trustees at that time for land in several areas in Monroe County. The Director said that the Staff would hold the applications until current appraisals were received.

On motion adopted unanimously, the Trustees deferred action on the above listed applications until next week, with the exception of the two Monroe County applications which were ordered withheld until current appraisals were secured.

MONROE COUNTY - File No. 2084-44-253.12. On March 12 the Trustees considered application from Arnold E. Bennett, Sr., and wife, of Miami, Florida, for purchase of a parcel of submerged land in Tropical Bay in Section 23, Township 66 South, Range 29 East, Big Pine Key in Monroe County, containing 0.50 acre, for which \$300.00 per acre was offered. Notice of sale was published in the Key West Citizen showing sale date as April 23, 1968. The Trustees having met last week on April 22, action had been postponed until this date.

The biological report dated August 18, 1967 was adverse as to part of the application area and suggested cut-back by approximately one-half. It was noted that previous sales and developed areas extended bayward to a previously established limit of 175 to 200 feet.

Mr. Bennett wrote that he did not intend to fill the bay bottom lands, but to protect his land from people encroaching on it and using his land to launch boats.

However, a number of objections were received to this proposed sale and after further consideration by the Staff, denial of the application was recommended. The Trustees objected to the price in this instance, also, being a value established by the board in 1959.

On motion adopted unanimously, the Trustees denied the sale.

BROWARD COUNTY - Dredge Permit, Section 253.123. William A. Peterson, City Engineer of Hollywood, Florida, applied for permission to install a sewer line across the Intracoastal Waterway in Section 13, Township 51 South, Range 42 East, and a sewer outfall in the Atlantic Ocean extending 10,035 feet into the ocean from Section 13, Township 51 South, Range 42 East, in Broward County. The ocean end of the outfall would be in 90 feet of water.

The Florida Air and Water Pollution Control Commission advised that the project had been approved and recommended issuance of the necessary permits. Staff requested waiver of the requirement for biological and ecological survey as provided for in Section 253.123(3)(a), since the public interest would be served.

Motion was made by Mr. Conner, seconded by Mr. Dickinson and adopted unanimously, that the application be approved and permits issued.

COLLIER COUNTY - Dredge Permit, Section 253.123, and Fill Permit, File No. 2058-11-253.124. Application was made by Old Marco Apartments, Inc., of Naples, Florida, for related permits for work in the same geographical area. First, a permit was requested for a navigation channel and removal of material from the borrow area in Big Marco Pass in Section 5, Township 52 South, Range 26 East, Collier County. The material was to be used to fill submerged land purchased under File No. 2058-11-253.12.

Also, Old Marco Apartments, Inc., on behalf of Isle on the Gulf Enterprises, Inc., was granted a fill permit by the Board of County Commissioners of Collier County in meeting April 9, 1968, under the provisions of Section 253.124 Florida Statutes, to fill the 0.9 acre parcel of submerged land conveyed by the Trustees on February 20, 1968.

On December 19, 1967, and February 20, 1968, the Trustees considered the biological report dated September 11, 1967, submitted to the Board of County Commissioners by the Board of Conservation at the time the bulkhead line was being established, which showed that the subject area was not a grassy nursery or fishing ground, had been affected by nearby dredging and filling, and therefore sale and subsequent development would not materially affect marine resources.

On motion by Mr. Dickinson, unanimously adopted, the Trustees approved issuance of the dredge permit under Section 253.123 and approved the fill permit issued by Collier County under provisions of Section 253.124.

PINELLAS COUNTY - Dredge Permit, Section 253.03. C. I. Larson,

president of Lake Tarpon Mobile Homes, Inc., applied for after-the-fact permit to remove 100 cubic yards of material from Lake Tarpon in Section 29, Township 27 South, Range 16 East, Pinellas County. The material was removed to improve navigation in the lake adjacent to a canal constructed on the applicant's upland and applicant tendered check for \$25.00 as payment for the material removed. An on-site inspection, made upon receipt of report from the Florida Game and Fresh Water Fish Commission's lake biologist inspection team, revealed that the applicant had pushed material from his upland into the lake and dredged a canal into the lake. Staff requested removal of the fill, which was done, and application for an after-the-fact permit for the channel construction.

Further inspection having shown that the applicant had complied with the request, Staff recommended approval of the permit.

Motion was made by Mr. Dickinson, seconded and adopted without objection, that after-the-fact permit for removal of the 100 cubic yards of material be approved for the charge of \$25.00 for the material.

SANTA ROSA COUNTY - Dredge Permit, Section 253.123. Louis W. Mang of Gulf Breeze, Florida, applied for permit to construct a navigation channel 80 feet long, 5 feet deep, with a bottom cut of 28 feet, in Gilmore Bayou in Section 6, Township 3 South, Range 29 West, in Santa Rosa County. The material removed from the channel would be placed on the applicant's upland behind a wooden seawall already in place. Owners in the area have wooden seawalls to retain the sand. Applicant wished to remove enough material to enable him to get his boat up to his seawall for docking.

Staff requested waiver of biological or ecological survey as provided under Section 253.123(3)(a), and issuance of permit.

On motion by Mr. Dickinson, adopted without objection, the Trustees authorized issuance of a permit under Section 253.123.

BROWARD COUNTY - Artificial Reef Permit, Section 253.03. Broward Artificial Reef, Inc., a Florida corporation, Fort Lauderdale, Florida, applied for permit to construct a series of artificial reefs in the Atlantic Ocean 1800 yards offshore from and parallel to the Fort Lauderdale beaches. The series of reefs will be 250 yards wide, 6100 yards long, with minimum clearance of 45 feet. For a period of one year the reefs will be studied by the Department of Ocean Engineering, Florida Atlantic University, and by Florida Atlantic Ocean Sciences Institute, Inc., to determine which configurations are most productive and of greatest duration.

The Florida Board of Conservation recommended the project as an aid to fishing and marine research. Staff recommended approval.

On motion by Mr. Conner, adopted without objection, the Trustees authorized issuance of the artificial reef permit for the usual \$50.00 charge.

DUVAL COUNTY - Dock Permit. Cedar Shores Apartments, Inc., represented by C. P. Caviness, agent, requested deferment of consideration of its application for a commercial dock permit for a structure to

be located in the Cedar River in Duval County.

Mr. Adams suggested that the members take special notice of the details of this application, as to whether or not a commercial dock permit would be applicable.

Without objection, the application was deferred.

CITRUS COUNTY - Dock Permit, Section 253.03. The Board of County Commissioners of Citrus County applied for a permit for a dock in Lake Tsala Apopka in Section 28, Township 18 South, Range 19 East, in Citrus County. All required exhibits were furnished and the Staff requested waiver of the \$100 processing fee for the county.

On motion by Mr. Dickinson, adopted without objection, the Trustees approved issuance of the dock permit without charge to Citrus County.

FRANKLIN, LEE AND PINELLAS COUNTIES - Hume F. Coleman, attorney for Mobil Oil Corporation, requested approval by the Trustees of two assignments between California Oil Company and Coastal Petroleum Company dated November 18 and 19, 1963, in connection with Coastal Lease Nos. 224-A, 224-B and 248, each as modified. A search of the Trustees' minutes failed to show where the Trustees approved the two assignments, which were for the purpose of terminating the joint operating agreement subject to the approval of the Trustees. Said assignments were recorded in the public records.

The California Oil Company formerly held an interest in subject leases by a joint operating agreement dated August 12, 1955, whereby certain interest in said leases would be earned by California upon the drilling of exploratory wells. This agreement was approved by the Trustees on August 19, 1955.

For the record, approval was recommended as requested by Mobil Oil Corporation, of the 1963 assignments. This firm, now holder of a joint operating agreement with Coastal, proposes to drill a well in Franklin County.

On motion by Mr. Dickinson, adopted without objection, the Trustees took official action so that the record would show approval by the Trustees of the two assignments between California Oil Company and Coastal Petroleum Company dated November 18 and 19, 1963.

BREVARD COUNTY - File No. 1868-05-253.12. On September 13, 1966, the Trustees confirmed sale to C. R. Moore and Imperial Towers of two contiguous parcels of submerged land in the Indian River in Section 15, Township 22 South, Range 35 East, Brevard County, as described in the file number above. Subsequently, the applicants requested that the purchase be made under the Trustees' standard contract-to-purchase procedure. Contracts were prepared and forwarded to said applicants under date of September 29, 1967, but have not been executed.

The applicants were notified several times, the most recent being under date of April 9, 1968, when they were advised that the Staff would request the Trustees to cancel the two contracts without prejudice in the meeting on this date.

On motion by Mr. Dickinson, adopted without objection, the Trustees authorized cancellation of the contracts to purchase as recommended.

BROWARD COUNTY - File No. 1872-06-253.12. Staff requested authority to issue refund of the \$50.00 application fee submitted with the application to purchase certain submerged land in Hillsboro Bay, Town of Hillsboro Beach, in Broward County. The application was submitted by Andrews, Singer, Lubbers and Kilby on behalf of Hillsboro Association, Inc., of Pompano Beach. The applicant's check was received July 25, 1966 and deposited August 2, 1966. The application had not been completed and was declared inactive by the Staff.

On motion by Mr. Conner, adopted without objection, the Trustees authorized refund of the \$50.00 fee.

TRUSTEES' POLICY - No record having been found of action taken by the Trustees to designate a person to receive service of process for and in behalf of the Trustees where litigation is instituted against the Trustees, and the Attorney General having been designated officially as the legal representative of the Trustees, the Staff had considered requesting that the Attorney General be asked to receive service of process. However, the Director advised that he had discussed the matter with Assistant Attorney General T. T. Turnbull who suggested that the Director would be the better party to receive service of process for and in behalf of the Trustees.

Motion was made by Mr. Faircloth, seconded and adopted unanimously, that the Director be designated as the person authorized to receive service of process for and in behalf of the Trustees in all litigation instituted against the Trustees, and that copy of the minutes showing this action be placed in the official files of the Secretary of State as information.

SARASOTA COUNTY - Bulkhead Line. The Trustees approved waiver of the rules for presentation by Mr. Conner of a request for further consideration of the City of Sarasota bulkhead line adopted on February 12, 1968, by the City Commission, offshore from lands or islands bordering on or being in the navigable waters within the City of Sarasota, to-wit: Lido Key, Otter Key, Coon Key, Bird Key, City Island, and connecting lands, all lying and being in Sections 22, 23, 25, 26, 27, 34, 35, 36, Township 36 South, Range 17 East, Sarasota County, as shown on the official City of Sarasota Bulkhead Line Plats designated as E-1, E-2 and E-21 through E-34 inclusive.

The Trustees had considered the bulkhead line on April 9 and 22, 1968, and on the latter date the line was refused approval and returned to the City of Sarasota for further review with a request that efforts be made toward modification in the way of compromise with the Arvida Corporation which had requested approval of another bulkhead line.

Mr. Conner said that the board understood that the City Commission had taken action on a vote of three to two to reaffirm their original petition to the Trustees for approval of the bulkhead line adopted by the city on February 12, 1968, and therefore, he made a motion that the Trustees approve the application of the City of Sarasota for approval of their bulkhead line.

The motion was adopted unanimously.

BREVARD COUNTY - A delegation from Brevard County was present on this date and was recognized by Mr. Adams.

Mr. Frank Mohme said he was Chairman of Save Our Waterways Committee on Merritt Island where he lived and from the county as a whole. He said that because of the concern of many residents and citizens of Brevard County about the degradation of natural waterways as a result of the extension of bulkhead lines, sales of submerged lands and the filling that had taken place, the Save Our Waterways organization was formed to request the County Commissioners and the Trustees of the Internal Improvement Fund to enact a moratorium until there could be a study by ecologists and other competent scientists and experts in the field of conservation to determine what areas should definitely be preserved and what areas might be filled and developed. He presented many copies of a petition which bore over 9,000 signatures, requesting such a moratorium.

In the absence of Mr. Lee Wenner, Chairman of the Board of County Commissioners of Brevard County, who was unable to attend because of weather conditions, Mr. Mohme advised the Trustees that the County Commission had voted unanimously in favor of the following resolution, a copy of which was filed with the Trustees:

WHEREAS, the Board of County Commissioners of Brevard County, Florida, is in receipt of a petition signed by thousands of Brevard County citizens, expressing their concern over the continuation of extensive bulkheading, and dredge and fill projects in the Banana and Indian Rivers, and the remains of Sykes Creek;

NOW, THEREFORE, BE IT RESOLVED by the Board of County Commissioners of Brevard County, Florida, that a moratorium be, and is hereby enacted, on submerged land sales, bulkhead extensions, and dredge and fill operations, in Brevard County, Florida, with the following exceptions:

1. Public works projects, although these should be so designed as to keep pollution and damage to estuarial marine life to a minimum.
2. Maintenance and upkeep of existing buildings or navigable channels; or fill of existing minor pockets or indentations which are approved by the Florida Board of Conservation ecological reports called for by the Randell Act of 1967.
3. Construction of such projects of extreme economic importance to Brevard County which must by their very nature be located on the waterfront in such cases where the reports required of the Florida Board of Conservation by the Randell Act of 1967 indicate that damage to marine life or danger of pollution is minimal.

BE IT FURTHER RESOLVED that any applicant that is awarded an extension of any bulkhead line, will be required to quitclaim to Brevard County his riparian rights, to assure no further extension of the established line, and

BE IT FURTHER RESOLVED that copies of this resolution be forwarded to the Honorable Claude Kirk, Jr., Governor or the State of Florida, and the Trustees of the Florida Internal Improvement Fund.

DONE, ORDERED, AND ADOPTED, in Regular Session, this 25th day of April, A.D. 1968.

A letter was presented from Senator C. S. "Cliff" Reuter supporting the Save Our Waterways movement and requesting the moratorium.

Mr. Mohme added that while the county resolution affected only the land in Brevard County not within city limits, several cities in the county were considering similar action or had established bulkhead lines one foot offshore. He requested approval by the Board of the resolution of Brevard County.

Mr. Adams said the Board had understood that the county had taken this action, and he received approval from the members for waiving the rules for considering the matter.

Mr. Faircloth commended the Brevard County Commission for its action and said that another moratorium by the Trustees with state-wide effect might be in order. Mr. Faircloth made a motion that the Trustees adopt the moratorium as requested by the County Commission of Brevard County.

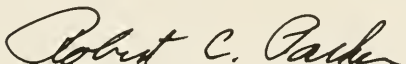
Mr. Conner seconded the motion. He asked whether the county was satisfied that the exceptions mentioned in the resolution would provide for emergencies and public works.

Mr. Dickinson liked the intent and voted in favor of the resolution, commenting on serious problems in all coastal counties which had been encountered, and the action in Palm Beach County where the Area Planning Board had requested sales withheld until a study had been completed. To avoid probable difficulties, he thought some kind of blanket action should be considered.

The motion by Mr. Faircloth, seconded by Mr. Conner to approve the moratorium requested in the Brevard County resolution, was adopted unanimously.

On motion duly adopted, the meeting was adjourned.


SECRETARY OF STATE - ACTING CHAIRMAN

ATTEST: 
DIRECTOR - SECRETARY

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Tallahassee, Florida
May 7, 1968

The Trustees of the Internal Improvement Fund met on this date

5-7-68

in the Capitol Building in Senate Hearing Room 31, with the following members present:

Claude R. Kirk, Jr.	Governor
Tom Adams	Secretary of State
Fred O. Dickinson, Jr.	Comptroller
Broward Williams	Treasurer
Doyle Conner	Commissioner of Agriculture

Robert C. Parker	Director
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On motion duly adopted, the Trustees approved the minutes of the meeting of April 30, 1968.

COLLIER COUNTY - Bulkhead Line. The Board of County Commissioners of Collier County by Resolution adopted April 9, 1968, corrected the last two calls of the Fourth Section of the bulkhead line in Section 5, Township 52 South, Range 26 East, Collier County, previously established by the county and approved by the Trustees in meeting on June 22, 1965. Because of the erroneous calls in the description, the bulkhead line failed to join up with the one to the north as was originally intended.

The Florida Board of Conservation reported that the shoreward revision of the bulkhead line would obviously reduce any potential effects on marine life. There were no objections at the local hearing, and all required exhibits were furnished to the Trustees' office. Staff recommended approval of the correction.

Motion was made by Mr. Dickinson, seconded by Mr. Adams and adopted unanimously, that the Trustees approve the bulkhead line as corrected and adopted by the Board of County Commissioners of Collier County on April 9, 1968.

ST. JOHNS COUNTY - Bulkhead Line. The City Commission of the City of St. Augustine, Florida, by Resolution No. 2137 adopted April 22, 1968, established a bulkhead line along the east side of the San Sebastian River in St. Augustine in Township 7 South, Range 30 East, St. Johns County.

The Florida Board of Conservation reported that the area is silted, polluted and is not a sport or commercial fishing ground. There were no objections at the local hearing. All required exhibits were furnished and the Trustees' Staff recommended approval.

Motion was made by Mr. Dickinson, seconded by Mr. Adams and adopted unanimously, that the Trustees approve the bulkhead line as established by the City Commission of St. Augustine on April 22, 1968.

COLLIER COUNTY - File No. 2082-11-253.12. On March 12, 1968, the Trustees considered applications from Marco Island Corporation and Robert L. Johnson and wife, to purchase two contiguous parcels of submerged land in the Marco River in Section 5, Township 52 South, Range 26 East, Collier County, at the appraised value of \$1,337.00 per acre. For one parcel containing 0.52 acre, the offer was made of \$695.24. For the 0.02 acre parcel, the minimum of \$100.00 was offered. Notice of sale was published in the Collier County News,

proof of publication filed, and no objection to the sale was received.

On April 22 the Trustees postponed action, because the advertised sale date was April 23. On April 30 the Trustees deferred action because only four members were present.

The biological report dated September 11, 1967, made at the time the bulkhead line was being considered (subsequently approved by the Trustees on December 5, 1967) stated that sale and development inside the bulkhead line would not materially affect marine resources of the area.

On motion by Mr. Dickinson, seconded by Mr. Williams and adopted unanimously, the Trustees confirmed sale of the advertised parcel to the riparian owners at the prices offered for the two parcels totalling 0.54 acre, more or less.

DADE COUNTY - File No. 2086-13-253.12. On March 12, 1968, the Trustees considered application from C. P. C. Assoc., Inc., abutting upland owner, to purchase a parcel of submerged land in Biscayne Bay abutting uplands in Section 39, Township 54 South, Range 41 East, 0.446 acre landward of the established bulkhead line in the City of Miami, Dade County. Applicant offered the appraised value of \$5,081.00 per acre. Notice of sale was published in the Miami Review, proof of publication filed, and no objection to the sale was received.

At the meeting on April 22 the Trustees postponed action, because the advertised sale date was April 23. On April 30 the Trustees deferred action because only four members were present.

The biological report dated December 27, 1967, for an abutting parcel which was sold by the Trustees on February 27, 1968, stated that sale and subsequent development of the application area would have no significant effect on marine resources in Biscayne Bay.

By notice received April 15, 1968, Staff learned that title to the upland had passed from C. P. C. Assoc., Inc., the original applicant, to J. R. Galindo and Fred E. Snowman, Jr., who would be the grantee in the deed conveying the submerged land.

On motion by Mr. Dickinson, seconded by Mr. Adams and adopted unanimously, the Trustees confirmed sale of the advertised parcel to the riparian owners, J. R. Galindo and Fred E. Snowman, Jr., at the appraised price.

LEE COUNTY - File No. 2069-36-253.12. On March 12, 1968, the Trustees considered application from George D. Boomer, and wife, who offered the appraised value of \$500.00 per acre for a parcel of submerged land in Estero Bay in Section 2, Township 47 South, Range 24 East, containing 4.3 acres landward of the established bulkhead line in Lee County. Notice of sale was published in the Fort Myers News Press, proof of publication filed and no objection to the sale was received.

At the meeting on April 22 the Trustees deferred action for the reason that the advertised sale date was April 23. On April 30 the Trustees deferred action because only four members were present.

The biological report dated January 16, 1968, from the Board of Conservation showed that this parcel lay immediately east of the Bonita Beach Causeway and exhibited the adverse effects of dredging and filling for causeway construction, and that sale and filling would not adversely affect marine resources.

On motion by Mr. Dickinson, seconded by Mr. Adams and adopted unanimously, the Trustees confirmed sale of the advertised parcel to the riparian owners at the appraised price.

MONROE COUNTY - File No. 2083-44-253.12. Howard M. Post made application to purchase 5.73 acres of submerged land in the Atlantic Ocean in Section 21, Township 60 South, Range 40 East, at Key Largo in Monroe County, for which he offered \$250.00 per acre, established value for land in the area.

The biological report dated April 30, 1968, from the Board of Conservation stated that the tract is vegetated, is an important nursery and feeding ground for marine life, sale and development would have adverse effects on the marine resources of the area, and that the land to either side of the parcel had not been filled. Therefore, the "sawtooth" policy adopted by the Trustees did not apply and the Staff recommended that the application for advertisement for sale be denied and the application fee be refunded.

Mr. Adams said that the applicant had asked for removal from the agenda today; that he did not intend to fill the land. The Director said the suggestion had been made that a deed might be issued with a no-fill clause, but that the Staff in the past had not considered such a clause advisable.

At Mr. Adams' suggestion, the Trustees ordered the application withheld pending receipt of further information.

Mr. Williams expressed appreciation for the new format used to show information regarding land sales and applications for advertisement, and the grouping of similar matters to be considered. Since he was not present last week, he asked if the sales listed on this date were in accordance with the moratorium. The Director said a moratorium was in effect only as to Brevard County and Lake Worth in Palm Beach County. He assured the Treasurer that any item appearing on the agenda would be in compliance with the action of the Trustees' guide lines.

Mr. Williams also brought up the City of Sarasota bulkhead line which the Trustees approved last week. He said he had not known that the matter was going to come up, and would like for the minutes to show that had he been present when the Trustees approved the city's line he would have voted for it.

Governor Kirk said he was also in favor of approval of the bulkhead line established by the City of Sarasota.

Mr. Conner explained that since the city had requested that the Trustees not delay action, and since it was on his motion that the Trustees delayed decision until the city had reconsidered its line with a view toward modification if any compromise with the applicants appeared possible, when word was received that the City Commission on a three to two vote had reconfirmed its bulkhead line as adopted on February 12, 1968, he saw no reason for delay and last week had brought up the bulkhead line for action

by the Trustees with a motion for its approval, which was unanimously adopted by those present.

PINELLAS COUNTY - Extension of Dredge and Fill Permit.

Thomas M. Harris, attorney of St. Petersburg, Florida, filed a petition in behalf of Alfred G. Zabel and David H. Russell for extension of Pinellas County Permit No. BDF-80 amended, originally issued April 8, 1966 and approved by the Trustees by official action on August 16, 1966. Subsequent to the action taken by the Trustees in approving subject dredge and fill permit, litigation was instituted by the applicant against the U. S. Army Corps of Engineers to require issuance by the Corps of a permit to perform the work authorized in this dredge and fill permit. The Corps, in recognition of the request from the U. S. Fish and Wildlife Service stating that the dredge and fill operations would cause damage to the marine resources in the area, refused to issue the Corps permit.

The original Permit No. BDF-80 was issued by the Pinellas County Water and Navigation Control Authority in response to a court order requiring the Authority to establish the bulkhead line and issue the dredge and fill permit. In view of the Supreme Court decision and subsequent Circuit Court action in compliance with this decision by the local authority, there appeared to be no proper basis for exercise by the Trustees of independent judgment or discretion with respect to granting approval of the bulkhead line and the dredge and fill permit as issued by the local authority.

The applicant has been unable to proceed with the dredge and fill operations due to the litigation above referred to, and the Pinellas County Water and Navigation Control Authority at meeting of April 26, 1968, received a memo from Acting County Attorney Daniel M. Martin which stated that the petition filed by the attorney for the applicant is properly before the Trustees of the Internal Improvement Fund and that extensions of time are procedural matters to be determined at the State level as provided under Chapter 253.124, and stating further that inasmuch as the matter is pending in Federal Court there appears to be no discretion insofar as the application is concerned, with respect to the local authority.

In view of the history of the transaction as set forth above, the Staff felt that the request for extension of subject permit was justified and therefore recommended that the Trustees grant the petition for extension for a three-year period as now authorized by Section 253.124 Florida Statutes.

In answer to questions of the Governor, the Director said that the Trustees were not involved in the litigation, that he did not see how extension of the permit could involve the Trustees in the case, that the permit was now valid.

Motion was made by Mr. Dickinson, and duly adopted, with Mr. Williams and Governor Kirk voting "No", that the subject permit be extended for a three-year period as authorized by Section 253.124 Florida Statutes, as recommended by the Staff.

BREVARD AND INDIAN RIVER COUNTIES - Dredge Permit, Section 253.123.
Florida Power and Light Company of Cocoa, Florida, applied for a permit to install a submarine power cable across Sebastian Creek

in Section 23, Township 30 South, Range 38 East, north of Roseland in Brevard and Indian River Counties.

Staff requested waiver of the biological or ecological study as provided under Section 253.123(3)(a) Florida Statutes, since the public interest will be served by installation of the power cable.

Motion was made by Mr. Conner, seconded by Mr. Dickinson and adopted unanimously, that the permit be authorized.

INDIAN RIVER COUNTY - Dredge Permit, Section 253.123. The City of Vero Beach applied for a permit to allow shoring up, by constructing a retaining wall and backfilling, of an existing city power tower within the right of way of the Intracoastal Waterway in the Indian River in Section 31, Township 32 South, Range 40 East, Indian River County. The tower was constructed on a spoil island which had eroded away, exposing the wooden piling now practically destroyed by the action of toredoes.

Staff requested waiver of the biological or ecological study as provided under Section 253.123(3)(a) Florida Statutes, since the public interest will be served by the project.

Motion was made by Mr. Dickinson, seconded by Mr. Adams and adopted unanimously, that the permit be authorized.

GLADES, HENDRY AND OKEECHOBEE COUNTIES - Dredge Permit, Section 253.03. The Florida Game and Fresh Water Fish Commission applied for a permit to construct a series of motor boat trails across the vegetation-choked shallow bottoms of Lake Okeechobee in Glades, Hendry and Okeechobee Counties from the City of Clewiston to the Kissimmee River in portions of Townships 38 and 39 South, Range 34 East, Township 41 and 42 South, Range 33 East, and Townships 42 and 43 South, Range 34 East. The construction will be accomplished by using a bulldozer to scrape 20-foot wide channels through the vegetation. The material removed will be destroyed.

On motion by Mr. Dickinson, seconded by Mr. Adams and adopted unanimously, the Trustees granted permit to the Florida Game and Fresh Water Fish Commission for the opening of boat trails as requested.

PINELLAS COUNTY - Dock Permits, Section 253.03. The Pinellas County Water and Navigation Control Authority submitted three applications for state commercial dock permits for which all required exhibits, including \$100.00 processing fees for each dock facility, were received and the Staff recommended approval.

1. H. F. Hallock - To construct a dock in Boca Ciega Bay in Section 23, Township 31 South, Range 15 East
2. George B. Kapsalis - To construct a dock in the Anclote River in Section 12, Township 27 South, Range 15 East
3. Ed C. Wright - To construct three (3) piers in the Gulf of Mexico in Section 19, Township 29 South, Range 15 East

It was noted that the third applicant submitted \$300.00 for the three docks to be built.

On motion by Mr. Dickinson, seconded by Mr. Williams and adopted unanimously, the Trustees authorized issuance of the requested state commercial dock permits.

SARASOTA COUNTY - Dock Permit, Section 253.03. Fisherman's Cove, Inc., represented by Smalley, Wellford and Nalven, applied for a permit for boat slips and docks adjacent to upland property in Blind Lagoon in Section 32, Township 37 South, Range 18 East, in Sarasota County. All required exhibits, including the \$100.00 processing fee, were submitted and Staff recommended approval.

Motion was made by Mr. Dickinson, seconded by Mr. Williams and adopted unanimously, that the Trustees authorize issuance of the requested commercial dock permit.

PINELLAS COUNTY - Dedication for State Road Department Right of Way. In meeting August 31, 1965, the Trustees granted a dedication to the State Road Department of a parcel of submerged land in Long Bayou in Sections 1 and 2, Township 31 South, Range 15 East, Pinellas County, for use in road and bridge construction on State Road 595, Section 15010-2152. Part of the area included in the dedication was within the parcel applied for by Eddie's Seafood, Inc., under Trustees File No. 102-52-253.12, which application was first considered by the Trustees in meeting of April 8, 1958, but action was deferred pending solution of certain right of way problems in connection with the overall area.

In meeting February 15, 1966, the Trustees confirmed the sale to Eddie's Seafood of a reduced parcel of submerged land subject to deed being delayed pending clearance with the State Road Department as to part of the dedication that was affected by the sale. On July 8, 1966, the Road Department authorized release of this affected parcel, and the Trustees executed deed to Eddie's Seafood under date of July 14, 1966.

On June 16, 1967, the State Road Department advised the Staff that the parcel released by their action of July 8, 1966, inadvertently included an area that was not acceptable to the U. S. Bureau of Public Roads for Federal Aid participation; therefore, the Road Department has requested that this 1.25 acre parcel be the subject of a dedication with the specific stipulation that it will never be filled for roadway purposes. The owner has consented to a dedication with this provision.

As the parcel will not be filled but will be a protective zone for the bridge abutment, Staff recommended that biological survey be waived and the dedication be authorized.

Motion was made by Mr. Williams, seconded by Mr. Dickinson and adopted unanimously, that the 1.25 acre parcel be dedicated to the State Road Department with the no-fill stipulation as recommended by the Staff.

ESCAMBIA COUNTY - File No. 2100-17-253.03. Dedication to U. S. A. Deferred last week when only four members were present was request from the Department of the Navy, Southeast Division, Naval Facilities Engineering Command, at Charleston, South Carolina, for exclusive use dedication for policing and patrolling in connection with the national defense at the Pensacola Naval Air Station, covering three parcels of submerged land extending outward from the mean high water line to the mean low water line

a distance of approximately 50 feet, described as follows:

In Section 17, Township 3 South, Range 31 West, a 4.97 acre parcel of submerged land extending 4330 feet from Big Lagoon to Sherman Cove; and

In Section 16, Township 3 South, Range 31 West, and Sections 1 and 5, Township 3 South, Range 30 West, a 13.20 acre parcel of submerged land extending 11,500 feet from Sherman Inlet to Pensacola Bay; and

In Sections 1 and 2, Township 3 South, Range 31 West, a 56.64 acre parcel of submerged land extending 59,200 feet from a point opposite Chevalier Field in Pensacola Bay meandering the shoreline to the westerly boundary of the Naval Air Station in Bayou Grande.

On motion by Mr. Dickinson, seconded by Mr. Williams and adopted unanimously, the Trustees authorized issuance of the dedication to the U. S. Department of the Navy for the purpose of creating a buffer zone to prevent unauthorized ingress and egress into the Naval Air Station, as requested.

VOLUSIA COUNTY - Lease Extension. Section 253.03. On May 13, 1958, the State Board of Education authorized the DeLand Chapter of Future Farmers of America to use Section 16, Township 18 South, Range 31 East, 641.58 acres, more or less, in Volusia County, for an educational demonstration project by the FFA Chapter. Agreement No. 1437-S was entered into for this purpose and during the last ten years the Chapter surveyed the section, planted over 30,000 sand pine seedlings, plowed fire lanes, and harvested timber consistent with a forestry management plan approved by the Florida Forest Service. The work of the Chapter resulted in an improved section of land with fires controlled and timber theft eliminated.

Darwin E. Bennett, Agriculture Instructor for DeLand High School, requested consideration of ten-year renewal of the lease which will expire on May 13, 1968. The request was deferred last week, only four of the Trustees being present.

Staff recommended that the Trustees, holder of title under Chapter 67-2236, Laws of Florida (Section 253.03 Florida Statutes), issue an instrument superseding Agreement No. 1437-S for an additional ten years to the Volusia County School Board of Public Instruction, to allow continued use of the land by the FFA Chapter subject to a road right of way across the East 30 feet, and subject to a power line easement.

On motion by Mr. Dickinson, unanimously adopted, the Trustees approved the Staff recommendations as the action of the Board.

PALM BEACH COUNTY - Lease. S. N. Knight of S. N. Knight & Sons, Inc., Belle Glade, Florida, applied to lease a tract of undeveloped muck land containing 4,179.01 acres in Township 44 South, Range 39 East, Palm Beach County, for 20 years for agricultural purposes. His original offer of annual rental was \$1 per acre for the first 10 years and \$15 per acre for the 11th through 20th years, or an average of \$8 per acre. After review by the Staff of the land value and other factors, Mr. Knight amended his annual rental offer, as follows:

\$3.90 per acre for 1st and 2nd years, \$6.50 per acre for 3rd and 4th years, \$9.10 per acre for 5th and 6th years, \$11.70 per acre for 7th and 8th years, \$12.92 per acre for 9th and 10th years, \$17.55 per acre for 11th through 15th years, and \$20.80 per acre for 16th through 20th years.

The amended rental offer is an average of \$13.99 per acre, with a larger portion of rent being paid during the first 10 years.

The tract is approximately 20 miles southeast of Lake Okeechobee adjacent to Conservation Area No. 1, and 3 miles south of Twenty Mile Bend. The soil is of two types. The majority is Everglades Peat which is suitable for sugar cane, while the balance is Loxahatchee Peat and not as productive for crops until in use for several years. Although the tract is land-locked without public access, the Central and Southern Florida Flood Control District has agreed to allow a lessee of the Trustees to have access through its pumping station and recreation facility at Twenty Mile Bend and down a road adjacent to Levee L-7.

In December 1967 the Staff made a field inspection after learning that a large portion of the tract was being cleared without authority of the Trustees. Aerial inspection revealed extensive clearing in process with some ditching and canal work completed. The attorney for the adjoining land owner, the applicant for lease, was advised of this and further trespass ceased. Mr. Knight's original offer was for lease of approximately 3,000 acres, but upon insistence of the Staff the application was amended to cover the entire tract including both types of soil.

Staff recommended that the entire tract of 4,179.01 acres be advertised for competitive bids based on the minimum rental set forth above and a requirement that the lessee expend a minimum of \$100 per acre in permanent improvements on the leased land within the first five years of the lease. The Director said the lease would be offered at competitive auction at the board meeting on the advertised date.

On motion by Mr. Dickinson, seconded by Mr. Conner and adopted unanimously, the Trustees authorized advertising the land for lease.

TRUSTEES' POLICY - Release of Reservations. The State Land Office Section and Murphy Act Section of the Trustees' office process an average of 225 applications per month for release of oil and mineral reservations held pursuant to Section 270.11 Florida Statutes, canal reservations, and reservations for oil and minerals and road right of way contained in deeds issued under Sections 192.38 and 192.381 Florida Statutes. Quitclaim deeds releasing the reservations are presently being executed by all of the Trustees, and in an effort to expedite the issuance of quitclaim deeds and to serve the public in a more efficient manner, it was recommended that the Trustees designate the Director to act on their behalf as agent in execution of such releases.

On motion by Mr. Dickinson, unanimously adopted, the Trustees adopted the following resolution.

R E S O L U T I O N

WHEREAS, in the sale of lands the Trustees of the Internal Improvement Fund have reserved phosphate, minerals, metals, and petroleum interest, road rights of way, and canal

and drainage rights, and

WHEREAS, the Trustees, pursuant to Section 270.11, Florida Statutes, have authority to release the reserved phosphate, minerals, metals and petroleum interest under certain conditions, and

WHEREAS, the Trustees may release the road rights of way and the canal and drainage rights when said reservations are not needed by the State, its successors or assigns, and

WHEREAS, the Trustees desire to expedite the issuance of the quitclaim deeds releasing the above referred to reservations and to serve the public in a more efficient manner; now, therefore

BE IT RESOLVED by the Trustees of the Internal Improvement Fund that pursuant to Section 253.431, Florida Statutes, the Trustees designate their director as agent to act in their behalf in the execution and delivery of those quitclaim deeds releasing phosphate, minerals, metals, and petroleum interest, road rights of way, and canal and drainage rights.

* * *

The Director commented on the policy which has been followed through the years with respect to releases, and mentioned certain instances when the area for which release was requested did not comply with the size requirements and the Trustees had sold the mineral reservations. Such unusual applications would continue to be presented to the Board for consideration. He assured the Governor that such releases were nothing new, but that execution by the Director as agent pursuant to Section 253.431 would be new. No title would be conveyed; and deeds would continue to be executed by the Trustees.

MONROE COUNTY - On request of Mr. Adams, the rules were waived for consideration of a matter not on the agenda, with reference to Sea Farms, Inc., which had a commercial shrimp farm project in Monroe County on land owned by the company in the Tarpon Belly Keys. He recalled that the Trustees did not desire to sell additional land to the company because it was inside the Great White Heron dedication area and had suggested that the pilot project be continued on the applicant's land. Due to the fact that the land was unsurveyed, a small road built across tidal areas by the Sea Farms company was actually a trespass, but the balance of the project was determined to be within the boundaries of the firm's ownership.

Mr. William B. Hannum requested that the Trustees recognize the circumstances and allow him to remove any degree of trespass and continue with the project within the ownership boundaries.

Motion was made by Mr. Adams, seconded by Mr. Williams and adopted without objection, that the Trustees authorize issuance of permit for Sea Farms, Inc., to remove the road which was built across tidal areas to permit movement of equipment from one canal to the second canal, also to remove a small projection on submerged sovereignty tidal bottoms which was placed there for the purpose of unloading equipment upon commencement of the construction of the canals. When these areas have been removed the entire operation will be located on lands owned by Sea Farms, Inc.

On motion duly adopted, the Trustees approved the minutes of the meeting of May 7, 1968.

SPECIAL COMMITTEE REPORT - The Secretary of State presented a report dated May 14, 1968, from the special committee of the Trustees composed of Secretary of State Tom Adams, Chairman, Superintendent of Public Instruction Floyd Christian, member, and Governor Claude R. Kirk, Jr., ex officio member, which was appointed by the Governor at the request of Attorney General Earl Faircloth on February 27, 1968, to study three proposed modifications of the rules and regulations that the Attorney General had suggested.

On motion made by Mr. Faircloth, seconded by Mr. Christian, and adopted unanimously, the Trustees adopted the following as submitted and recommended by the special committee:

MASTER PLANNING

The committee recommends that a master planning effort, with respect to the preservation and utilization of our State submerged lands, be conducted by the staffs of the Board of Conservation, the Trustees of the Internal Improvement Fund, the Outdoor Recreational Development Council, and the Game and Fresh Water Fish Commission. This work should be coordinated through the Office of State Planning.

This task force should be under the chairmanship of the Director of the Board of Conservation, with staff assistance being provided by the four participating agencies.

The Office of State Planning should assist in establishing the planning procedures and methods to be followed by the participating agencies.

It is recommended further that the study of our estuarine areas that is being conducted by the Director of the Board of Conservation as approved by the board at its meeting on February 27, 1968, be incorporated in this proposed master planning effort.

This proposal, if adopted, would in no way diminish the responsibilities or authority of these individual agencies, but is meant to guarantee coordination and prevent duplication.

The committee emphasizes the need to proceed with the implementation of this proposal as soon as possible.

SUBMERGED LAND SALES

The committee recommends that the sale price of submerged land be not less than the assessed value of comparable submerged land in the immediate vicinity of the submerged land under application.

COST OF FILL

The committee recommends that:

(a) The Trustees rescind the resolutions of February 1, 1927, and October 6, 1959, which establish and reaffirm, respectively, the policy of permitting purchasers of submerged land to obtain fill material from the State without cost;

(b) A minimum charge of five cents (5¢) per cubic yard be adopted for the cost of fill; and

(c) A technical advisory committee of registered appraisers and professional engineers be appointed by the Trustees and charged with the responsibility of recommending to the Trustees guidelines for establishing the value of fill for future transactions.

* * *

MORATORIUM - Five Vital Conservation Areas. In a prepared statement Secretary of State Adams discussed submerged coastal lands sold in the past, destruction of areas of natural beauty as well as marine breeding grounds, continuing requests for sale of submerged lands and the problem of the board being to clearly identify those coastal areas which, for biological or esthetic reasons, should not be sold under any circumstances, no matter what the momentary economic gain might be. He proposed that the new inter-agency committee be directed to give top priority to designating such areas to be set aside in perpetuity in their natural state, areas which will never be sold.

Five such areas already identified by marine biologists of the Florida Board of Conservation, listed below, were proposed as moratorium areas pending further study by the inter-agency committee, which would report back to the Trustees no later than 60 days from now on its recommendations regarding these five areas which would become permanent moratorium areas if recommended by the inter-agency committee. Also, as rapidly as possible, the inter-agency committee would designate other specific areas where land sale moratoriums are justified.

1. Apalachicola Bay, including all its arms and tributaries. This is one of the Nation's richest seafood producing areas, and 90% of Florida's commercial oysters are harvested here.
2. Boca Ciega Bay. Only one undisturbed area is left unspoiled of this once beautiful bay. It is bounded on the west by Tierra Verde and the Bayway, on the north by Main Channel, on the east by Sunshine Skyway Channel, and on the south by Bunces Pass Channel.
3. Turtle Bay, Bull Bay, Gasparilla Sound, Cape Haze Area. Preservation of the submerged land and numerous islands in this area would establish a good buffer between any future development to the north and the open waters of lower Charlotte Harbor. It is an area rich in marine life and a bird sanctuary.
4. Featherbed Bank in Lower Biscayne Bay. This shallow, grassy area harbors a rich and varied complex of marine life and supports a very popular sport fishery. It is recognized as perhaps the most productive region of lower Biscayne Bay.
5. Banana River. There is great pressure from commercial interests to fill in portions of this river and much damage already has been done. Therefore, all submerged land not conveyed or committed to development should be set aside soon as a preserve.

On motion by Mr. Faircloth, adopted without objection, the Trustees accepted the proposal of Mr. Adams that the above described five areas become moratorium areas pending review by the inter-agency committee named on this date, and that the five areas become permanent moratorium areas if so recommended by the committee along with other specific areas where land sale moratoriums are justified.

Senator Elizabeth J. (Beth) Johnson of Cocoa Beach, Florida, 29th Senatorial District, said she was vitally concerned in preserving the submerged lands and appreciated the action already taken by the Trustees. Reading a prepared statement, she asked the Trustees to impose an immediate state-wide moratorium on submerged land, to provide for planned progress, and to review the rules and regulations.

Mr. Adams said that the board had been working since the first of the year, evidenced by action in recent weeks and today, in an effort to become management agents, rather than sale agents, of state lands. He said that of course the Trustees followed the law and until the Legislature enacted statutes as a result of increased awareness and concern, it had been difficult.

Several questions about the moratorium on the five areas were asked by J. Lewis Hall, Jr., an attorney who said he had clients in Brevard County, some of whom owned land in the Banana River purchased with a view of development, and had expended considerable amounts of money. He asked for clarification as to whether the moratorium adopted on this date meant a complete impediment to dredging consistent to the terms of the Randell Act, and whether it included land in municipalities. Mr. Adams said the action would not impede public projects but other than that, a moratorium was declared, including submerged land owned by Mr. Hall's clients.

Mr. Jackson Brownlee asked about owners now in the process of filling, and whether extensions of fill permits or new permits would be issued for the development projects to be completed. He asked that each application be considered on its own merits.

The members discussed the effect of the moratorium. Mr. Adams said that dredge and fill permits will be honored and requests for extension considered, but no new permits would be considered except those involving public purposes. Mr. Christian brought up the possibility of a permit having expired, and members expressed the opinion that unless some work under the expired permit had been done, and a start already made on the development, an application for a new permit would not receive approval. Mr. Conner said that the Trustees would honor any commitments that had been made unless there was some reason to review any aspects of any outstanding commitments. Upon mention by Mr. Conner of those items that were now being processed, Mr. Adams said that might cause confusion and he thought it better to let applications come before the board for consideration one by one.

Mr. Dickinson said this situation would continue until the inter-agency committee gave a report of the total picture. He pointed out that without some filling we would not have Miami Beach, Palm Beach, Cocoa Beach, that Florida has not remained static but that much has been done for recreation, state parks, public projects of other kinds, and the opening up of what were closed areas. But with the tremendous growth of Florida it inured to the Trustees to set a state-wide pattern, to consider the many

areas of stagnation where some improvement would assist, and to take a prudent common-sense attitude while adopting a hard-line policy against some kinds of action.

DUVAL COUNTY - File No. 2085-16-253.12. On March 19, 1968, the Trustees considered application from Bruce, Smith and Proctor on behalf of The Pritchett Corporation and Cedar Shores Apartments, Inc., with offer of the appraised value of \$1,330.00 per acre for two contiguous parcels of submerged land in the Cedar River abutting uplands in Section 42, Township 3 South, Range 26 East, containing 0.58 acre, more or less, landward of the established bulkhead line in the City of Jacksonville, Duval County.

Notice of sale was published in the Florida Times Union, proof of publication filed in the Trustees' office. The biological report was not adverse, as explained in minutes of March 19.

Thames and McCollum, on behalf of fourteen riparian owners of property within 1000 feet, filed objections to the sale, stating that the extension would narrow the river, create a safety hazard to the boating public, and cause erosion across the river. The Staff, in reviewing the objections and the fact that the maximum extension is only 35 feet riverward of the present shoreline and the parcel contains a total of only 0.58 acre, is of the opinion that the objections are without valid foundation.

On motion by Mr. Dickinson, seconded by Mr. Conner and Mr. Christian, the Trustees overruled the objections and confirmed sale of the advertised parcel to the abutting upland owners.

GLADES COUNTY - File No. 1954-22-253.36. On April 22, 1968, the Trustees considered application from U. S. Sugar Corporation for purchase of a parcel of reclaimed lake bottom land in Lake Okeechobee in Section 23, Township 42 South, Range 33 East, containing 47.79 acres landward of the Hoover Dike. The applicant offered the appraised value of \$12,168.50 for the land, at the rate of \$150.00 per acre for 22.79 acres, and \$350.00 per acre for 25.00 acres.

Notice of sale was published in the Glades County Democrat, proof of publication filed and no objection to the sale was received.

The Outdoor Recreational Development Council and the Central and Southern Florida Flood Control District both advised that they had no objection to sale of the tract of land in Glades County.

On motion by Mr. Christian, duly adopted, the Trustees confirmed sale of the advertised land to the abutting owner, U. S. Sugar Corporation, at the appraised price.

GLADES COUNTY - File No. 2091-22-253.36. On April 22, 1968, the Trustees considered application from Bertha Gram and Anne Gram Couse, abutting owners, with offer of the appraised value, \$225.00 per acre, for 11.01 acres of reclaimed land in Lake Okeechobee in Section 12, Township 42 South, Range 32 East, landward of the Hoover Dike in Glades County.

Notice of sale was published in the Glades County Democrat, proof of publication filed and no objection to the sale received.

The Outdoor Recreational Development Council and the Central and Southern Florida Flood Control District both advised that they had no objection to sale of the land.

On motion by Mr. Christian, seconded by Mr. Dickinson and adopted unanimously, the Trustees confirmed sale of the advertised land to the abutting owners at the appraised price.

MONROE COUNTY - File No. 2079-44-253.12. On March 19, 1968, the Trustees considered application from Ismael Fuentes and wife for purchase of a parcel of submerged land containing 0.76 acre in the Straits of Florida in Section 3, Township 63 South, Range 38 East, Plantation Key in Monroe County. The applicants offered \$300.00 per acre, the price established by the Trustees on November 24, 1959. The applicant planned to construct a rock jetty and small boat basin. Biological report of Mar. 8, 1968, was favorable. Notice of sale was published in the Key West Citizen, proof of publication filed, and no objection to the sale was received.

On recommendation of the Staff, the Trustees deferred action on the application pending a solution of the appraised value situation since this was one of the applications using the 1959 price per acre.

MARTIN COUNTY - File No. 2077-43-253.12. On April 2, 1968, the Trustees authorized advertisement for objections only pursuant to application from Warren S. Tucker, Sr., and Warren S. Tucker, Jr., for purchase of two contiguous parcels of submerged land in the Indian River in Section 5, Township 38 South, Range 42 East, Hutchinson Island, containing 1.85 acres, more or less, lying westerly of and abutting Lots 35, 36 and 37 of Yacht Club Beach subdivision in Martin County, at the appraised price of \$302.48 per acre.

Notice of sale was published in the Stuart News, proof of publication filed and several objections of a general nature were received, none from riparian owners within 1000 feet of the subject parcel.

The biological report received from the Board of Conservation under date of November 8, 1967, stated that the amended bulkhead line approved by the Trustees on July 18, 1967, was a decided improvement over the earlier line which had been as much as 1200 feet westerly into the Indian River from the mean high water line of Hutchinson Island. The new line, however, took in approximately 41 acres of submerged land - but little attached seagrasses because most of the water depths involved are greater than minus-three feet mean low water where seagrass growth diminishes in this section of the Indian River. Marine Biologist Kenneth D. Woodburn recommended in that report measures to minimize silting and disturbance of the river bottoms during the fill operations, by securing fill from an access channel and trucking in of extra fill material.

Upon being asked to speak on this date, Mr. Woodburn said that the bulkhead line had been pulled in from some 1200 feet to 600 feet, but he thought this would be the first such sale here and the area should be examined in its entirety.

Representing the applicants, Mr. James F. Littman discussed the area, the applicant's plan to build a residence adjacent to his son's property, the narrowness of the island, the bulkhead line

which was re-set in the latter part of 1967 without objection, and he saw no damage to conservation values or fishing here where the Indian River was in excess of 2½ miles wide. He said he knew of no plans for immediate filling and development of the parcel. Mr. Adams commented that the conservation report was not unfavorable but the applicant should be aware of the recommendations as to filling and prevention of siltation.

The Director called attention to a letter and transcript of a meeting received after preparation of the agenda from the Board of County Commissioners of Martin County. He said that the Staff recommendation might have been different if the information had been at hand when the agenda was prepared. The County Commission had also called attention to the conservation report recommendations as to the filling, and had suggested a state-wide moratorium.

In view of the physical conditions of the island in this area and the other facts available, Mr. Dickinson said he was not against the sale but recognized it would be a precedent, unless the new committee recommends otherwise. Mr. Conner agreed.

On motion by Mr. Dickinson, seconded by Mr. Christian and adopted unanimously, the Trustees confirmed sale of the advertised parcel to the upland owner at the price offered.

PALM BEACH COUNTY - File No. 2088-50-253.12. On April 2, 1968, the Trustees authorized advertisement for objections only pursuant to application from James E. Williams, Lorne Knaub and Thomas L. Orr for purchase of 3 contiguous parcels of submerged land in the Loxahatchee River in Section 36, Township 40 South, Range 42 East, containing a total of 0.029 acre, more or less, landward of the established bulkhead line in the Town of Jupiter, in Palm Beach County.

Notice of sale was published in the Palm Beach Post, proof of publication filed and no objection to the sale was received. The file contained a letter from the local Izaak Walton League chapter expressing approval of the application. The biological report dated March 15, 1968, from the Florida Board of Conservation was not adverse.

Staff recommended confirmation of sale of the three parcels to the three upland owners at \$100.00 for each deed.

Motion was made by Mr. Christian, seconded by Mr. Dickinson and adopted unanimously, that sale of the advertised submerged land be confirmed as recommended.

PINELLAS COUNTY - File No. 2092-52-253.12. Pinellas County Water and Navigation Control Authority advertised, held local hearing, and recommended to the Trustees approval of an application from Imperial Homes Corporation, represented by Johnson and Albrecht, for purchase of 5.35 acres of sovereignty land in "The Narrows" in Sections 13 and 24, Township 30 South, Range 14 East, landward of the established bulkhead line in Pinellas County. The Authority on January 30, 1968, had issued dredge and fill permit for the parcel to be developed under existing zoning regulations.

Biological report from the Florida Board of Conservation was not adverse, and the Staff recommended confirmation of the sale and approval of the dredge and fill permit.

Motion was made by Mr. Dickinson, seconded by Mr. Christian, and adopted unanimously, that the Trustees confirm sale of the 5.35 acres to the abutting upland owner at the appraised price of \$794.00 per acre, and approve the dredge and fill permit issued by Pinellas County Water and Navigation Control Authority.

MANATEE COUNTY - File No. 2087-41-253.03. On March 19, 1968, the Trustees considered the resolution of March 7, 1968, of the Board of County Commissioners of Manatee County, acting as the governing body of the Manatee County Port Authority, requesting dedication of two separate parcels of submerged land containing 3.68 and 33.23 acres, or a total of 36.91 acres in Tampa Bay in Section 1, Township 33 South, Range 17 East, landward of the established bulkhead line in Manatee County. The land was advertised for objections only in the Bradenton Herald, proof of publication filed in the Trustees' office.

The biological report was not adverse. Mr. Adams recalled that the Trustees approved the bulkhead line with the understanding that the Port Authority would secure upland property and subsequently make application to the Trustees for the submerged area.

Mr. Richard Hampton, attorney for Manatee County Port Authority, and two members of the Authority were present. Mr. Hampton said the project was discussed in the Trustees' meeting October 3, 1967, that public funds had been expended to purchase the uplands for a port, that the biological report was very short and negative and the dredging contract had been awarded contingent upon approval of the Trustees and the U. S. Corps of Engineers. No objections had been made to the bulkhead line and Mr. Hampton said that the objections coming in now were not matters concerning the Trustees but questions regarding the economic feasibility of the port, which rested with the Port Authority, or the Board of County Commissioners, and the court which validated the bonds for the project to proceed.

Mr. Adams said the Board had taken a rather consistent position of sustaining responsible action of local governments. Mr. Christian asked if the objectors had appeared before the Board of County Commissioners, and was told that the protesting group was formed only recently.

Mrs. Ivan L. Farman, representing a group called Committee of 10,000, Inc., said they were against pollution, had never been permitted to vote on the subject of Port Manatee, and asked for a continuance of the hearing to give them more time to consult their legal counsel recently secured who was unable to attend on this date.

Mrs. Richard C. Duncan, secretary of said group, questioned several legal aspects of the port project and asked the Trustees to reexamine the application which she said was in conflict with provisions of Chapter 253.

On motion by Mr. Christian, seconded by Mr. Faircloth, and adopted unanimously, the Trustees deferred action. Answering Mr. Adams' question regarding the dredging contract, Mr. Hampton said he did not think a two week period of deferment would jeopardize the contract.

BREVARD COUNTY - On the agenda were four applications involving

land in Brevard County which Mr. Adams said he thought would come within the Trustees' previous action approving that county's resolution of moratorium on submerged land sales, bulkhead extensions, and dredge and fill operations.

The Director explained that the application by Richard W. Rummell, Jr., for a dredge permit under Section 253.123 Florida Statutes, to deepen an existing channel extending from his upland in Section 33, Township 26 South, Range 37 East, to the main channel in the Banana River was received in the Trustees' office on April 23 and was being processed before the moratorium was adopted by the Board of County Commissioners and subsequently adopted by the Trustees on April 30, 1967. The county had advertised the application and on April 11 had approved it. For that reason, the Staff felt that the Trustees should be advised.

The second Brevard County item on the agenda was application by W. L. Hawkesworth for a dredge permit under Section 253.123 Florida Statutes, to remove 5,000 cubic yards of material from Newfound Harbor in Section 6, Township 25 South, Range 37 East. The Florida Board of Conservation reported that the area was deep, unvegetated bottoms more than 100 feet offshore from the bulkhead line, and recommended that the fill area be diked to prevent silting of seagrass beds immediately offshore.

The Hawkesworth application was filed in July 1965 and lay dormant until 1966 when the dredge area was amended to conform with the U. S. Fish and Wildlife recommendations. The application was inactive until March 15, 1968, when the applicant tendered his check as payment for the material. However, further action could not be taken until receipt of the biological report from the Board of Conservation, for which the applicant had submitted the \$100.00 charge. The biological report was received May 2, after the moratorium was adopted by the county and subsequently adopted by the Trustees on April 30, 1968.

After a brief discussion, Mr. Adams and Mr. Faircloth said they would like to know how many matters might now be in the office being processed. Mr. Christian was of the opinion that if they were processed before the moratorium they should be considered.

On motion by Mr. Faircloth, adopted without objection, the Trustees deferred the above mentioned two dredging applications and the two Brevard County applications for advertisement, discussed below, pending a complete review by the Director and report to the board on how many Brevard County applications were now being processed.

BREVARD COUNTY - File No. 2103-05-253.12. Mr. Charles Friedlander, representing Mrs. Jeanne Friedlander, discussed the application by his mother to purchase a parcel of submerged land in the Indian River in Sections 15 and 22, Township 22 South, Range 35 East, 7.6 acres landward of the established bulkhead line in the City of Titusville, Brevard County, for which the appraised value of \$1,500.00 per acre was offered. He explained the personal hardship involved, stated that the application was made long before the county resolution, that the land was inside the city limits, within a bulkhead line set 700 feet from shore in the Indian River which was seven miles wide at that point, and the area would be used for a marina which Titusville officials had unofficially indicated might be approved.

Mr. Adams responded for the board that since several applications would have to be considered in the light of previous action, Mr.

Friedlander's application would be deferred.

BREVARD COUNTY - File No. 2104-05-253.12. The Astron Corporation, represented by Grusenmeyer and Associates, applied for a parcel of submerged land in the Indian River in Section 22, Township 22 South, Range 35 East, 4.38 acres landward of the established bulkhead line in the City of Titusville, Brevard County, for which the appraised value of \$1,500.00 per acre was offered.

The biological report on this and the preceding application to purchase showed adverse effects, but the Trustees on January 9, 1968, confirmed four sales in this area of the City of Titusville in recognition of the need for commercial development.

This application was included in the deferment adopted above pending review and report on the Brevard County applications now being processed in the Trustees' office.

CITRUS COUNTY - Application was made by B. B. Braze for a dredge permit under Section 253.03 Florida Statutes, to dredge 325 cubic yards of material from Lake Tsala Apopka in Section 24, Township 18 South, Range 19 East, Citrus County, to be placed on the applicant's upland property. The Florida Game and Fresh Water Fish Commission recommended approval subject to the standard stipulations as to dredging. Applicant tendered check for \$25.00 in payment for the material, and the Staff recommended approval.

Motion was made by Mr. Faircloth, seconded and duly adopted, that the Trustees authorize issuance of the requested permit.

SARASOTA COUNTY - C. Leon Chapman applied for a dredge permit under Section 253.123 Florida Statutes, to construct a navigation channel into Lemon Bay in Section 35, Township 40 South, Range 19 East, Sarasota County. Paul Hansgen, project engineer, advised that the channel was necessary for boat access to the applicant's upland property. The Florida Board of Conservation reported that because of the abundance and widespread coverage of seagrasses in the shallow flats off the applicant's shoreline, there appeared to be no alternate channel alignment that would be less damaging to marine life and habitats.

Motion was made by Mr. Faircloth, seconded and duly adopted, that the Trustees authorize issuance of the requested permit.

VOLUSIA COUNTY - Florida Power and Light Company of Daytona Beach, Florida, applied for permit under Section 253.123 Florida Statutes, to install a submarine power cable under the Halifax River in Section 21, Township 15 South, Range 33 East, Volusia County. Staff requested waiver of the biological or ecological survey as provided under Section 253.123(3)(a) Florida Statutes, since the public interest will be served by the project.

Motion was made by Mr. Conner, seconded and adopted without objection, that the Trustees authorize issuance of the requested permit.

VOLUSIA COUNTY - International Telemeter Corporation, represented by Coble and VanWert, attorneys, applied for permit to install an additional submarine TV transmission cable across the Halifax

River in Sections 5 and 37, Township 15 South, Range 33 East, in Volusia County. The Florida Board of Conservation reported that the installation of an additional cable ten feet north of the installation approved by the Trustees on March 12, 1968, would not adversely affect marine life, fisheries or habitats.

Motion was made by Mr. Christian, seconded and adopted without objection, that the permit be authorized.

LEE COUNTY - File No. 1856-36-253.124. Staff requested approval of a fill permit issued by the Board of County Commissioners of Lee County on April 24, 1968, to Lee Knight under the provisions of Section 253.124 Florida Statutes, to fill the 4.70 acre parcel of submerged land conveyed by the Trustees under the above referenced file number, sale of which was confirmed by the Trustees on February 6, 1968.

The biological reports showed that the subject area was not a grassy nursery ground or a productive sport and commercial fishing habitat, and that development of the parcel would not adversely or materially affect marine life and resources provided that Jug Creek itself was not used as a borrow area for material.

Motion was made by Mr. Christian, seconded and adopted without objection, that the Trustees approve the fill permit issued by Lee County under provisions of Section 253.124 Florida Statutes.

MONROE COUNTY - Summerland Key Cove, Inc., applied for permit to dredge a strip of filled land 100 feet wide by 1,550 feet long adjacent to Safe Harbor Channel. The strip of land will be dredged to 20 feet below mean low water and material stockpiled on applicant's ownership and/or hauled away. The dredge area is across lands purchased from the Trustees under Deed No. 20793.

The Florida Board of Conservation, asked to review the dredge area, advised that the June 18, 1965 report was still applicable, that the area was extremely shallow, in a pocket created by the Cow Key Causeway and not accessible for boating or fishing.

Mr. Adams asked several questions about this application and on his request the Trustees deferred action for further study.

FRANKLIN COUNTY - Mobil Oil Corporation of Shreveport, Louisiana, applied for a permit to construct a commercial dock in the Apalachicola Bay in the Forbes Purchase in Township 9 South, Range 7 West, Franklin County. All required exhibits were furnished, including the \$100.00 processing fee. Staff recommended approval.

Motion was made by Mr. Christian, seconded and adopted without objection, that state commercial dock permit be issued.

SARASOTA COUNTY - The West Coast Inland Navigation District on behalf of the United States of America requested a temporary permit authorizing the deposit of spoil, from maintenance dredging work in the Intracoastal Waterway, on the Gulf beach over an area where groins now exist on Casey Key in Section 4, Township 38 South, Range 18 East, Sarasota County. Staff recommended permit for a period of six months.

The Beaches and Shores Division of the Florida Board of Conservation approved the project.

Motion was made by Mr. Christian, seconded and adopted, that the Trustees authorize issuance of temporary spoil easement for a period of six months from this date.

ALACHUA COUNTY - The Board of Regents recommended that the Trustees, now holder of title under Section 253.03 Florida Statutes, grant two easements to the Florida Power Corporation across lands of the University of Florida main campus for the purpose of single pole electrical distribution lines. The easements have been approved as to form and legality by the Attorney General.

Motion was made by Mr. Christian, seconded and adopted, that the request of the Board of Regents be granted and the two easements issued.

SHELL LEASES - The Trustees accepted as information for the minutes the following report of remittances received by the Florida Board of Conservation from holders of shell leases as follows:

<u>Lease No.</u>	<u>Company</u>	<u>Amount</u>
1718	Radcliff Materials, Inc.	\$12,268.89
1788	Benton and Company, Inc.	2,000.00
2233	Bay Dredging and Construction	4,966.18

TRUSTEES FUNDS - On motion by Mr. Christian, seconded and duly adopted, the Trustees authorized the State Board of Administration to reinvest in like securities the Trustees' funds now in short-term United States Treasury bills in the amount of \$204,000.00 maturing on May 23, 1968.

TRUSTEES FUNDS - Clemons Apartments. On February 6, 1968, the Trustees authorized execution of a contract with T. T. Jones Construction Co., Inc., of Tallahassee, Florida, in the amount of \$73,028.00 for alterations and modifications in two buildings in the capitol center formerly known as the Clemons Apartments, recently purchased by the Trustees. Mr. Mays LeRoy Gray, the architect, submitted a change order for changes which he deemed essential for proper construction in the remodeling of the two apartment buildings. The change order totalling \$436.34 was reviewed by the Staff and appeared to be in order. The Director pointed out that one change called for addition of supporting beams.

On motion by Mr. Christian, seconded and adopted unanimously, the Trustees authorized payment of the amount of \$436.34 to cover the change order.

SUBJECTS UNDER CHAPTER 18296

On motion by Mr. Christian, seconded and adopted, the Trustees approved Report No. 929 listing one regular bid for sale of land in Citrus County under the provisions of Chapter 18296, Acts of 1937 - the Murphy Act.

MARION COUNTY - The Board of County Commissioners of Marion County, by its attorney, Mr. Willard Ayers, requested release of conveyance of the oil and mineral reservations contained in a parcel of land described as NW $\frac{1}{4}$ of the S $\frac{1}{2}$ of Lot 6 and the S $\frac{1}{2}$ of the S $\frac{1}{2}$ of Lot 6, of Section 1, Township 17 South, Range 23 East, containing 30 acres, more or less, in Marion County. The parcel was conveyed by the Trustees in Marion County Murphy Act Deed No. 780 dated October 11, 1944, and later acquired by Marion County for use as a clay pit. The applicant requested release or sale of the oil and mineral reservations so as to place the county in a better position to exchange certain portions of the land for other land adjoining this parcel, and it was anticipated that the county would ultimately wish to dispose of the entire parcel.

Dr. Robert O. Vernon, State Geologist, advised that in his opinion the mineral value of the reservations was \$25.00 per full mineral acre. Informed of this value, Mr. Ayers said that the county felt that the Trustees would be agreeable to release without consideration since the Board of County Commissioners was a political subdivision of the state and the property would be used for public purposes. Similar releases of conveyances had been made to local school boards upon payment of the value set by the State Geologist, and on that basis the Staff felt that Marion County should conform to the same policy.


Mr. Ayers and Mr. Ned Folks, member of the Board of County Commissioners of Marion County, were present. Mr. Ayers said it was a somewhat arbitrary mineral value, that a dry hole had been drilled just three miles away, and moreover, he did not think one governmental agency should require payment from another for the release of mineral reservations held in trust for the people.

Mr. Adams felt there was merit in the statements of Mr. Ayers, and so long as the land was used for public purposes the Trustees would favor such requests; however, since the land might be used in some kind of trade it might not always be subject to a public purpose. Mr. Ayers explained that the land acquired in the trade would be used by the county for a clay pit, and the three acres in the proposed trade would go into private ownership.

Motion was made by Mr. Faircloth, seconded by Mr. Dickinson and adopted unanimously, that the oil and mineral reservations be released without charge subject to the usual public purpose attachment being placed in the instrument granting the release.

On motion duly adopted, the meeting was adjourned.


SECRETARY OF STATE - ACTING CHAIRMAN

ATTEST: 
DIRECTOR - SECRETARY

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Tallahassee, Florida
May 21, 1968

The Trustees of the Internal Improvement Fund met on this date in

the Capitol Building in Senate Hearing Room 31, with the following members present:

Claude R. Kirk, Jr.	Governor
Tom Adams	Secretary of State
Broward Williams	Treasurer
Floyd T. Christian	Superintendent of Public Instruction
Doyle Conner	Commissioner of Agriculture (Part Time)

Robert C. Parker	Director
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On motion duly adopted, the Trustees approved the minutes of the meeting of May 14, 1968.

Governor Kirk called attention to an item on the agenda last week, which was Martin County File No. 2077-43-253.12 for sale of 1.85 acres of submerged land in the Indian River, confirmed last week by the Trustees in favor of Warren S. Tucker, Sr., and Warren S. Tucker, Jr., abutting upland owners. The Governor said that Martin County felt that they had asked for a moratorium on submerged land sales.

Mr. Nathaniel Reed of the Governor's Office further stated that the Chairman of the Martin County Commissioners wired that their request was for a state-wide moratorium, that they desired time for Martin County to re-examine the bulkhead line in that area, that possibly people had only recently become aware of the problem of setting bulkhead lines and he requested deferment of the sale in question to give the county an opportunity to consider the line.

Mr. Christian objected that it would not be fair to the applicant who had complied with the law to purchase land within a bulkhead line established by the county and approved by the Trustees, who had already confirmed the sale.

Mr. Adams said there had been considerable discussion last week but he thought the appropriate position was not to usurp local responsibility, and in taking action the Trustees followed the suggestion of the County Commission who asked that if the application was granted, that it conform to the Board of Conservation recommendations in letter of November 8, 1967, as to the dredging. He said Mr. James F. Littman, who represented the applicants last week, was also present on this date.

Mr. Littman said he was here on another matter and did not have his file, having only a few minutes before heard that the Tucker application would be considered again. He had been present at the county meeting. Subsequent to the Trustees' meeting last week he read the conservation report which indicated very little fish breeding grounds, if any, in the submerged area in question landward of the bulkhead line approved by the Trustees in July 1967. The line was set to give the extremely narrow island stability and a useful width.

The Governor asked and was told by the Director that the deed had not been issued, whereupon Mr. Adams said he would make a motion that the matter be placed for further consideration, not to change the Trustees' position but to give Martin County Commissioners an opportunity to act if they so desire, within two weeks.

Mr. Christian questioned whether the county could act to amend the line within two weeks, and he agreed that the county would have to take action before the Trustees; but he did not wish to have the applicant jeopardized.

On motion by Mr. Adams to hold the matter in abeyance for two weeks to allow the Martin County Commission to consider the bulkhead line if it desired, Mr. Christian seconded and it was adopted without objection.

Governor Kirk voted affirmatively on the preceding item with the comment that, in the light of the out-dated bulkhead line in that instance, he would like discussion of a ninety-day moratorium on all land sales and dredge and fill applications, except public projects cleared by the Board of Conservation, and he recommended that the Trustees charge the inter-agency committee set up last week to review, county by county, all bulkhead lines now on file in the Trustees' office and report back to the Trustees within that time, if possible, on those lines which were found acceptable, and those not acceptable would be referred back to the particular county.

Mr. Christian asked what effect it would have on pending applications. Mr. Parker asked if it would affect any in the process of being advertised and a member replied, "No."

Mr. Adams made a motion that the Florida Development Commission be added to the inter-agency committee set up last week for the master planning effort, working with the Trustees' Staff and each board member's office. Motion was seconded by Mr. Williams and adopted unanimously.

Mr. Williams asked that this work be expedited and that the committee present to the Trustees periodically those bulkhead lines reviewed and agreed upon, striving for completion within sixty days, or ninety days - but making progress reports to the board.

Mr. Adams questioned what could be accomplished within ninety days since the review now envisioned the whole state and an objective evaluation from an ecological standpoint would take time. The Governor felt that there must be a certain number which could be accepted immediately, leaving fewer bulkhead lines that had to be worked on.

Mr. Kenneth D. Woodburn, Board of Conservation biologist, thought much could be accomplished in that time from the Tallahassee end but was not sure what could be accomplished by individual cities and counties in acting on any recommendations. The attention of the inter-agency committee could be directed to some bulkhead lines set not in accordance with Board of Conservation recommendations, some set in the 1950's before the Board of Conservation was actively involved in making recommendations at a time when marine conservation was not given the recognition that it is today. He pointed out that some coastal counties did not have their own engineers and planners.

Mr. Adams expressed the opinion that they were all thinking along the same line, and he understood the reluctance to keep the entire state at a moratorium if there were areas where they could move ahead. But he offered as an alternative a resolution that was developed by the Attorney General but was not presented in defer-

ence to the subcommittee report which was adopted on May 14. Mr. Adams said it would accomplish the same result but would remain in effect until the proposed study was completed. He offered one amendment to the resolution as proposed by Mr. Faircloth, being that as soon as an area had been studied and a recommendation made, that the moratorium be lifted as to that area, to relieve the whole situation.

Governor Kirk said this would affect no application in process. Mr. Adams said the Trustees would consider all things before the Board, that they would process and dispose of any pending applications at their discretion.

Added at an appropriate place in the resolution proposed by the Attorney General was the amendment suggested by Mr. Adams. On motion by Mr. Adams, seconded by Mr. Christian, the following resolution was unanimously adopted.

STATEWIDE MORATORIUM ON SALES OF STATE
SOVEREIGNTY LANDS, EXTENSION OF BULKHEADS
AND DREDGE AND FILL PERMITS

WHEREAS, all surveys have shown that Florida's single most valuable natural resource and attraction for visitors is its incomparable shoreline which, together with its complementary climate, provides fishing, swimming, boating and other water-related activities; and

WHEREAS, the rapidly developing sciences of aquaculture and oceanography indicate that conservation, cultivation and orderly harvesting of food, minerals and other products of marine life will even further enhance the value of submerged lands surrounding the State of Florida, and that the exploration of the seas may even exceed in economic value the splendid exploration of outer space for which Florida is also uniquely favored by nature; and

WHEREAS, the 1967 Florida Legislature, on recommendation of several interim legislative committees which are still active, provided for legal checks against indiscriminate selling, dredging and filling of such submerged lands, and thereby showed legislative intent that this vast natural resource should not be dissipated; and

WHEREAS, boards of county commissioners and other local governmental authorities on both the east and west coasts of Florida have adopted policies which limit in one degree or another the bulkheading, dredging and filling of submerged lands within their borders, and several other local governmental bodies in other counties are considering similar limitations; and

WHEREAS, the sovereignty submerged lands, wherever located, which have not been sold to private ownership are owned by all the people of Florida for whom the Trustees of the Internal Improvement Fund of Florida hold title and the responsibility for the conservation, highest and best use, and/or the full value disposition of these lands in the interest of all of the people of Florida; and

WHEREAS, in order to be faithful to their trusteeship, the Trustees of the Internal Improvement Fund wish to provide all reasonable assurances that full consideration

will be given to all factors in the public interest -- conservation of irreplaceable wildlife, the prevention of erosion and pollution, the protection and orderly development of waterfront recreation areas necessary to assure that our constantly growing population and increasing number of visitors will have adequate access to beaches and other waterfronts: Now, Therefore, be it

RESOLVED BY THE TRUSTEES OF THE INTERNAL IMPROVEMENT FUND OF FLORIDA that this board postpone consideration of any further applications

- (1) for the sale of submerged lands and reclaimed lake bottoms;
- (2) for the extension further seaward of any existing bulkhead lines;
- (3) for dredging or filling permits;

except as may be required by law or needed public projects or to meet an evident emergency; and be it further

RESOLVED that this aforesaid postponement or moratorium shall remain in effect until a master plan for the preservation and sound utilization of state submerged lands shall have been completed by the staffs of the Board of Conservation, the Trustees of the Internal Improvement Fund, the Outdoor Recreational Development Council, the Florida Game and Fresh Water Fish Commission, the Florida Development Commission, and coordinated through the Office of State Planning of the Florida Planning and Budget Commission; such survey and planning recommendations to include, among other related matters,

- (a) designation of certain marine areas particularly rich in marine assets to be dedicated in perpetuity as marine wildlife preserves which cannot be sold, dredged, filled or polluted;
- (b) review with county commissioners and other local authorities all existing bulkhead lines now set more than one foot offshore of the mean high water mark and relocate shoreward all those where conservation values are substantially present;
- (c) provide a zoning plan or a use-priority system for estuaries which would permit the location of those projects or uses which must by their very nature be located on the water but limit, where conservation values are present, those projects or uses where a waterfront location is not necessary;
- (d) establish a continuing plan of coordination of the efforts of all relevant state, local and federal agencies, utilizing all modern facilities and data such as photogrammetry as used by the State Road Department, scientists and engineers of all levels of government within the state, and helicopters (Coast Guard) for correlation of office and field studies in the interest of coastal preservation and periodic updating of a state master plan for

conservation and recreation.

- (e) as any area is studied and recommendation made by the inter-agency committee and approved by the Trustees, then and in that event the moratorium is subject to being lifted as to that area by official action of the Trustees.

BREVARD COUNTY - On May 14 the Trustees took no action on four items pertaining to Brevard County pending information from the Staff as to how many such matters might now be in the Trustees' office being processed. A recapitulation showed six files in the Trustees' office containing applications to purchase submerged land, and no pending applications for dredge and fill permits in Brevard County other than the two deferred on May 14. The Trustees took action to dispose of the six purchase applications as recommended by the Staff, as follows:

File No. 1948-05-253.12. Application for purchase of 0.57 acre parcel in the Indian River in Section 3, Township 22 S., Range 35 E., in the City of Titusville within the established bulkhead line, submitted by Grusenmeyer & Associates for Titusville Causeway Land Corporation. The sale was confirmed by the Trustees, after advertising, in meeting on February 28, 1967. Although notified several times, the applicant took no action to complete the transaction and Staff recommended cancellation of the application.

On motion by Mr. Adams, seconded by Mr. Williams and adopted unanimously, the Trustees authorized cancellation of the application.

File No. 1990-05-253.12. Application for purchase of 1.09 acre parcel in the Indian River in Section 21, Township 29 S., Range 38 E., submitted by Buckner Realty & Surveying, Inc., for Eddie D. Thomas and wife. After legal advertising, the application was considered by the Trustees on November 14, 1967, but because of certain litigation involving the applicant's upland property, action was deferred pending the outcome thereof. Staff recommended that the application be held in abeyance for that reason.

File No. 1271-05-253.12. Application for purchase of 1.90 acre parcel in the Indian River in Section 14, Township 30 South, Range 38 East, submitted by R. S. Campbell, the upland owner. After legal advertising, the application was considered by the Trustees on November 26, 1963, but because of certain litigation involving the applicant's upland, action was deferred pending the outcome thereof.

Staff has been advised by the attorneys on several occasions that the litigation has not been completed, and the applicant by letter dated May 26, 1967, verified this and requested that the matter be held in abeyance pending a solution of the problems involved. Staff recommended that the applicant's request be honored and the application be held in abeyance.

On motion by Mr. Christian, seconded by Mr. Williams and adopted unanimously, the Trustees agreed to hold the above two applications in abeyance.

File Nos. 1965, 1966 and 1967-05-253.12. Applications for

purchase of certain submerged lands in the Banana River in Section 34, Township 24 S., Range 37 E., City of Cocoa Beach, Brevard County, submitted by Hall, Hartwell, Hall & Canada for the Trustees of the Presbytery of Southeast Florida of the Presbyterian Church, the First Methodist Church of Cocoa Beach, Inc., and P. S. Knox, Jr., had not been presented to the Trustees for consideration, at the request of the applicant's representative.

Hall, Hartwell, Hall & Canada requested that the applications be withdrawn pending further action by the Trustees on the moratorium imposed on sales of submerged lands in the Banana River in meeting of May 14, 1968. Therefore, Staff requested authority to refund the \$50.00 application fees submitted by said law firm for each application, which were deposited by the Staff on February 2, 1967.

On motion by Mr. Christian, seconded by Mr. Adams and adopted unanimously, the Trustees approved withdrawal of the applications in File Nos. 1965, 1966 and 1967-05-253.12 and authorized refund of the \$50.00 fees submitted for each applicant by Hall, Hartwell, Hall & Canada on behalf of W. C. Irvin Trust Account.

BREVARD COUNTY - File No. 2103-05-253.12. On May 14, 1968, the Trustees deferred action, pending receipt of information from the Staff on how many matters might be pending in Brevard County, on an application from Jeanne Friedlander to purchase 7.6 acres of submerged land in the Indian River in Sections 15 and 22, Township 22 South, Range 35 East, landward of the established bulkhead line in the City of Titusville, Brevard County. Mr. Charles Friedlander was heard last week and was present again on this date.

The biological report showed adverse effects, but in recognition of the need for commercial development in this area, the Trustees on January 9, 1968, confirmed four sales in this general area of the City of Titusville.

Mr. Williams said if there was a likelihood that a sale would not be approved, he thought it should be rejected at the time it was presented for authority for advertisement. Mr. Christian agreed, and the Director said often all the facts were not known until an application was advertised.

Motion was made by Mr. Williams, seconded by Mr. Adams and adopted on a vote of three to one with Mr. Christian voting "No" that the application be denied. (Mr. Conner was not present when this was considered.)

BREVARD COUNTY - File No. 2104-05-253.12. On May 14, 1968, the Trustees deferred action, pending information from the Staff on how many Brevard County matters might be pending, on an application from Astron Corporation for purchase of a parcel of submerged land in the Indian River in Section 22, Township 22 South, Range 35 East, landward of the established bulkhead line in the City of Titusville, Brevard County.

The biological report showed adverse effects, but in recognition of the need for commercial development in this area, the Trustees on January 9, 1968, confirmed four sales in this general area of the City of Titusville.

On motion by Mr. Williams, adopted without objection, the Trustees denied the application.

BREVARD COUNTY - File No. 2117-05-253.12. Application was made by O. B. Hunter, Jr., William D. Dolan and August Kramm, represented by R. D. Carter Engineering Firm, Inc., for purchase of two parcels of previously filled sovereignty land lying within Lots 16 and 23, State Tree Shores Subdivision, Plat Book 8, Page 49, in Section 10, Township 22 South, Range 35 East, containing 0.196 acre which at one time was submerged land of the Indian River landward of the established bulkhead line in the City of Titusville, Brevard County.

By virtue of Trustees Deed 21818(62-05) submerged lands abutting Lots 17 through 22 were purchased and subsequently filled under the provisions of Section 253.12 Florida Statutes out to the 1957 bulkhead line established by the City of Titusville. A new bulkhead line was later established by the city which allowed further extensions into the Indian River. The new line allowed processing of an application for additional submerged land and Trustees Deed 23375(1295-05) issued under the provisions of and in compliance with Section 253.12 Florida Statutes.

Recent inspection by a Title Examiner of the instruments and plats of survey of the two conveyances uncovered an apparent error in locating the mean high water line in connection with the second Trustees conveyance. He found that two parcels of land containing 0.117 and 0.079 acre were subject to an overfill and were omitted in Deed 23375(1295-05). The two parcels are both landward of the present bulkhead line, are in a completely filled state, and are sandwiched between the land conveyed by Deeds 21818 and 23375, with permanent improvements in the form of a motor lodge complex constructed thereon.

The applicants offered to pay the appraised value of \$1,500.00 per acre for the 0.196 acre plus a payment of 50¢ per cubic yard for the 3,162 cubic yards used to fill the subject parcels. In view of the fully developed state and due to no fault of the applicants, the Staff recommended acceptance of the offer and advertisement for objections only.

In view of the fact that only four members were present and the members had previously decided that an application for advertisement was a step in the process of disposition of land, which required five affirmative votes, motion was made by Mr. Christian and adopted without objection, that action be deferred for a week.

BREVARD COUNTY - Richard W. Rummell, Jr., applied for a dredge permit under provisions of Section 253.123 Florida Statutes, to deepen an existing channel extending from his upland in Section 33, Township 26 South, Range 37 East, to the main channel in the Banana River. Applicant tendered his check in the amount of \$200.00 as payment for the material from the deepening to 8 feet below mean low water.

The file contained copy of a letter dated April 11, 1968, to the applicant from the Board of County Commissioners of Brevard County stating that the application was approved. The county had advertised and received no objections at the county meeting.

Staff received the application on April 23, 1968, before the

moratorium was adopted by the county and subsequently adopted by the Trustees on April 30. The Trustees deferred action last week pending information as to how many Brevard County matters were pending.

On motion by Mr. Adams, seconded by Mr. Christian and adopted unanimously, the Trustees authorized issuance of the dredge permit.

BREVARD COUNTY - W. L. Hawkesworth applied for a dredge permit under provisions of Section 253.123 Florida Statutes, to remove 5,000 cubic yards of material from Newfound Harbor in Section 6, Township 25 South, Range 37 East, Brevard County, for which he tendered payment in the amount of \$250.00. The biological report showed that the dredge area lay in deep unvegetated bottoms more than 100 feet offshore from the bulkhead line, and recommended that the fill area be diked to prevent silting.

The application was filed in 1965 and lay dormant until 1966 when the dredge area was amended to conform with the recommendations of the U. S. Fish and Wildlife Service. It was inactive until March 15, 1968, when the applicant tendered his check for the fill material. However, further action could not then be taken until receipt of a biological report from the Florida Board of Conservation, which was requested on April 9. Report was received May 2 after the moratorium was adopted by the Board of County Commissioners of Brevard County and subsequently adopted by the Trustees on April 30. On May 14 the Trustees deferred action pending information as to how many Brevard County matters were pending.

Motion was made by Mr. Christian, and adopted unanimously, that the dredge permit be authorized subject to the condition that silting be prevented by diking as recommended by the Board of Conservation letter of May 2, 1968.

BREVARD COUNTY - File Nos. 1616 and 1731-05-253.124 and 253.123. The Trustees were requested to approve a fill permit issued by the City Council of the City of Titusville in special meeting May 8, 1968, to J. L. Williams & Co. under the provisions of Sections 253.124 and 253.123 Florida Statutes, 1967, to fill the two parcels of submerged land in Sections 10 and 15, Township 22 South, Range 35 East, in the City of Titusville, Brevard County, containing a total of 7.62 acres. The company is successor in title to the two contiguous parcels and the permit is a re-issue of permits issued by the city and approved by the Trustees in meetings December 7, 1965 and February 15, 1966, both of which have expired.

The Board of Conservation reports dated November 12, 1964 and October 4, 1967 cited adverse effects. The permit is to be issued contingent upon the fill material being obtained from below the one fathom line in accordance with the biological report. The parcel of land is under option to purchase by the United States for the location of a new Post Office building in the City of Titusville; therefore, the Staff considered this to be a very important project and recommended that the permit be approved.

The members discussed the fact that other Brevard County items had been denied, that there was a moratorium in Brevard County, that Senator Beth Johnson had appeared in behalf of a moratorium.

The Director pointed out that this was in the city limits of Titusville, not in the jurisdiction of the county. Mr. Christian said it was an existing application and should be acted on, and he made a motion that the permit be approved. The motion failed for lack of a second.

Mr. Tom Ellis, representing J. L. Williams & Co. and the United States Post Office as Leasing Agent, reviewed the facts of the sale, the permits previously issued, the location in the center of the City of Titusville, the need for the post office facility and time that would be required if another site had to be obtained, the plans that were drawn and bids requested. Since purchase of the submerged land in 1965 they had been paying taxes on it, and when the fill permit expired in February this year, the City of Titusville approved the project as a public facility and gave them a letter dated May 14, 1968, approving the dredge and fill permit. Copy was in the Trustees' file.

Mr. Christian asked for reconsideration of his motion, but there was no second. Governor Kirk said that in the light of action that had been taken by the county and the Trustees on a Brevard County moratorium, he would suggest that the applicant secure reaffirmation from the city and that the new Inter-Agency Committee review the area and advise the Trustees.

Mr. Edward Leven, Real Estate Officer of the Post Office Department, Mr. Marvin Jones, attorney for the Williams firm, and Mr. James C. Hadsell, the firm's vice-president, were also present. The latter said that other land fills were already in place, which did not show on a small aerial photograph in the file.

After considerable discussion, Mr. Christian made a motion that the Trustees reconsider the application for fill permit in one week, which was adopted without objection.

LEE COUNTY - Bulkhead Line. The Board of County Commissioners of Lee County by resolution adopted April 3, 1968, located and fixed a bulkhead line offshore in Boca Grande Yacht Basin in Sections 13 and 14, Township 43 South, Range 20 East, Lee County. All required exhibits were furnished. There were no objections at the local hearing.

The Florida Board of Conservation reported that the submerged land offshore had, for the most part, been dredged for accommodation of boat traffic. Very little submerged land was included within the bulkhead line and that included was of negligible value as productive marine habitat.

Motion was made by Mr. Christian, seconded by Mr. Adams and adopted unanimously, that the Trustees approve the bulkhead line established by Lee County on April 3, 1968.

GLADES COUNTY - File No. 2105-22-253.36. C. Q. Bussell and wife, abutting owners, applied for a parcel of reclaimed lake bottom land in Lake Okeechobee in Section 18, Township 40 South, Range 33 East, landward of Levee L-49 containing 6.70 acres in Glades County. Applicants offered the appraised value of \$475.00 per acre for the land, to extend existing uplands to the borrow canal and block up their holdings.

A biological report was not applicable, and the Outdoor Recrea-

tional Development Council and Southern Florida Flood Control District offered no objections to the sale of the parcel of reclaimed land.

On motion by Mr. Adams, seconded by Mr. Williams and adopted without objection, the Trustees authorized the land to be advertised for objections only.

MARTIN COUNTY - File No. 1820-43-253.12. The Trustees in meeting July 26, 1966, deferred action on the application from Laurel Court, Inc., for purchase of a parcel of submerged land in the St. Lucie River in Section 32, Township 37 South, Range 41 East, containing 0.88 acre in the City of Stuart, Martin County. The applicant offered the appraised value of \$1,750.00 per acre and the land had been properly advertised for objections only. The two abutting owners of uplands objected, Fred C. Hieber on the south and Toley Engebretson on the north; and a review of the file indicated that a re-calculation with respect to allocating the bottom lands was in order.

On this basis the Staff determined the total number of feet along the shoreline, as well as the total number of feet along the bulkhead line from the A. R. Clont's purchase (Deed 23575) on the south to the northerly direction to Oleander Avenue. Using the ratio between the two figures, a new allocation was made of all of the submerged land in this area and a map prepared. A copy of the map was sent to the objectors, together with a complete explanation; but the said objectors have not accepted the allocation. Applicant requested hearing on this date and objectors were notified. Mr. Hieber does not withdraw his objections, and Mr. James F. Littman, attorney, was present on behalf of the other objector, Mr. Engebretson.

Mr. Evans Crary, Jr., on behalf of the applicant, said the proposed allocation of submerged land was equitable but his client would accept any alignment out to the bulkhead line as set by the Trustees. He said there had been no objections to the bulkhead line in the City of Stuart, as it was not a controversial area.

The Director explained how the Staff made as equitable an allocation of submerged land as possible where shorelines were sometimes concave and sometimes convex, making it difficult to extend property lines of ownership out to the bulkhead line. The Governor was of the opinion that Mr. Littman was correct in proposing lines drawn perpendicular to the thread of the stream. The map was examined, docks extending out into the water noted, and Mr. Christian said the Staff recommendation was sound.

Mr. Adams suggested that the application be held for two weeks, which was the action of the board without objection.

MONROE COUNTY - Dredge Permit, Section 253.03 Florida Statutes. Summerland Key Cove, Inc., represented by Phillips and Trice Surveying, applied for a permit to dredge a strip of filled land 100 feet wide by 1550 feet long adjacent to Safe Harbor Channel to a depth of 20 feet below mean low water. The dredge area, south of Stock Island and east of Cow Key, lay wholly within the boundaries of the submerged land conveyed to the applicant in Trustees Deed No. 20793. No work had been done in the area since the construction of Safe Harbor Channel under Department of the Army Permit SAKSP 800.61(10119) issued in July 1964.

Aerial photo taken in August 1956 indicated channel constructed and material that the applicants wanted to move was in place on that date.

Florida Board of Conservation, asked to review the dredge area, advised that the June 18, 1965, report was still applicable, the area was extremely shallow and a pocket caused by construction of the Cow Key Causeway, and it was not accessible for boating and fishing.

For the reason that the owner of the company was involved in unauthorized activities now in the process of being worked out, in another location in Monroe County, the Secretary of State recommended that the Trustees defer action.

It was so ordered, and the Governor directed that the applicant be advised.

MARTIN COUNTY - Dock Permit, Section 253.03 Florida Statutes. On motion made by Mr. Williams, seconded by Mr. Adams, and adopted without objection, the Trustees approved issuance of commercial dock permit to Whiticar Boat Works, Inc., of Stuart, Florida, to construct a pier in Manatee Pocket in the Hanson Grant in Township 38 South, Range 41 East, Martin County, for which all required exhibits and the \$100.00 processing fee had been submitted.

DUVAL COUNTY - Dock Permit, Section 253.03 Florida Statutes. Cedar Shores Apartments, Inc., of Jacksonville, Florida, applied for a commercial dock permit to construct a combination boat and fishing dock and a clubhouse in Cedar River in Section 42, Township 3 South, Range 26 East, Duval County.

Designed as a recreation building with perimeter docks for boating and fishing activities, the facility did not come within the purview of either private or commercial docks as the Staff understood the criteria for such structures. The application was removed from the agenda on April 30 at the request of the applicant. The clubhouse pre-empts sovereignty lands with no rental except for the \$100 dock processing fee, and the proposed structure does not conform to the conception of a marine-oriented commercial dock facility. This appeared to involve questions of policy, as it did not fall within the category of facilities normally processed as commercial docks and marinas. The Director said that as planned, it would be a high type of development from the point of view of architecture or otherwise.

Mr. Adams said that in connection with an apartment building to be built on Cedar River, the pavilion was proposed for the use of the occupants of the apartments, that in the sense that they were renting the apartments it was commercial but not in the sense that it was a commercial enterprise to sell, as a restaurant. He thought the Board would grant the permit so long as it was limited to the use of the apartment residents. Each case should be considered on its own merits.

Mr. Claude P. Caviness, on behalf of Cedar Shores Apartments, Inc. was present and answered a number of questions.

Motion was made by Mr. Christian, seconded by Mr. Adams, and adopted without objection, that the Trustees authorize issuance

of a state commercial dock permit for the facility as proposed, provided it was limited only to the use of the apartment residents and not for commercial activities.

INDIAN RIVER COUNTY - Lease of Pelican Island Area. In 1903 by executive order, President Theodore Roosevelt created the nation's first bird refuge by dedicating a small island in Indian River County, Florida, which has come to be known as Pelican Island. The refuge receives wide publicity throughout the country by reason of its historic significance as well as the natural abundance of bird life which frequents the island and other nearby mangrove flats. The area is presently under lease to the Florida Audubon Society for a period of ten years from November 3, 1959.

In consultation with liaison members of the Staff of the Trustees, as well as representatives of the Florida Game and Fresh Water Fish Commission, Florida Development Commission, the Outdoor Recreational Development Council, and the Florida Board of Conservation, the Staff discussed the request received from the United States Fish and Wildlife Service that the Trustees grant a lease to that federal agency of all state-owned submerged lands and mangrove islands surrounding the presently existing Pelican Island National Wildlife Refuge, the total area of which would consist of some 4,760 acres lying north of Wabasso Bridge and southerly of the county line between Brevard and Indian River Counties, westerly of the established bulkhead line and easterly of the right of way line of the Intracoastal Waterway.

In order to give the local citizens an opportunity to express their views with respect to enlargement of the refuge, a public hearing in the county court house in Vero Beach, Florida, on March 29, 1968, at which the Director presided, was attended by some 125 persons and the preponderant sentiment appeared to be in favor of the enlargement as requested by the federal agency. Some owners of property along the eastern boundary of the area proposed to be included in the new lease were present in person or represented by counsel, to request that the Trustees take the necessary measures to properly protect their riparian upland interest in the event the Trustees deemed it appropriate to grant the lease.

Staff studied the request and after careful consideration of all aspects involved in the proposal, recommended that the Trustees approve issuance of the lease agreement to the Bureau of Sport Fisheries and Wildlife of the United States Fish and Wildlife Service for a period of ten years to become effective upon the expiration of the existing lease or cancellation thereof by the lessee.

The federal agency had modified the original request for ten-year lease by requesting that the lease run for a period of twenty-five years. Staff felt that the 10-year lease would be adequate and would enable the Trustees to review the matter after this length of time to determine if extensions should be granted in the light of circumstances in existence at that time.

Also, to properly protect the upland property owners along the easterly boundary of the parcel in question, the Staff suggested modification of the proposed lease agreement as submitted by the federal agency, by inserting a new paragraph numbered "5" to read as follows:

"The rights granted herein to the Bureau shall not be

construed as a limitation or infringement upon the riparian rights of private property owners of upland and submerged property adjacent to or abutting the area described in this lease agreement, which rights include, among others, the right of access by construction of navigation channels and removal of fill material from approved areas as authorized by law."

A representative of the division office of the Bureau of Sport Fisheries had suggested that different language be used to accomplish the same objective, and suggested the following:

"The rights granted herein shall not infringe upon the valid riparian rights of adjacent private landowners, including rights of access and navigation, as provided by applicable state laws and regulations."

Mr. William C. Ashe, from the Regional Office in Atlanta of said Bureau, said they requested the longer time for more stable and effective management and to more fully justify a fund expenditure in the future on the leased area. With respect to the language, he said both suggestions provided the necessary protection to the private riparian owners but to include the proposed wording would invite dredging in the future and raise problems.

Dr. O. Earl Frye, Jr., Director of Florida Game and Fresh Water Fish Commission, said that since the nature of his work was for the birds he would prefer a longer lease, but that there were other considerations.

Secretary of State Adams suggested a compromise in which the language desired by the Bureau of Sport Fisheries would be used in the lease, and the ten-year time recommended by the Staff with review and renewal after the first period of time.

Governor Kirk said he favored the request of the federal government, and that the right of renewal for fifteen years would give them the twenty-five years. He pointed out that it showed the willingness of the state government to cooperate.

Motion was made by Mr. Adams, seconded by Mr. Christian, and adopted unanimously, that the 4,760 acres, more or less, requested by the U. S. Fish and Wildlife Service for enlargement of the Pelican Island National Wildlife Refuge, be leased for a primary time of ten years, with option to renew for another fifteen years after review by the Trustees at that time, as recommended by the Staff, and that the language as proposed by the Bureau of Sport Fisheries and set out heretofore be used in the lease agreement. An affirmative vote on this motion was recorded for Mr. Conner, who had to leave the meeting early on this date.

COLLIER COUNTY - Oil and Gas Drilling Lease. The Sun Oil Company requested the Trustees to advertise for sealed bids for an oil and gas drilling lease covering the reserved one-half interest of the Trustees in the following privately-owned land:

NW $\frac{1}{4}$ of NW $\frac{1}{4}$ of Section 5, Township 46 South, Range 30
East, Collier County, 40 surface acres.

Sun Oil Company offered an annual rental of \$1.00 per net mineral acre for a five-year lease and agreed to drill a test well to a

depth of 7,400 feet or to the top of the Lower Cretaceous, whichever is deeper, within the first 2½ years of the lease. The company was the holder of an oil, gas and mineral lease covering the remaining one-half interest in the tract.

On motion by Mr. Christian, unanimously adopted, the Trustees authorized advertising for bids pursuant to law, based on the application of Sun Oil Company. Mr. Conner was present for consideration of this item, making the five members required by the new law to act on matters pertaining to disposition of land.

ALACHUA COUNTY - Dedication, Section 253.03 Florida Statutes. The State Road Department requested a dedication of 0.551 acre in Section 2, Township 10 South, Range 20 East, Alachua County, under jurisdiction of Sunland Training Center at Gainesville, for use in highway drainage purposes. The Superintendent of the Sunland Training Center reviewed and approved the request.

Staff recommended issuance of a perpetual dedication of the 0.551 acre parcel to the State Road Department for construction, improvement and maintenance of State Road No. 24.

On motion by Mr. Christian, unanimously adopted, the Trustees approved the staff recommendation. Mr. Conner was present for consideration of this item, making the five members required by the new law to act on matters pertaining to disposition of land.

LEVY COUNTY - Dedication, Section 253.03 Florida Statutes. The State Road Department requested dedication of 1.273 acres of land for construction, improvement and maintenance of State Road 55 (U. S. 19). The required right of way was part of the Forest Service Levy County Headquarters and Lookout Tower Site, and some improvements will be affected and will have to be moved. The Board of Forestry and State Road Department reached a satisfactory settlement as to damages to structures located on the property. An agreement was drawn and approved by the Attorney General, between the Trustees, State Road Department and Board of Forestry whereby the Board of Forestry will receive from the Road Department \$2,950.00 as reimbursement of damages.

On motion by Mr. Christian, unanimously adopted, the Trustees approved the staff recommendation. Mr. Conner was present for consideration of this item, making the five members required for disposition of land.

SARASOTA COUNTY - The office of the City Attorney of the City of Sarasota informed the Trustees' office that several months ago the yacht "Papy Jon", owned by Mr. John Weatherford of Lakeland, Florida, caught fire and sank in the waters of Sarasota Bay. The city requested the owner to undertake at his own expense removal of the burned-out hull, which he refused to honor. The city desired to take steps at their own expense to institute litigation to require the owner to remove the vessel or to reimburse the city for any cost that might be involved in completing this undertaking.

The title to the submerged bottoms on which the vessel now rests being vested in the Trustees, the city requested the Trustees to join the City of Sarasota as parties plaintiffs in litigation to compel the owner to remove the vessel or in the alternative to

reimburse the city for any out-of-pocket expense paid in accomplishing the removal of the hull itself. Staff reviewed the request with the office of the Attorney General and by letter of May 14, 1968, Attorney General Faircloth suggested that the matter be submitted for action by the Trustees with a favorable recommendation from his office.

On motion by Mr. Williams, seconded by Mr. Christian and adopted unanimously, the Trustees approved the recommendation that the Trustees join with the city in the litigation.

ELLIOT BUILDING - On February 12, 1968, invitations were extended for interior painting and repairs to the Trustees' building, the completion time allowed being 45 days. Bids were as follows: (1) Richard E. Kausch, \$2,151.00; (2) Frosty McVay Painter and Decorators, \$2,435.00, and (3) P. O. Riley, \$2,700.00. The low bid being over \$2,000.00, the office felt that advertisement was proper. After advertising for new bids with the completion time being 33 days, only one bid was received, being from Richard E. Kausch in the amount of \$2,370.00.

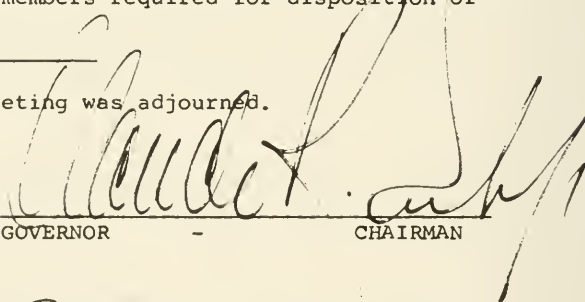
Staff recommended that Mr. Kausch be awarded the contract for \$2,370.00 based upon the 33-day completion time.

On motion by Mr. Williams, seconded by Mr. Christian and adopted unanimously, the contract was awarded as recommended by the Staff, for interior painting and repairs to the Elliot Building.

SUBJECTS UNDER CHAPTER 18296

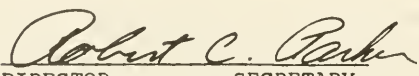
On motion by Mr. Christian, seconded and unanimously adopted, the Trustees approved Report No. 930 listing one regular bid for sale of land in Walton County under provisions of Chapter 18296, Acts of 1937 - the Murphy Act. Mr. Conner was present for consideration of this item, making the five members required for disposition of land.

On motion duly adopted, the meeting was adjourned.


GOVERNOR

CHAIRMAN

ATTEST:


DIRECTOR

SECRETARY

The Trustees of the Internal Improvement Fund met on this date in the Capitol Building in Senate Hearing Room 31, with the following members present:

Tom Adams	Secretary of State, Acting Chairman
Earl Faircloth	Attorney General (Part Time)
Broward Williams	Treasurer
Floyd T. Christian	Superintendent of Public Instruction
Doyle Conner	Commissioner of Agriculture

Robert C. Parker	Director
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On motion duly adopted, the Trustees approved the minutes of the meeting of May 21, 1968.

MORATORIUM - Mr. Adams commented on the minutes of last week by commending the Staff on the clarity with which they described the action the Trustees took on the moratorium. However, he said there was some question still as to the reference in the resolution to any pending applications, which were to be considered on their merits. He had meant that any application having been received in good faith as of the imposition of the moratorium May 21 would be considered on its merits, but the intent of the resolution needed to be more fully understood.

The Director said the Staff felt it would be better to consider that all the applications in the files, some forty or fifty, were under the moratorium. Some did involve the areas considered critical.

Motion was made by Mr. Williams, seconded by Mr. Christian and adopted unanimously, that the moratorium should apply to all applications not presented on an agenda to the Trustees prior to May 21, 1968. Any denied application would not be reconsidered until the study in that particular area is completed. Mr. Adams added that the applications in the files mentioned by the Director would be subject to being released from the moratorium as the study of the Inter-Agency Committee proceeded and the areas in which the applications were located had been cleared for sale or for dredging and filling.

The moratorium resolution provided exceptions as may be required by law or needed public projects or to meet an evident emergency.

MONROE COUNTY - Three land sales were advertised for consideration on this date, and were listed on the agenda with recommendation from the Staff that they be deferred pending solution of the appraised value situation. Mr. Adams explained, in answer to a question from Representative John R. Middlemas of Bay County, that it was an out-dated appraisal and the applications were made and authorized to be advertised before the moratorium, but that the three applications will be considered on their merits when brought back for report on the current appraisals.

Mr. Adams called attention to the fact that the law places the

responsibility in one agency, the Board of Conservation, for making study and recommendations on the submerged land involved in applications. The Director said that notices were routinely sent to other agencies, including the Game and Fresh Water Fish Commission, but that agency had not been requested to make a report and it would not be shown on the agenda in the future but held in the file as information.

The following three applications to purchase submerged land in Monroe County, all advertised in the Key West Citizen for sale on this date, were deferred on motion by Mr. Williams which was adopted without objection:

1. Monroe County File No. 2056-44-253.12 - Application by Herman R. Zinn and wife to purchase a parcel of submerged land in the Straits of Florida in Section 7, Township 63 South, Range 38 East, Plantation Key, containing 0.23 acre.
2. Monroe County File No. 2068-44-253.12 - Application by Mark Denbury and wife to purchase a parcel of submerged land in Niles Channel in Section 36, Township 66 South, Range 28 East, Summerland Key, containing 0.31 acre.
3. Monroe County File No. 2078-44-253.12 - Application by Henrietta Zanglein to purchase a parcel of submerged land in Sacarma Bay in Section 29, Township 66 South, Range 28 East, Cudjoe Key, containing 0.46 acre.

DADE COUNTY - File No. 2089-13-253.12. On April 9, 1968, the Trustees considered application from Mrs. Mary R. Miley, abutting upland owner, to purchase a parcel of submerged land in Biscayne Bay in Section 22, Township 54 South, Range 41 East, landward of the established bulkhead line in the City of Miami, Dade County, containing 0.892 acre, more or less. The applicant offered the appraised value of \$7,217.00 per acre for the parcel to be used for extension of marina facilities.

Notice of sale was published in the Miami Review, Miami, Florida, proof of publication was filed in the Trustees office, and no objections to the sale were received. The Board of Conservation report was not adverse. A report covering the area in and around the abutting parcel conveyed by the Trustees on October 10, 1967, showed that the water depth was approximately 12 feet, no seagrasses existed and no objections were offered to the sale. The subject parcel was identical in every respect to the area sold then (File 1788-13-253.12). It was described as abutting the Dinner Key area.

On motion by Mr. Christian, adopted without objection, the Trustees confirmed sale of the advertised parcel to the abutting owner.

MANATEE COUNTY - File No. 455-41-253.12. Presented for action by the Trustees was the long-pending application on behalf of the Estate of Bessie Richards for 34.5 acres of submerged land in Terra Ceia Bay appraised \$375.00 per acre, and the Board of County Commissioners of Manatee County for 5.47 acres in the Manatee River appraised \$450.00 per acre, containing a total of 39.97 acres, more or less, in Section 16, Township 34 South, Range 17 East, landward of the established bulkhead line in Manatee County. (See minutes of October 3, 1967 and April 9, 1968) The notice of sale was published in the Bradenton Herald, proof of publication filed.

A number of objections were filed. The Board of Conservation biological report dated February 17, 1966, was adverse. On the basis of the unfavorable recommendation of the biologist and other factors involved, the Staff had recommended denial.

Mr. Clyde C. Goebel, attorney for the applicant, the Estate of Bessie Richards, reviewing the history of the application, said that the County Commissioners of Manatee County secured rights of way from Mrs. Richards and agreed to assist her to obtain bay bottoms to retain her riparian rights, that the value of land increased, there was a change in the membership of the County Commission, that in 1959 they passed the first bulkhead line resolution for Manatee County and it was for this parcel of land. The following year the county adopted bulkhead lines for all the county, establishing the same bulkhead line for the subject area, in both instances considering all rights and deciding it did not adversely affect fishing.

Mr. Goebel then exhibited a deed which conveyed in 1882 the same Government Lot 4 Section 16 which he said was patented by the federal government to the applicants' ancestors. For many years taxes have been paid on the land which they think they already own. Now the matter is working an undue hardship, he continued, on the eight heirs in the estate.

The Trustees heard two objectors. Mr. Ralph Smith, an attorney representing Wendell Williams, said his client owned adjoining property and operated a motel catering to fishermen. He objected to the adverse effects on the fishing interests and to the deal between the County Commission and the owner of the condemned property. Another objector, H. E. Thompson, explained that his fishhouse and ramp (partly on Trustees land and partly on State Road Department land) would be blocked; and as an officer of an independent fishing association he objected to sale of the 39 acres of submerged land.

Mr. Adams said the Trustees were being called on to consider legal equity in the face of some obvious damage to the ecology of the area. Some further questions were discussed and Mr. Christian felt that the applicants had cooperated with the county in behalf of public improvements, but he hoped something could be worked out to help Mr. Thompson.

On motion by Mr. Christian, seconded by Mr. Faircloth and adopted unanimously, the Trustees confirmed the sale to the two applicants, the Estate of Bessie Richards and the Board of County Commissioners of Manatee County.

HENDRY COUNTY - File No. 1998-26-253.36. On March 12, 1968, the Trustees authorized advertisement for objections only upon application by C. W. Kimsey to purchase a parcel of reclaimed river bottom land in the old channel of the Caloosahatchee River in Section 32, Township 42 South, Range 29 East, in Hendry County. Mr. Kimsey offered the appraised value of \$300.00 per acre, or the \$100.00 minimum charge for deed, for 0.29 acre. However, the parcel was reduced to 0.175 acre, a cut-back of the riverward extension of the parcel requested by the Board of County Commissioners who filed objection to sale of the original 0.29 acre.

Notice of sale was published in the Hendry County News, and action was deferred by the Trustees on April 16 and 22, 1968. No biological report was required for the reclaimed land, and

the Staff recommended confirmation of sale of the reduced parcel.

On motion by Mr. Christian, adopted unanimously, the Trustees confirmed sale of the 0.175 acre parcel to the abutting owner.

MANATEE COUNTY - File No. 2087-41-253.03 - Dedication. On May 14, 1968, the Trustees again considered the application by Manatee County Port Authority for dedication of two separate parcels of submerged land in Tampa Bay in Section 1, Township 33 South, Range 17 East, landward of the established bulkhead line in Manatee County, containing a total of 36.91 acres, more or less, to be used for county port facilities. The biological report was not adverse, however numerous objections were received and representatives of a protesting organization were heard, citing that the project was economically unfeasible and would cause pollution.

Mr. Adams called attention to a request from Governor Kirk that the matter be deferred until June 4. However, he was advised that the Governor would not be back in the state on that date; and since interested parties had been notified previously of the two-week deferment and were here on this date, on motion by Mr. Christian, adopted without objection, the rules were waived and the Trustees proceeded to take up the matter.

Mr. Richard A. Hampton, attorney for the Manatee County Port Authority and the Board of County Commissioners of Manatee County (the governing body of the Authority), was present.

Mr. John Patterson, attorney for the Committee of 10,000, Inc., pointed out several things he called legal technicalities which he objected to, said there would be damage from a pollution standpoint and economically, and he urged caution and that the Air and Water Pollution Committee look into the proposition before the Trustees take action to approve the dedication. On the latter point, Mr. Conner said that the Authority would be required to meet the code and it would be a professional determination.

Mr. Adams said the Trustees desired to act properly, that the bulkhead line was adopted for the port project, that there might be matters of a legal nature not within their jurisdiction, but in this case no ecological damage was anticipated, the local authority had confirmed their position, the dedication was for a public use.

On motion by Mr. Faircloth, seconded by Mr. Christian and adopted unanimously, the Trustees approved dedication of the two parcels (3.68 acres and 33.23 acres) for county port purposes.

BREVARD COUNTY - File No. 2117-05-253.12. Advertise. On May 21, 1968, there were only four members of the Trustees present when an application was considered requesting advertisement for objections only, which had previously been decided by the Trustees was a step in the process of sale and therefore would require action by five members. The minutes of May 21 contained complete information on the application by O. B. Hunter, Jr., William D. Dolan, and August Kramm for two parcels of previously filled sovereignty land lying within Lots 16 and 23, State Tree Shores Subdivision, containing 0.196 acre which at one time was submerged bottoms of the Indian River landward of the established bulkhead line in Brevard County.

In view of the fully developed state and no fault of the appli-

cants, the Staff recommended acceptance of the offer by the applicants to pay the appraised value of \$1,500.00 per acre for the 0.196 acre plus a payment of 50¢ per cubic yard for the 3.162 cubic yards used to fill the subject parcels. Staff requested authority to advertise the parcels for objections only.

On motion by Mr. Faircloth, seconded by Mr. Christian, the Trustees authorized advertisement for objections only.

SANTA ROSA COUNTY - Oil and Gas Lease. Mr. Arden A. Anderson, President of St. Mary de Galvez Corporation of Pensacola, Florida, requested the Trustees to advertise for sealed competitive bids for an oil and gas drilling lease covering the submerged water bottoms of East Bay, Blackwater Bay, and that portion of Escambia Bay lying in Santa Rosa County, containing approximately 47,932 acres. The corporation offered an annual rental of 20¢ per acre for a ten (10) year primary term lease and agreed to commence operations for drilling a well within one (1) year from date of lease and drill to a depth of 6,000 feet or to two hundred feet below the top of the Lower Tuscaloosa formation, whichever is deeper.

The offer was reviewed and recommended by Dr. Robert O. Vernon, the State Geologist.

Staff recommended advertising for bids pursuant to law, for a ten-year lease, based on the offer made by the corporation, the successful bidder to be required to pay for all costs of advertising, and the Trustees to reserve the right to reject any and all bids.

On motion by Mr. Christian, unanimously adopted, the Trustees accepted the staff recommendations and authorized the advertisement.

BROWARD COUNTY - Easement, Section 253.03 F. S. The Board of Regents requested the Trustees to issue a perpetual easement to Davie Utilities, Inc., for construction of a water system and sewerage system for new buildings being constructed at the Agricultural Experiment Station Plantation Field Laboratory in Broward County. The easement was approved by the office of the Attorney General as to form and legality, and approved by the Board of Regents.

Motion was made by Mr. Christian, seconded by Mr. Williams and adopted unanimously, that the Trustees approve issuance of the easement requested by the Board of Regents.

ST. LUCIE COUNTY - Easement, Section 253.03 F. S. The Board of Regents requested issuance of an easement to the Florida Gas Transmission Company for construction and maintenance of a pipeline across lands of the Agricultural Experiment Station Indian River Field Laboratory in Section 14, Township 35 South, Range 39 East, St. Lucie County. The 30-foot easement will parallel an existing 30-foot easement for a pipeline issued to Florida Gas Transmission Company on April 14, 1959. The company offers the sum of \$4,350.00 for the easement, which figure was the result of an independent appraisal.

The easement was approved by the office of the Attorney General as to form and legality and approved by the Board of Regents.

Motion was made by Mr. Christian, seconded and duly adopted, that the Trustees approve issuance of the easement requested by the Board of Regents.

Mr. Faircloth had to leave the meeting at this time, having remained for the preceding items and for approval of the Murphy Act sale recorded at the end of these minutes so that the requirement for action by five members would be met.

BREVARD COUNTY - Files 1616 and 1731-05-253.124 and 253.123. On May 21, 1968, the Trustees gave consideration to the request for approval of fill permit issued by the City Council of the City of Titusville in special meeting of May 8, 1968, to the J. L. Williams & Company under the provisions of Section 253.124 Florida Statutes, to fill the two parcels of submerged land in Sections 10 and 15, Township 22 South, Range 35 East, in the City of Titusville, Brevard County, containing a total of 7.62 acres. Representatives of the present owner of the submerged land were present and cited the need and local approval of the permit, since a portion of it is to be used for construction of a new U. S. Post Office. After due consideration, the Trustees deferred action for one week, suggesting that the applicant secure from the City of Titusville re-affirmation with respect to the dredge and fill permit and bulkhead line location, and that the application be reviewed by the newly created Inter-Agency Committee.

Staff received communication from the city reconfirming their issuance of the dredge and fill permit, as well as the location of the bulkhead line. Aerial photographs taken subsequent to the meeting of the 21st gave an aerial view of the entire area as well as contiguous areas. The biological reports, as mentioned previously, showed adverse effects but the dredge and fill permit was issued contingent upon the fill being obtained from below the one-fathom line in accordance with the biological report.

The Inter-Agency Committee authorized by the Trustees to review and advise with respect to all matters relating to the management of submerged lands recommended deferment of action until a study of the area was completed and the committee was in a position to make recommendations to the Trustees concerning policy matters dealing with submerged lands in the Titusville area.

Several persons were present representing the city and the applicant, including the city surveyor and city engineer.

The Trustees were assured that the fill would be within the bulkhead line. Mr. Adams pointed out that the committee had not advised adversely but requested deferment until their study could encompass the application parcel; however, he noted that the local government had re-affirmed its approval and the circumstances were unusual. The prior permit had expired by a slip-up of a few days.

Motion was made by Mr. Williams, seconded by Mr. Conner, that the Trustees approve the dredge and fill permits under Section 253.124 and 253.123 Florida Statutes, to J. L. Williams and Company.

DADE COUNTY - Southern Bell Telephone and Telegraph Company

applied for a permit authorizing installation of a submarine telephone cable across the Intracoastal Waterway in Biscayne Bay in Section 8 and 9, Township 53 South, Range 42 East, Dade County. Staff requested waiver of biological or ecological study as provided in Section 253.123(3)(a) Florida Statutes, since the public need will be served by the project.

On motion by Mr. Christian, seconded by Mr. Williams and adopted unanimously, the Trustees authorized issuance of the permit under Section 253.123 Florida Statutes.

PALM BEACH COUNTY - Florida Power and Light Company of West Palm Beach applied for a permit to install a submarine power cable across Lake Worth in Section 22, Township 43 South, Range 43 East, Palm Beach County. The Florida Board of Conservation reported no adverse effects on marine life or habitats in the area from the work were anticipated.

On motion by Mr. Conner, seconded by Mr. Williams and adopted unanimously, the Trustees authorized issuance of the permit under Section 253.123 Florida Statutes.

PALM BEACH COUNTY - South Lake Worth Inlet District applied for permission to remove 115,000 cubic yards of sand from the Intra-coastal Waterway right of way in Lake Worth in Section 15, Township 43 South, Range 43 East, to be distributed along a 2,000 foot strip of beach in Sections 15 and 22, Township 45 South, Range 43 East, lying south of the South Jetty of the South Lake Worth Inlet. This is a project approved by the Division of Beaches and Shores of the Board of Conservation, and Staff requested waiver of biological or ecological study as provided under Section 253.123(3)(a) Florida Statutes.

On motion by Mr. Williams, seconded and adopted unanimously, the Trustees authorized issuance of the permit.

POLK COUNTY - Polk County Engineering Department applied for a permit to deepen an existing channel in Crooked Lake in Section 36, Township 30 South, Range 27 East, Polk County. The material removed will be placed on upland property. The Florida Game and Fresh Water Fish Commission reported favorably subject to certain stipulations as to the dredging.

On motion by Mr. Christian, seconded by Mr. Williams and adopted unanimously, the Trustees authorized issuance of the permit under Section 253.03 Florida Statutes.

POLK COUNTY - G. E. Armington of Winter Haven, Florida, applied for permit to remove 1,000 cubic yards of fill material from Lake Rosalie in Section 32, Township 29 South, Range 29 East, Polk County, to be placed on his upland property. The Florida Game and Fresh Water Fish Commission approved the work subject to certain stipulations as to the dredging.

On motion by Mr. Conner, seconded by Mr. Williams and adopted unanimously, the Trustees authorized issuance of the permit under Section 253.03 Florida Statutes, for \$50.00 payment for the material.

SANTA ROSA COUNTY - Robert G. Theiring, Col., USA Ret., applied for permit for channel maintenance dredging in Gilmore Channel in Section 6, Township 3 South, Range 29 West, in Santa Rosa County. Staff requested waiver of biological or ecological study as provided in Section 253.123(3)(a) Florida Statutes.

On motion by Mr. Christian, seconded and duly adopted, the Trustees authorized issuance of the permit.

VOLUSIA COUNTY - Florida Power & Light Company of Daytona Beach, Florida, applied for a permit to authorize installation of two submarine cables across the Halifax River in Section 26, Township 14 South, Range 32 East, Volusia County. Staff requested waiver of biological or ecological study as provided in Section 253.123 (3)(a) Florida Statutes.

On motion by Mr. Williams, adopted without objection, the Trustees authorized issuance of the permit.

HIGHLANDS COUNTY - The Board of County Commissioners of Highlands County applied for a permit for construction of a boat ramp in Lake Sebring in Section 14, Township 34 South, Range 28 East, Highlands County. The Florida Game and Fresh Water Fish Commission reported favorably on the project.

On motion by Mr. Williams, adopted unanimously, the Trustees authorized issuance of the permit under Section 253.03 Florida Statutes.

LEE COUNTY - William B. Dehon, Jr., applied for permit to remove silt from an existing 40-foot wide channel in the Caloosahatchee River in Section 35, Township 45 South, Range 23 East, Lee County. Staff requested waiver of biological or ecological study as provided in Section 253.123(3)(a) Florida Statutes.

Motion was made by Mr. Christian, seconded by Mr. Williams and adopted unanimously, that the permit be approved.

PALM BEACH COUNTY - Florida Public Utilities Company of West Palm Beach, Florida, applied for permit for installation of a sub-aqueous gas line in Lake Worth in Sections 3 and 4, Township 43 South, Range 43 East, Palm Beach County. Staff requested waiver of biological or ecological study as provided in Section 253.123 (3)(a) Florida Statutes.

On motion by Mr. Williams adopted without objection, the Trustees authorized issuance of the permit.

POLK COUNTY - Mrs. Billie W. Higgins applied for permit to remove 500 cubic yards of material from Lake Marion in Section 8, Township 28 South, Range 28 East, to use for improvement of upland property. The Florida Game and Fresh Water Fish Commission had no objection to the project, subject to certain stipulations as to dredging. Applicant tendered her check for \$25.00 as payment for the material.

On motion by Mr. Williams, adopted without objection, the Trustees authorized issuance of the permit under Section 253.03 Florida Statutes.

MONROE COUNTY - Mr. and Mrs. Fred Yoars and Mr. and Mrs. Edgar L. Williams jointly applied for permit to dredge a boat basin and navigation channel in Section 25, Township 66 South, Range 29 East, Monroe County. The material removed will be placed on upland property.

Florida Board of Conservation reported that work had been done on the lands in question prior to the current development. The earlier work could have adversely affected the subject area to the point where the current project did little additional harm. The channel to deep water was not completed, and being in an area not heavily vegetated, it should not cause any serious adverse effects on the marine life of the area.

On motion by Mr. Christian, adopted without objection, the Trustees authorized issuance of the permit under Section 253.03 Florida Statutes.

MONROE COUNTY - On May 21, 1968, the Trustees deferred action on an application from Summerland Key Cove, Inc., to dredge a strip of filled land 100 feet wide by 1550 feet long adjacent to Safe Harbor Channel, lying wholly within the boundaries of the submerged land conveyed to the applicant in Trustees Deed No. 20793 and south of Stock Island, east of Cow Key. The applicant desired to dredge to a depth of 20 feet below mean low water to obtain rock material. The Board of Conservation advised that the biological report made in August 1965 was still applicable and was not adverse.

No work had been done in the area since the construction of Safe Harbor Channel under Department of Army Permit SAKSP 800.61(10119) issued in July 1954. Aerial photo taken in August 1956 indicates that channel was constructed and the material that the applicant wants to remove was in place then.

On motion by Mr. Christian, adopted without objection, the Trustees authorized issuance of the permit under Section 253.03 Florida Statutes.

PINELLAS COUNTY - The Pinellas County Water and Navigation Control Authority submitted the following applications for commercial dock permits for which all required exhibits and \$100.00 were submitted.

1. Clytus Holley, Madeira Beach, Florida
Dock north of Johns Pass in Section 15, Township 31 South, Range 15 East.
2. Lloyd W. Hughes, Treasure Island, Florida
Dock south of Johns Pass in Section 23, Township 31 South, Range 15 East.

On motion by Mr. Conner, seconded by Mr. Williams and adopted without objection, the Trustees approved issuance of the two state commercial dock permits.

DADE COUNTY - Goteck Investments, Inc., applied for a permit for three docks in Biscayne Bay in Section 32, Township 54 South, Range 42 East, Dade County, for use by owners of the condominium. All required exhibits and \$100.00 processing fee were submitted.

On motion by Mr. Williams, adopted without objection, the Trustees

approved issuance of the state commercial dock permit.

INDIAN RIVER COUNTY - File No. 2107-31-253.12. Edgar G. Collins and wife offered the appraised value of \$723.66 per acre for a parcel of submerged land in the Indian River in Section 6, Township 31 South, Range 39 East, landward of the established bulkhead line in the City of Sebastian, Indian River County, 0.597 acre.

Due to an adverse biological report, Staff recommended that the application be denied and requested authority to refund the \$50.00 application fee submitted by the applicant by check received on April 16 and deposited April 18, 1968.

On motion by Mr. Williams, adopted without objection, the Trustees denied the application because of the adverse report dated May 16, 1968, from the Florida Board of Conservation, and authorized refund of the \$50.00 application fee.

MARTIN COUNTY - File No. 2112-43-253.12. Guy W. Wetzel and wife, abutting upland owner, offered the appraised value of \$353.14 per acre for a parcel of submerged land in the Indian River in Section 15, Township 37 South, Range 41 East, containing 1.16 acres landward of the established bulkhead line in Martin County.

The Board of Conservation biological report dated May 14, 1968, was adverse. Staff recommended denial of the application and refund of the \$50.00 application fee submitted by the attorneys, Oughterson & Oughterson, in behalf of the applicant by check received April 24 and deposited May 8, 1968.

On motion by Mr. Williams, adopted without objection, the Trustees denied the application because of the adverse biological report and authorized refund of the \$50.00 application fee.

BREVARD COUNTY - File No. 2103-05-253.12. On motion by Mr. Conner, adopted without objection, the Trustees authorized refund of the \$50.00 application fee submitted April 5 and deposited April 11, 1968, by Grusenmeyer & Associates on behalf of Jeanne Friedlander, the applicant for purchase of a parcel of submerged land in the Indian River in the City of Titusville, which application was denied last week by the Trustees.

BREVARD COUNTY - File No. 2104-05-253.12. On motion by Mr. Conner, adopted without objection, the Trustees authorized refund of the \$50.00 application fee submitted April 5, and deposited April 11, 1968, by Grusenmeyer & Associates on behalf of Astron Corporation, the applicant for purchase of a parcel of submerged land in the Indian River in the City of Titusville, which application was denied last week by the Trustees.

TRUSTEES' FUNDS - The Staff requested authority to implement action taken by the Florida Board of Archives and History at its meeting on May 21, 1968, authorizing use of Trustees funds not to exceed \$59,000.00 to activate the Records Management Division of that agency for which the 1967 Legislature made no appropriation.

On motion by Mr. Christian, seconded by Mr. Williams and adopted without objection, the Trustees authorized transfer of \$59,000.00

to the Florida Board of Archives and History to be used by that agency in the preservation of public records, \$3,500.00 to be transferred during this fiscal year (1967-1968) and the balance of \$55,500.00 to be transferred during the fiscal year 1968-1969.

TRUSTEES FUNDS - On motion by Mr. Williams, seconded and duly adopted, the Trustees authorized the State Board of Administration to re-invest in short-term U. S. Treasury Bills the proceeds of long-term State School Bonds in the amount of \$197,838.64 (cost) which would become due on June 1, 1968.

CAPITOL CENTER PROPERTY - Staff requested authority to award to Jerry J. Hodges, Jr., a contract for removal of wooden structures located on lots owned by the Trustees at 208 and 210 West Bloxham Street, 216 West Blount Street and 812 South Gadsden Street, in Tallahassee. Mr. Paul Turner, Executive Director of the Capitol Center Planning Committee, had requested proposals from several persons to perform this work and the best proposal was submitted by Mr. Hodges who agreed to pay \$120.00 for the privilege of removing the structures and clearing the lots so as to make them suitable for mowing.

On motion by Mr. Williams, adopted without objection, the Trustees awarded the contract to Mr. Hodges as requested.

SUBJECTS UNDER CHAPTER 18296

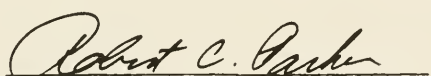
On motion by Mr. Williams, seconded and duly adopted, the Trustees approved Report No. 931 listing 2 regular bids for sale of land in Holmes County under the provisions of Chapter 18296, Acts of 1937 - the Murphy Act, and authorized execution of deeds pertaining thereto.

On motion duly adopted, the meeting was adjourned.



SECRETARY OF STATE - ACTING CHAIRMAN

ATTEST:



DIRECTOR - SECRETARY

The Trustees of the Internal Improvement Fund met on this date in the Capitol in Senate Hearing Room 31, with the following members present:

Tom Adams	Secretary of State, Acting Chairman
Fred O. Dickinson, Jr.	Comptroller
Broward Williams	Treasurer
Floyd T. Christian	Superintendent of Public Instruction
Doyle Conner	Commissioner of Agriculture

Robert C. Parker	Director
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On motion duly adopted, the Trustees approved the minutes of the meeting of May 28, 1968.

MARTIN COUNTY - File No. 1820-43-253.12. On May 21, 1968, the Trustees deferred for two weeks action on application, previously considered and deferred on July 26, 1966, from Laurel Court, Inc., of Stuart, Florida, for purchase of 0.88 acre of submerged land in the St. Lucie River in Section 32, Township 37 South, Range 41 East, Martin County landward of the established bulkhead line in the City of Stuart. Riparian owners on the north and south of the parcel objected, apparently to the allocation of submerged land by extension of the lines into the river, although the Staff had calculated a proportionate allocation for the upland property. No agreement had been reached and James F. Littman, attorney for one objector, was again present on this date. Mr. Adams pointed out that there were no nearby fills.

Mr. Adams said there was a moratorium, and the Trustees had advised the Martin County Commission that they were willing to let the county advise if they wished to review the bulkhead line location. He read from a telegram from the County Commission requesting that Martin County be included in the state-wide moratorium. Mr. Parker said he had read the thirty-five page transcript of the May 28th meeting of the County Commission and other information, but that would apply to the second item on the agenda as the Laurel Court land was in the City of Stuart. Mr. Littman said the application was brought up at the county meeting but the Commission deferred to the city which had jurisdiction. The Director explained that the first two applications on the agenda had been previously considered. There had been no agreement between the objectors and the Staff recommended the allocation of submerged land to Laurel Court on the basis of the calculation of footage.

Mr. Williams said the application had been considered twice before, that it did not interfere with marine resources but was a matter of how the lines were extended. Whether or not fishing was involved, Mr. Adams said, the whole state was under a moratorium, all bulkhead lines were being reviewed, but the Board would consider everything on its own merits.

Motion was made by Mr. Christian and adopted, with Mr. Dickinson voting "No", that the application be referred to the Inter-Agency

Committee and considered by the Trustees when a recommendation was received from that Committee.

MARTIN COUNTY - File No. 2077-43-253.12. On May 14, 1968, the Trustees confirmed a sale of 1.85 acres of submerged land in the Indian River in Section 5, Township 38 South, Range 42 East, at Hutchinson Island lying westerly of and abutting Lots 35, 36 and 37 of Yacht Club Beach subdivision, in favor of the abutting upland owner, Warren S. Tucker, Sr., and Warren S. Tucker, Jr. On May 21, 1968, the Trustees considered the application further and directed that issuance of the deed be held in abeyance for two weeks to allow the Martin County Commission to consider the bulkhead line if it desired.

A transcript of the May 28th meeting of the Martin County Commission, and other information, was received by the Trustees' office. The Commission adopted a motion requesting that the bulkhead line be re-examined, as requested by the Governor. A telegram from the County Commissioners to Mr. Nathaniel P. Reed, Office of the Governor, requested that Martin County be included in the state-wide moratorium.

Discussion of the preceding item in these minutes also had reference to this application from the Messrs. Tucker.

Motion was made by Mr. Williams, seconded by Mr. Christian and adopted, with Mr. Dickinson voting "No", that the application be referred to the Inter-Agency Committee for review of the bulkhead line and recommendation.

ESCAMBIA COUNTY - File No. 2100-17-253.12(6). The Department of the Navy on behalf of the United States made application for conveyance under the provisions of Section 253.12(6) Florida Statutes (1967) of two parcels of sovereignty land, one in Bayou Grande in Section 1, Township 3 South, Range 30 West, and the other in Big Lagoon in Section 17, Township 3 South, Range 31 West, Escambia County, containing a total of 0.20 acre filled subsequent to May 29, 1951, and prior to June 11, 1957. Applicant offered the appraised value of \$150.00 per acre, or a total of \$30.00 for the two small parcels, which was the value of the submerged land as it existed prior to filling.

The Staff recommended that authority be granted to issue the required instrument.

On motion by Mr. Conner, seconded by Mr. Williams and adopted unanimously, the Trustees authorized issuance of the instrument under provisions of Section 253.12(6).

A number of dredge and dock permits under provisions of Section 253.123 and 253.03 were on the agenda. Mr. Adams brought up the fact that dredge permits were also covered by the moratorium. The Director said the Staff did not realize that dredging for navigation was involved, that he felt that owners have a right to access channels, that some of the applications were for maintenance dredging in existing channels, and that the Staff did not want to place on the agenda anything that the Trustees felt came within the provisions of the moratorium. Mr. Dickinson stated that the items were properly on the agenda. Mr. Adams said it needed to be made clear, and he was quite in accord with main-

tenance of existing channels and allowing access for a marina, as one of the applicants requested.

Also, applications involving fresh water lakes, when the work was approved by the Game and Fresh Water Fish Commission, were not considered as being under a moratorium. Mr. Adams said that in the long range study it was hoped that fresh water bodies would also be included, but not in the immediate review now being made.

LEE COUNTY - John R. Cox applied for permit to remove material from the Caloosahatchee River in Section 10, Township 45 South, Range 24 East, Lee County, to improve navigation. The Board of Conservation reported that the area of proposed dredging was sparsely vegetated and did not constitute a significant or productive marine nursery area or valuable resources.

On motion by Mr. Dickinson, seconded by Mr. Williams and adopted unanimously, the Trustees authorized issuance of dredge permit under Section 253.123 Florida Statutes.

PINELLAS COUNTY - Walter Collany was granted a modification of Dredge Only Permit No. DO-64 by Pinellas County Water and Navigation Control Authority to do channel maintenance dredging in South Channel in Section 30, Township 32 South, Range 16 East, Pinellas County, along the southerly side of his property. Staff recommended approval of a permit under Section 253.123 Florida Statutes, to improve navigation.

On motion by Mr. Dickinson, seconded by Mr. Williams and adopted unanimously, the Trustees authorized issuance of dredge permit to Mr. Collany.

PINELLAS COUNTY - Florida State Road Department applied for a permit to install a submarine power cable across the channel in Johns Pass in Section 15, Township 31 South, Range 15 East, Pinellas County, to supply power to the bascule span of the proposed bridge.

Staff requested waiver of biological or ecological study as provided in Section 253.123(3)(a) Florida Statutes, since the project will serve the public need.

On motion by Mr. Dickinson, seconded by Mr. Williams and adopted unanimously, the Trustees authorized issuance of a dredge permit under Section 253.123 Florida Statutes.

PUTNAM COUNTY - Ernest J. Smith applied for permit to remove 972 cubic yards of material from an area 30 feet wide by 5 feet deep by 225 feet long in Lake Crescent in Section 2, Township 12 South, Range 27 East, Putnam County, to deposit on his upland property. Check in the amount of \$48.60 as payment for the material was tendered by the applicant.

Florida Game and Fresh Water Fish Commission reported favorably subject to certain stipulations as to dredging. Staff recommended approval.

On motion by Mr. Dickinson, seconded by Mr. Williams, and adopted unanimously, the Trustees authorized issuance of a permit for the requested amount of material, under provisions of Section 253.03

DADE COUNTY - The Granada Apartments, Inc., applied for permit to construct a dock in Indian Creek in Section 34, Township 52 South, Range 42 East, Dade County, in the Town of Bay Harbor Islands. All required exhibits including the \$100.00 processing fee were submitted.

On motion by Mr. Williams, seconded by Mr. Christian and adopted unanimously, the Trustees authorized issuance of a dock permit under provisions of Section 253.03 Florida Statutes.

DUVAL COUNTY - A. F. Markland, Jr., applied for a permit to construct four timber docks in the Cedar River in Section 42, Township 3 South, Range 26 East, Duval County. All required exhibits including the \$100.00 processing fee were submitted.

On motion by Mr. Williams, seconded by Mr. Christian and adopted unanimously, the Trustees authorized issuance of a state dock permit under provisions of Section 253.03 Florida Statutes.

CHARLOTTE COUNTY - Sandra C. Frizzell applied for permit to construct a navigation channel 30 feet wide by 3.5 feet deep by 400 feet long in the Myakka River in Section 27, Township 40 South, Range 21 East, near El Jobean, Florida. The material removed from the channel will be placed on applicant's upland property.

The Florida Board of Conservation reported that the project would not adversely affect marine life, habitats or fisheries.

On motion by Mr. Christian, seconded by Mr. Williams and adopted unanimously, the Trustees authorized issuance of a permit under provisions of Section 253.123 Florida Statutes.

DUVAL COUNTY - Lee E. Sanders applied for a permit to dredge a channel 50 feet wide by 5 feet deep by 50 feet long in the St. Johns River in Section 37, Township 1 South, Range 29 East, Duval County, for an access into his marina. The material removed in the dredging operation will be placed on his upland property.

Staff requested waiver of the biological or ecological study as provided in Section 253.123(3)(a) Florida Statutes.

On motion by Mr. Dickinson, seconded by Mr. Williams and adopted unanimously, the Trustees authorized permit under provisions of Section 253.123 Florida Statutes.

PINELLAS COUNTY - The Board of County Commissioners of Pinellas County applied for permit to remove 4,070 cubic yards of material from Lake Tarpon in Section 18, Township 27 South, Range 16 East, Pinellas County, to be used to improve the county's A. L. Anderson Park. Staff requested waiver of payment for the material for the public use.

The Florida Game and Fresh Water Fish Commission reported in favor of the application subject to certain stipulations as to dredging.

On motion by Mr. Dickinson, adopted without objection, the Trustees

authorized issuance of the permit without charge under provisions of Section 253.03 Florida Statutes.

PINELLAS COUNTY - Donald H. Fetner, Acting City Engineer of St. Petersburg, applied for a permit for installation of a 12-inch submarine water main crossing in Boca Ciega Bay in Section 25, Township 31 South, Range 15 East, Pinellas County, between South Causeway Isles and the City of St. Petersburg Beach Water Pollution Control Plant.

Staff requested waiver of the biological or ecological study as provided in Section 253.123(3)(a) Florida Statutes.

On motion by Mr. Dickinson, seconded by Mr. Williams and adopted unanimously, the Trustees authorized issuance of the permit under provisions of Section 253.123 Florida Statutes.

DUVAL COUNTY - Morris Goodman applied for a permit for channel maintenance dredging in Mill Cove in Sections 31 and 32, Township 2 South, Range 28 East, Duval County. The channel was originally authorized under Department of the Army Permit SAJSP 62-501.

Staff requested waiver of the biological or ecological study as provided in Section 253.123(3)(a).

On motion by Mr. Williams, adopted without objection, the Trustees authorized issuance of the permit for channel maintenance dredging.

MARTIN COUNTY - The Florida Board of Parks applied for a permit to dredge to remove the silt deposited in the Loxahatchee River by a drainage ditch, and thus to reopen the channel and restore the river to its original and normal condition. This was in a portion of the river adjacent to Jonathan Dickinson State Park in Sections 17 and 20, Township 40 South, Range 42 East, Martin County.

On motion by Mr. Christian, seconded by Mr. Williams and adopted unanimously, the Trustees authorized the dredging permit under provisions of Section 253.03 Florida Statutes.

HIGHLANDS COUNTY - J. F. McLure of Lake Placid, Florida, applied for a permit to remove material from an existing canal in Little Red Water Lake in Section 14, Township 26 South, Range 29 East, Highlands County. He tendered check for \$25.00, the minimum fee, as payment for the material.

The Florida Game and Fresh Water Fish Commission reported that the work had been done when their lake biologist inspection team made an on-site inspection, and that Mr. McLure had deposited dredged material on state-owned lake bottom lands.

Staff has recommended after-the-fact permit provided the material placed on state land was removed. Mr. Adams objected to after-the-fact approval for work already done, citing a case where the biological report was adverse but the work was done, and then a permit issued. He said the Trustees should have some penalty, and requested that the application be held in abeyance until some policy could be determined. The Director pointed out that

there was no statutory authority for a penalty, whereupon Mr. Adams said the Trustees might ask for authority.

On motion adopted without objection, the Trustees ordered the application to be held in abeyance.

LAKE COUNTY - Dale G. Beebe of Clermont, Florida, applied for a permit to remove 200 cubic yards of material from Lake Minnehaha in Section 1, Township 23 South, Range 25 East, in Clermont, Lake County. He tendered check in the amount of \$25.00, minimum charge, for the material.

The Florida Game and Fresh Water Fish Commission reported that an on-site inspection disclosed that the work had been completed, and was satisfactory except that the borrow area was only about 150 feet offshore.

By reason of the fact that this also was an after-the-fact application, the Trustees ordered it held in abeyance for consideration of policy or penalty.

MANATEE COUNTY - File No. 2087-41-253.123 and 253.124 Florida Statutes. On May 28, 1968, when the Trustees approved dedication of submerged land to Manatee County Port Authority, the matter of fill permit was inadvertently omitted. Staff recommended approval of the fill permit issued by the Board of County Commissioners of Manatee County to the Manatee County Port Authority in meeting May 9, 1968, under the provisions of Section 253.124 Florida Statutes, to fill the 36.91 acre parcels of submerged land in Tampa Bay in Section 1, Township 33 South, Range 17 East, Manatee County dedicated for port purposes.

Also, Staff requested authority to issue permit to the Manatee County Port Authority under provisions of Section 253.123 Florida Statutes, to dredge a navigation channel and transition area and to deposit the spoil within the dedicated area and within spoil areas according to the plans for the port development.

The biological report dated September 22, 1967, from the Board of Conservation was not adverse insofar as the proposed development would affect the marine resources of the areas referred to above.

On motion by Mr. Christian, adopted without objection, the Trustees approved the fill permit issued by the Board of County Commissioners and authorized issuance of the permit for channel dredging under Section 253.123 Florida Statutes.

MONROE COUNTY - Lease; Section 253.03 F. S. Charley Toppino & Sons, Inc., submitted request for a permit or lease to mine rock from a submerged land area between Stock Island and Raccoon Key designated as a 500-foot wide channel.

The Board of Conservation inspected the area upon request, and advised that it would not be in the best interest of marine conservation to allow further destruction of the vegetated shallows. Therefore, the Staff recommended denial on the printed agenda.

However, the Director advised that the applicant had asked for deferment for two weeks.

Mr. Adams asked for a complete report of the mining and dredging done in the area, calling attention to a statement of the biologist who made the inspection.

On motion by Mr. Williams, the Trustees deferred action pending receipt of a report as requested by the Secretary of State.

CHARLOTTE COUNTY - Litigation. The Trustees were engaged in litigation in the suit entitled Lord v. Roberts et al, involving land in Charlotte County. The office of the Attorney General advised that the Court had approved a request by attorneys for the plaintiffs and the cross-complainants that a reply to a request for admissions on the part of the Trustees would be accepted if sworn to by the Attorney General provided the Trustees authorize the Attorney General, acting as their attorney, to make such reply under oath.

On motion made by Mr. Christian, seconded by Mr. Williams and adopted unanimously, the Trustees authorized the Assistant Attorney General handling the litigation as attorney for the Trustees, to make the reply under oath for and in behalf of the Trustees.

TRUSTEES POLICY - On May 14, 1968, the Trustees adopted the proposal of the Special Committee, consisting of the Secretary of State, Superintendent of Public Instruction and the Governor, to charge 5¢ per cubic yard for fill materials to be deposited upon privately-owned submerged lands. The Director requested that it be a minimum of 5¢, and that a modification of existing Rule 200-2.071 be approved. Also, authority was requested to exercise the emergency provisions of Chapter 120, Florida Statutes, thereby allowing the amended rule to become effective immediately for all permits to be approved by the Trustees.

On motion by Mr. Conner, seconded by Mr. Williams and adopted unanimously, the Trustees authorized modification of the rule to show "a minimum of 5¢ per cubic yard" as required payment for fill material to be deposited upon privately-owned submerged land, and authorized the change to become effective immediately through the emergency provisions of Chapter 120, Florida Statutes.

INTER-AGENCY ADVISORY COMMITTEE ON SUBMERGED LAND MANAGEMENT.

At its meeting held on May 31, 1968, the Inter-Agency Committee on Submerged Land Management approved a temporary budget to be submitted to the Trustees for their consideration, covering the costs of the activities of this committee, as follows:

Secretarial work	\$ 2,000.00
Supplies	500.00
Photostat and blueprinting	1,500.00
Cost of reproduction and distribution of minutes, agenda and other materials	2,000.00
County maps from State Road Department of all coastal counties with scale 1 inch to the mile and sepia transparencies	200.00
Miscellaneous expense items	<u>300.00</u>
	\$ 6,500.00

This budget would cover a period of six months.

In addition, the Director recommended that the sum of \$15,000.00 be provided for aerial photography. He suggested that the Trustees call on the State Road Department for assistance.

The question of the cost of securing aerial photographs of all the coastal areas involved in the study had been brought up at the committee meeting and Mr. Jon S. Beazley, head of the Photogrammetric Division of the State Road Department, had submitted an estimated cost of from \$3 to \$5 per mile to fly the area with a cost of \$5 to \$10 per mile to make two contact prints, the total cost per mile being from \$8 to \$15 if the State Road Department performed these services. The cost would run higher if the work was let on a competitive basis to private interests.

The committee made no recommendations concerning the source from which these funds would be made available but felt that it would be more appropriate for this matter to be determined by the Trustees.

On motion by Mr. Dickinson, seconded by Mr. Williams and adopted unanimously, the Trustees approved the budget of \$21,500.00 (the \$6,500 temporary budget approved by the committee on May 31st plus the \$15,000 for aerial photography) for a period of six months, to be made available from Trustees' funds and any other sources that might be developed.

TRUSTEES OFFICE - Bids were requested May 29, 1968, for stationery and quitclaim deed forms (Class I printing) for use in the Trustees' office. The following seven bids were received according to the specifications:

General Office Equipment Printing Co.	\$509.30
Dupart, Inc.	522.77
Van Norren Printers, Inc.	526.09
The Drummond Press	594.00
Modern Printers	614.23
St. Petersburg Printing Co.	669.80
Rose Printing Co., Inc.	743.52


The Staff recommended acceptance of the low bid.

Motion was made by Mr. Williams, adopted without objection, that the low bid be accepted for the printing needed by the Trustees' office.

SUBJECTS UNDER CHAPTER 18296

On motion by Mr. Dickinson, adopted without objection, the Trustees approved Report No. 932 listing 1 regular bid for sale of land in Holmes County under provisions of Chapter 18296, Acts of 1937 - the Murphy Act - and authorized execution of deed pertaining thereto.

On motion duly adopted, the meeting adjourned.


SECRETARY OF STATE - ACTING CHAIRMAN

ATTEST:

Robert C. Parker
DIRECTOR - SECRETARY

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Tallahassee, Florida
June 11, 1968

The Trustees of the Internal Improvement Fund met on this date in the Capitol in Senate Hearing Room 31, with the following members present:

Claude R. Kirk, Jr.	Governor
Tom Adams	Secretary of State
Fred O. Dickinson, Jr.	Comptroller
Broward Williams	Treasurer
Floyd T. Christian	Superintendent of Public Instruction
Doyle Conner	Commissioner of Agriculture

Robert C. Parker	Director
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On motion duly adopted, the Trustees approved the minutes of the meeting of June 4, 1968.

GLADES COUNTY - File No. 2105-22-253.36. On May 21, 1968, the Trustees authorized advertisement, for objections only, of a parcel of reclaimed lake bottom land in Lake Okeechobee in Section 18, Township 40 South, Range 33 East, 6.70 acres, more or less, landward of Levee L-49 in Glades County, for which C. Q. Bussell and wife, abutting owners, offered the appraised price of \$475.00 per acre. Notice of sale was published in the Glades County Democrat, proof of publication filed and no objection to the sale was received.

The Outdoor Recreational Development Council and the Central and Southern Florida Flood Control District offered no objections to the sale of this parcel of reclaimed land. The requirement of a biological report was not applicable to this parcel. Staff recommended confirmation of the sale.

Motion was made by Mr. Adams, seconded by Mr. Conner and adopted unanimously, that the Trustees confirm sale of the advertised land to the applicants at the appraised price.

INDIAN RIVER COUNTY - File No. 1972-31-253.12. On April 22, 1968, the Trustees authorized advertisement, for objections only, of a parcel of submerged land in the Indian River in Section 34, Township 33 South, Range 40 East, 2.31 acres landward of the established bulkhead line in Indian River County, for which J. T. Gilbert and wife, abutting upland owners, had made an application to purchase at the appraised value of \$200.00 per acre. Notice of sale was published in the Vero Beach Press Journal, proof of publication filed in the Trustees' office.

The biological report from the Florida Board of Conservation

dated July 17, 1967, stated that the area had been adversely affected by dredging and spoiling for the Round Island project of the local mosquito control district, and that sale and development would not materially affect marine resources.

Objections to the sale were received from Vero Beach Anglers Club, Inc., Mr. Jack G. Jennings on behalf of Indian River County, and from the Game and Fresh Water Fish Commission.

The Staff suggested deferment in view of the moratorium and the review being made by the Inter-Agency Committee with respect to bulkhead lines and submerged land sales and fills.

On motion by Mr. Adams, seconded by Mr. Conner and adopted without objection, the Trustees deferred action on the sale as suggested.

BROWARD COUNTY - The Miccosukee Tribe of Indians of Florida, through their attorney, Mr. Homer Q. Kimbrell, requested the Trustees to approve a lease agreement between the Miccosukees and Designed Signs, Inc., which would allow the firm to install up to eighteen double-faced 10' by 40' billboard signs on the Miccosukee lands on each side of State Road 838 (Alligator Alley) for a period of five years. The Miccosukee Tribe would receive 20% of the gross amount collected for billboard rental under the exclusive agreement which was subject to cancellation by either party after 60-day written notice.

The Director received four telegrams on this date requesting denial or delay from the Chairman of the Collier County Commission and from Collier County Planning Commissioners, citing their policy banning commercial signs along the highway; also from the Chairman of the County Commissioners of Broward County and the Broward County Area Planning Board.

Mr. A. J. Lewis of the State Road Department said the Department was opposed because of impairment of the natural beauty and the possibility of the signs having to be moved back or damages paid if the federal law covering outdoor advertising should affect that highway.

Mr. Bill Bailey, on behalf of the Indians, said they had been negotiating for some time to obtain the best possible lease, that they would benefit by receiving \$6,000 or more each year, and the leases could be cancelled. The Tribe had worked hard to negotiate themselves and had already signed the lease which they now requested the Board of Commissioners of State Institutions and the Trustees of Internal Improvement Fund to approve. He said that Mr. Kimbrell had talked to the Road Department representative in Fort Lauderdale who offered no objection unless the signs were on the road right of way, which would not be the case. Mr. Lewis said there was no law to prohibit signs being placed on private ownership. The lands in question were Indian reservation lands, title to which was vested in the Trustees held in trust for the Indians.

In the discussion that followed, Mr. Christian expressed the opinion that the Indians should be allowed to get the revenue. Mr. Conner said that since there were signs in other places and no prohibition against signs on private property he was in favor of approval of the request if the signs were erected in

compliance with the state requirements as to the road right of way. Governor Kirk questioned the position of the County Commissioners against the land owners.

On motion by Mr. Conner, seconded by Mr. Adams and adopted unanimously, the Trustees approved the lease agreement between the Miccosukee Indians and Designed Signs, Inc.

Mr. Terry Lee called attention to the fact that he had informed Mr. Bailey that the Trustees by law now hold title to the lands in trust for the Indians, but that the proposed lease was prepared for signatures of the Board of Commissioners of State Institutions and the Trustees of Internal Improvement Fund.

Motion was made by Mr. Conner, seconded by Mr. Christian, and adopted unanimously, that the Board of Commissioners of State Institutions also approve and execute the lease agreement.

DADE COUNTY - R. K. Petroleum Corporation, holder of Oil and Gas Drilling Lease No. 1939-1939-S dated September 24, 1963, requested approval of an assignment of its interest in said lease to Mobil Oil Corporation covering 1120 acres in Township 54 South, Range 35 East, Dade County. Executed copy of assignment was filed by R. K. Petroleum Corporation as required by paragraph 14, page 9, of said lease. Staff recommended approval of the assignment.

On motion by Mr. Adams, seconded by Mr. Conner and adopted unanimously, the Trustees approved the assignment.

DADE COUNTY - Metro Dade County by resolutions to be officially adopted by the Board of County Commissioners in meeting June 17, 1968, requested on behalf of the United States of America:

(1) perpetual easement covering areas along the public beaches in the Atlantic Ocean of Virginia Key and Key Biscayne in Sections 15, 16, 21, 28 and 33, Township 54 South, Range 42 East, between the mean high water line and a line parallel to and 600 feet offshore therefrom, for beach nourishment; and

(2) temporary easements for borrow area and pipeline construction covering areas between the seaward boundary of the perpetual easement and a line parallel to and 2,000 feet easterly of the mean high water line of said Virginia Key and Key Biscayne.

The project was approved by the Beaches and Shores Division of the State Board of Conservation. Staff recommended that the easements be granted, the temporary easements to terminate in two years from the date of the instrument.

Motion was made by Mr. Adams, seconded by Mr. Dickinson and adopted unanimously, that the Trustees approve the perpetual easement and temporary easements to terminate in two years, as requested.

GADSDEN COUNTY - The City of Chattahoochee, in Gadsden County, Florida, by resolution dated March 8, 1968, requested the use of 1.24 acre parcel of land under the jurisdiction of the Apalachee Correctional Institution, for enlarging the city's electrical switching facilities. The parcel was in the NE $\frac{1}{4}$ of

SE¼ of Section 33, Township 4 North, Range 6 West, Gadsden County, adjacent to an existing facility of the Florida Power Corporation.

The Apalachee Correctional Institution, the Division of Corrections and Mr. Terry Lee, Coordinator of the Board of Commissioners of State Institutions, reviewed the request and had no objections. The enlarging of the existing electrical system would benefit the people of Chattahoochee and allow future tie-in with the Florida State Hospital if needed.

On motion by Mr. Conner, seconded by Mr. Dickinson and adopted unanimously, the Trustees approved dedication of the 1.24 acre parcel to the City of Chattahoochee for electrical switching facilities without charge, as long as needed for the purpose.

VOLUSIA COUNTY - The City of Daytona Beach requested dedication of land in use by the Florida Council for the Blind, for the widening of White Street and Dunn Avenue through the state property. In widening the streets, the city agreed to install pedestrian signals at intersections to facilitate pedestrians crossing the four-lane streets. The Council for the Blind approved the dedication.

On motion by Mr. Adams, seconded by Mr. Dickinson and adopted unanimously, the Trustees approved issuance of right of way dedication to the City of Daytona Beach for the widening of the streets.

SHELL LEASE INCOME REPORT - On motion by Mr. Conner, duly adopted, the Trustees accepted as information the following report showing remittances to the Florida Board of Conservation from holders of shell leases:

<u>Lease No.</u>	<u>Name of Company</u>	<u>Amount</u>
1718	Radcliff Materials, Inc.	\$8,390.75
2233	Bay Dredging & Construction Co.	4,408.65
2235	Fort Myers Shell and Dredging	582.60

BROWARD COUNTY - City Engineer E. L. Patterson of the City of Fort Lauderdale, Florida, applied for permit to install a 16-inch cast iron water main across the Intracoastal Waterway south of Southeast 17th Street Bridge in Section 13, Township 50 South, Range 42 East, Broward County.

Staff requested waiver of the biological or ecological study as provided in Section 253.123(3)(a) Florida Statutes.

On motion by Mr. Adams, seconded by Mr. Dickinson and adopted without objection, the Trustees authorized issuance of the dredge permit under Section 253.123 Florida Statutes.

DUVAL COUNTY - The City Commission of the City of Jacksonville, Florida, applied for permit to install a sewer outfall to serve a new city sewage treatment plant. The Florida Air and Water Pollution Control Commission approved the installation of the outfall which will be in the St. Johns River in Section 47,

Township 1 South, Range 27 East, Duval County.

Staff requested waiver of the biological or ecological study as provided under Section 253.123(3)(a) Florida Statutes, since the public need will be served.

On motion by Mr. Adams, seconded by Mr. Conner and adopted unanimously, the Trustees authorized issuance of the permit under Section 253.123 Florida Statutes.

GULF COUNTY - The Department of the Army, Mobile District, United States Corps of Engineers, applied for permit for channel maintenance dredging in the existing entrance channel to St. Joe Harbor in Township 7 South, Range 11 West, Gulf County, the material to be placed upon upland behind a spoil retention dike in Section 13, Township 7 South, Range 11 West. Title to the spoil disposal area is vested in the Trustees subject to use rights of the Florida Board of Parks, which consented to the proposed work.

Staff requested waiver of the biological or ecological study as provided under Section 253.123(3)(a) Florida Statutes, since the project was in the public interest.

On motion by Mr. Dickinson, seconded by Mr. Adams and adopted unanimously, the Trustees authorized issuance of the permit under provisions of Section 253.123 Florida Statutes.

MARION COUNTY - Florida Game and Fresh Water Fish Commission applied for a permit for construction of a channel 30 feet wide by 5 feet deep by 120 feet long to provide access for a Florida Game and Fresh Water Fish Commission public boat ramp in Sellers Lake in Section 1, Township 16 South, Range 15 East, Marion County.

On motion by Mr. Adams, seconded by Mr. Dickinson and adopted unanimously, the Trustees authorized issuance of the permit under Section 253.03 Florida Statutes.

PALM BEACH COUNTY - The City of Riviera Beach, represented by Brockway, Owen and Anderson, Engineers, applied for a permit to install a 66-inch R.C.P. storm water outfall pipe in Lake Worth in Section 28, Township 42 South, Range 43 East, Palm Beach County. The outfall pipe, not extending past the established bulkhead line, would permit connection of the Florida State Road Department 48-inch outfall pipe located approximately 100 feet south. The existing Road Department outfall pipe would then be abandoned.

Staff requested waiver of the biological or ecological study as provided in Section 253.123(3)(a) Florida Statutes, since the public need will be served.

Motion was made by Mr. Dickinson, seconded by Mr. Adams and adopted unanimously, that the permit requested by the City of Riviera Beach be approved.

PINELLAS COUNTY - The City of St. Petersburg was granted a dredge only permit, No. DO-163, by the Pinellas County Water and Navigation Control Authority for the construction of a boat ramp south of the existing city pier in Boca Ciega Bay in Section 13, Town-

6-11-68

ship 31 South, Range 15 East, Pinellas County, subject to the approval by the Trustees of a dredge permit under provisions of Section 253.123 Florida Statutes.

The Florida Board of Conservation reported that the submerged land in the area was unvegetated, and offered no objection.

Motion was made by Mr. Adams, seconded by Mr. Christian and adopted unanimously, that the Trustees approve the permit to the City of St. Petersburg, Florida.

POLK COUNTY - Polk County Engineering Department applied for permit to construct a channel 3 feet deep by 20 feet wide by 250 feet long from the county boat ramp located on the west side of Scott Lake in Section 18, Township 29 South, Range 24 East, Polk County. The material removed would be placed above the mean high water line.

Florida Game and Fresh Water Fish Commission reported favorably on the project subject to certain stipulations as to dredging.

On motion by Mr. Dickinson, seconded by Mr. Adams and adopted unanimously, the Trustees approved issuance of the permit to Polk County Engineering Department under Section 253.03 Florida Statutes.

SARASOTA COUNTY - Florida Power and Light Company of Sarasota, Florida, applied for a permit to install a submarine distribution cable crossing in Section 1, Township 37 South, Range 17 East, and Section 6, Township 37 South, Range 18 East, Sarasota County.

Staff requested waiver of biological or ecological study as provided under Section 253.123(3)(a) since the public need will be served.

On motion by Mr. Adams, seconded by Mr. Dickinson and adopted unanimously, the Trustees approved issuance of the permit to Florida Power and Light Company.

SARASOTA COUNTY - The City of Sarasota applied for permit to construct two piers, each 40 feet long, and two piers, each 30 feet long, in New Pass in Sections 22 and 23, Township 36 South, Range 17 East, Sarasota County. All required exhibits were furnished and Staff requested waiver of the \$100.00 processing fee for the piers, which were for public recreation provided by the City of Sarasota.

On motion by Mr. Adams, unanimously adopted, the Trustees authorized issuance of dock permit under Section 253.03 Florida Statutes, to the City of Sarasota without charge.

TRUSTEES FUNDS - Request was received from the office of State Comptroller Fred O. Dickinson, Jr., that the Trustees approve a temporary loan in an amount up to \$3,219,000 of the Trustees' funds to be used for repayment of a temporary loan from the working capital fund to the Capitol Center Land Acquisition and Construction Fund. The transaction was necessary for the reason that under provisions of Chapter 215.18 Florida Statutes, which authorized the transfer from the working capital fund of this amount of money to the Capitol Center Land Acquisition and

Construction Trust Fund, repayment of such transfer was required prior to the expiration of the fiscal year in which the transfer was made. It is anticipated that the temporary loan of Trustees' funds will be repaid from the Capitol Center Land Acquisition and Construction Trust Fund shortly after commencement of the new fiscal year on July 1, 1968.

In order to make the funds available, it would be necessary for the working capital fund to purchase the entire inventory of bonds and treasury notes presently held by the Trustees, the sale to be consummated at the prevailing market price which would be established by the State Board of Administration. That arrangement was discussed with Mr. E. O. Roland, Director of the State Board of Administration, who was in agreement with the procedure suggested.

Staff reviewed the request and the procedure to be followed, and recommended sale of Trustees' investments and approval of the temporary loan to the Capitol Center Land Acquisition and Construction Trust Fund, not to exceed \$3,219,000, it being understood that this loan will be repaid to the account of the Trustees of the Internal Improvement Fund as soon after July 1, 1968, as found to be expedient.

Commending the Director and Staff for working out the bookkeeping arrangement whereby the loan could be repaid, Mr. Adams made a motion that the Trustees approve the temporary loan in an amount up to \$3,219,000 to be used for repayment of a temporary loan from the working capital fund to the Capitol Center Land Acquisition and Construction Trust Fund, the loan to be repaid to the account of the Trustees of the Internal Improvement Fund as soon after July 1, 1968, as expedient. Mr. Dickinson seconded the motion, which was adopted unanimously.

TRUSTEES OFFICE - The Trustees in regular meeting February 20, 1968, accepted the low bid of \$3,100.00 by the St. Petersburg Printing Company, Inc., for rebinding 133 volumes of letter files and indexes. At the time the work was being done in the Elliot Building, it was found to be expedient to have two additional volumes rebound at the average rate of \$23.30 each. Staff requested permission to issue a change order totaling \$46.60 for the agreement dated February 28, 1968.

On motion by Mr. Williams, seconded by Mr. Dickinson and adopted unanimously, the Trustees approved the change order totaling \$46.60 as requested for the rebinding of two additional volumes.

SUBJECTS UNDER CHAPTER 18296

PINELLAS COUNTY - Ronald H. Schnell, Assistant County Attorney, on behalf of Pinellas County, requested waiver of the rules and regulations concerning size limitations for the release of oil and mineral reservations on the N $\frac{1}{4}$ of NE $\frac{1}{4}$ of NW $\frac{1}{4}$ of Section 19, Township 28 South, Range 16 East, Pinellas County, less right of way of U. S. Highway 19, being 10.3 acres, more or less, conveyed in Pinellas County Murphy Act Deed No. 2430 dated February 26, 1945, to Lillian B. Mitchell.

The land was bought with public funds for use as an automobile inspection site, and the county requested waiver of the usual cost for the release.

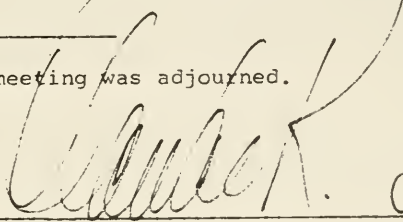
Staff recommended that quitclaim deed be issued to Pinellas County for a processing fee of \$10.00 with a public purpose clause to be inserted in the quitclaim deed.

On motion by Mr. Dickinson, seconded by Mr. Williams and adopted unanimously, the Trustees waived the rules as to size limitations for the release, which they authorized for a processing fee of \$10.00 provided the release contain a public purpose clause.

REFUNDS - Murphy Act. On motion by Mr. Conner, seconded by Mr. Williams and adopted unanimously, the Trustees authorized refund to the following applicants of the amounts tendered for release of the state road right of way reservations contained in Murphy Act deeds listed below, for the reason that the State Road Department did not recommend release of the reservations:

- Dade County Deed No. 1981 - Refund of \$10.00 to Frank R. Rotolante
- Highlands County Deed No. 45 (2parts) - Refund of \$20.00 to David B. Higginbottom
- Hillsborough County Deed No. 08-Chapter 21684 - Refund of \$10.00 to Charles H. Ross
- Hillsborough County Deed No. 3923 - Refund of \$10.00 to Real Estate Title Company
- Lee County Deed No. 118 - Refund of \$10.00 to L. R. Sears
- Okeechobee County Deed No. 264-EDDJ - Refund of \$10.00 to T. W. Conely, Jr.

On motion duly adopted, the meeting was adjourned.


 GOVERNOR - CHAIRMAN

ATTEST: Robert C. Parker
 DIRECTOR - SECRETARY

* * * * *

Tallahassee, Florida
June 18, 1968

The Trustees of the Internal Improvement Fund met on this date in the Capitol in Senate Hearing Room 31, with the following members present:

- | | |
|------------------------|--------------------------------------|
| Tom Adams | Secretary of State, Acting Chairman |
| Earl Faircloth | Attorney General |
| Fred O. Dickinson, Jr. | Comptroller |
| Floyd T. Christian | Superintendent of Public Instruction |
| Doyle Conner | Commissioner of Agriculture |

Robert C. Parker Director

On motion duly adopted, the Trustees approved the minutes of the meeting of June 11, 1968.

VOLUSIA COUNTY - File No. 2133-64-253.12(6). Donald U. Sessions, on behalf of himself, A. B. Reese and wife, and Kathryn Best, made application for conveyance under the provisions of Section 253.12(6) Florida Statutes (1967), of three contiguous parcels of sovereignty land in the Halifax River abutting uplands in Section 37, Township 15 South, Range 33 East, City of Holly Hill, Volusia County, containing a total of 0.68 acre filled subsequent to May 29, 1951, and prior to June 11, 1957. Applicant offered the appraised value of \$600.00 per acre, or a total of \$408.00 for the three parcels, being the appraised value of the submerged land as it existed prior to filling.

Staff recommended issuance of the required instruments. This being a transaction authorized under statutes, Mr. Adams commented that it must come before the Trustees regardless of the moratorium.

On motion by Mr. Dickinson, seconded by Mr. Faircloth and adopted unanimously, the Trustees authorized issuance of the required instruments for the three contiguous parcels of sovereignty land.

MONROE COUNTY - Ralph E. Cunningham, Jr., attorney representing the Estate of John A. Orris, deceased, applied for a duplicate of Trustees Deed No. 21407 dated October 30, 1956, for a handling charge of \$10.00. The original deed to John A. Orris was never recorded in the public records of Monroe County and could not be located.

Motion was made by Mr. Conner, seconded by Mr. Christian and adopted unanimously, that the Trustees authorize issuance of the duplicate deed.

PALM BEACH COUNTY - Terry Cattle Company, Inc., holder of Grazing Lease No. 2004 covering Section 5, Township 43 South, Range 39 East, Palm Beach County, requested permission to allow the Florida Power and Light Company to construct an electric distribution line across Section 5 to provide electric service for cattle watering pumps on land owned by Terry Cattle Company.

The Division of Corrections, which had jurisdiction over the section and five other sections of land for its farming operations, had no objection to granting of the easement provided the state might be supplied with electric service from the proposed line at some future date if the need should arise. Terry Cattle Company and Florida Power and Light Company had no objection to that request.

Staff recommended issuance of easement to Florida Power and Light Company for installation of an electric distribution line to be located adjacent to an established roadway running north and south along the centerline of Section 5.

On motion by Mr. Christian, adopted unanimously, the Trustees authorized issuance of the easement as recommended by the Staff.

POLK COUNTY - The State Road Department requested dedication of 0.027 acre of land in the NE $\frac{1}{4}$ of NE $\frac{1}{4}$ of Section 17, Township 30 South, Range 25 East, Polk County, for public highway right

of way purposes.

Also, request was received from the City of Bartow for an easement allowing relocation of utility poles on the same land, in use as a livestock pavilion by the Department of Agriculture. The pole relocation was necessary due to the proposed widening of State Road 35 (US 17).

The Trustees waived the rules to take up the request from the city, which was not listed on the agenda but involved the same property.

The Department of Agriculture reviewed the requests and concurred with the plan to improve State Roads 35 and 700, and to relocate the utility poles.

On motion by Mr. Conner, adopted unanimously, the Trustees authorized dedication of 0.027 acre of land for public highway right of way purposes and issuance of easement to the City of Bartow without charge.

BREVARD COUNTY - Secretary of State Tom Adams, in response to a request from Senator Beth Johnson, 29th District, asked that an item be placed on the agenda to permit Mrs. George Bovie, and perhaps others from Cocoa Beach, Florida, to be heard with reference to the location of the line of mean high water along the Atlantic Ocean beach in the City of Cocoa Beach. The Staff had been in communication with Mrs. Bovie and others, including certain city officials, concerning the matter.

Mrs. Bovie mentioned the letter of June 17 to Governor Kirk from Ocean Beach Owners Association, signed by Robert W. deGive as president and herself as secretary, which she hoped the members had reviewed. They requested the Trustees to officially approve the formula of 3.40 feet elevation above mean low water for determining the boundary between public and private ownership, as certified by the U. S. Department of Commerce, U. S. Coast and Geodetic Survey.

Mrs. Robert W. deGive said they felt that it was vitally important for the economy of their area to have the official recognition of the formula to be used in making surveys.

Mr. Adams said he understood that there needed to be some determination which would enable the establishment of property lines on the particular section of the beach, and the Board would like to take cognizance of the request, consider any additional information which might be secured, and take the matter under advisement. He said that action could affect situations in other areas, and that representatives of the local governing body had also contacted the Trustees in regard to the matter.

The Director advised that the Staff had discussed it with some of the city officials, including Mayor Robert P. Murkshe from whom a letter had been received indicating that the city needed much more information on the problem of complaints from a considerable number of property owners of trespass on private beach front properties. The letter requested time to complete the city's efforts to resolve differences in order to avoid litigation.

Mr. Dickinson said he wanted to accomplish what the applicants were requesting because he believed it was just, but that the Trustees wanted to take time to be certain that what was done was legally correct.

Mr. Adams thanked the applicants for bringing the matter to the attention of the Trustees, and without objection their request was taken under advisement by the Board.

DADE COUNTY - Placed on the agenda at the request of the Office of the Governor was the proposal as set forth in House Resolution No. 551 to designate the offshore islands located in Biscayne Bay in Dade County, commonly known and referred to as the City of Islandia, as a National Monument. Honorable Stewart L. Udall, Secretary of the Interior, had communicated with the Governor by letter of June 7, regarding the House Committee on Interior and Insular Affairs which would wish to know the position of the State of Florida, should authorizing legislation be enacted for the Biscayne National Monument, regarding the donation of the involved state lands. The Director said the Staff did not have the map which Mr. Udall sent to the Governor, but he understood it did not include the Ragged Keys.

Mr. Adams recalled that the Cabinet, as the Board of Commissioners of State Institutions, had taken action to cooperate with the federal agency to establish this as a public area and the Trustees were now being asked to advise the Department of the Interior that the state lands in the area would be conveyed for the National Monument upon Congressional authorization. He pointed out that there was often a period of years between such authorization and appropriation, and suggested that the Trustees express their willingness to convey the state lands within the confines of the proposed Biscayne National Monument upon authorization and appropriation by the Congress.

Mr. Faircloth agreed that it should be contingent upon appropriation, and it should be understood that acquisition of privately owned lands would be by federal appropriation.

The Director said that one of the problems was the time element, and that the private owners were uncertain as to future plans.

On motion by Mr. Adams, seconded and unanimously adopted, the Trustees directed that the Attorney General be requested to assist the Staff in drafting a resolution carefully spelling out the position of the State of Florida, to be brought back to the Trustees for consideration.

BAY COUNTY - Dredge Permit, Section 253.123. The Town of Mexico Beach applied for permit to artificially bypass approximately 100,000 cubic yards of sand across the Mexico Beach Canal in Bay County, placing the sand along the shoreline of the public beach easterly of the canal in accordance with the plans attached to the request.

The Staff of the Board of Conservation (Division of Beaches and Shores) recommended that the Trustees authorize the transfer of sand from the approved area as shown on the map attached to the request, and the Trustees' Staff recommended approval.

On motion by Mr. Christian, seconded by Mr. Faircloth and adopted unanimously, the Trustees approved the request for dredge permit for the project.

HIGHLANDS COUNTY - Dredge Permit, Section 253.03. Mr. W. H. Harrison of Lake Placid, Florida, applied for a permit to remove 356 cubic yards of material from Lake Clay in front of his upland property known as Lot 10, Block 11, Vacation Estates, Highlands County. The Florida Game and Fresh Water Fish Commission had no objection, subject to certain stipulations as to dredging.

Motion was made by Mr. Christian, seconded by Mr. Faircloth and adopted, that the permit be approved.

PINELLAS COUNTY - Dredge Permit, Section 253.123. The City of Clearwater applied for permission to remove the mid-channel sandbars in the area designated as N-3 in St. Joseph's Sound in Fractional Section 4, Township 29 South, Range 14 East, Pinellas County, which was used by heavy boat traffic and by water skiers. The city had an existing permit to dredge in an area designated as E-1 and wished to amend and reduce the area an amount equal to the N-3 area on the map submitted with the application.

The Board of Conservation reported that dredging in the area designated as N-3 would not be adverse to marine life or fisheries.

On motion by Mr. Christian, seconded by Mr. Dickinson and adopted unanimously, the Trustees approved issuance of the permit requested by the City of Clearwater.

PINELLAS COUNTY - Mr. H. H. Baskin, Jr., an attorney from Clearwater, Florida, representing a client who had been issued a dredge and fill permit under the provisions of Section 253.124 Florida Statutes, by the Pinellas County Water and Navigation Control Authority to fill a parcel of submerged land within a duly established bulkhead line at Clearwater Beach, had been informed by the Staff that it was inappropriate to place his matter on the agenda in view of the moratorium in effect. Mr. Baskin discussed his application with staff members of the Trustees, since he felt that his client's situation came within the purview of the emergency provisions as set forth in the resolution adopted by the Trustees. Liaison staff members felt that the application had merit as an emergency matter to be considered by the Trustees as an application for approval of the permit under Section 253.124, and issuance of a permit under Section 253.123 Florida Statutes.

Mr. Adams invited Mr. Baskin to address the Trustees briefly, whereupon the application of C. R. Dudley, Jr., was explained as meriting special consideration because the Holiday Inn franchise would be lost in the event of delayed hearing, the dredging costs would be increased greatly if construction should be delayed into the late summer, Pinellas County Water and Navigation Control Authority and the City of Clearwater had unanimously approved the application, Florida Board of Conservation's only criticism was directed to the dredging area from which fill material would be removed, and the U. S. Corps of Engineers had no objection to the project. Mr. Baskin said the land had

washed out and the owner desired to reclaim it within the bulkhead line set in 1959, that the Trustees had issued a disclaimer to the land, and while the emergency was private in nature, he had been working on the details since the first of the year and the application was before the city and the county prior to the moratorium of the Trustees.

Motion was made by Mr. Christian, seconded by Mr. Faircloth, and adopted unanimously, that the application be prepared for consideration by the Trustees on its merits and placed on the agenda in the future.

SEMINOLE COUNTY - Dredge Permit, Section 253.03. Francis Roumillat, Jr., Administrator of Seminole County Port Authority, applied for a permit to dredge an entrance channel into the barge slip to be constructed on upland of the Authority in the St. Johns River in Section 16, Township 19 South, Range 30 East, Seminole County.

The Florida Game and Fresh Water Fish Commission had no objection to issuance of the permit subject to the stipulations that (1) at all points 1/4 mile downstream from the construction site the State Water Quality Criteria must be met, and (2) the recommendation of the Florida Board of Conservation must be followed to protect the valuable shad fishery in the vicinity of the project.

On motion by Mr. Dickinson, seconded by Mr. Faircloth and adopted unanimously, the Trustees authorized issuance of the permit.

DADE COUNTY - Dock Permit, Section 253.03. Royal Embassy Apartments, Miami Beach, Florida, applied for permit for a dock parallel to its upland property in Indian Creek in Section 14, Township 53 South, Range 42 East, Dade County. All required exhibits, including \$100.00 processing fee, were submitted.

Motion was made by Mr. Faircloth, seconded by Mr. Dickinson and adopted, that the Trustees authorize issuance of the state commercial dock permit.

PINELLAS COUNTY - Dock Permit, Section 253.03. The Pinellas County Water and Navigation Control Authority issued a commercial dock permit to North Bay Company of Clearwater, Florida, to construct a commercial dock in Clearwater Harbor in Section 8, Township 29 South, Range 15 East, Pinellas County. All required exhibits, including \$100.00 processing fee, were submitted and Staff recommended approval.

On motion by Mr. Conner, seconded by Mr. Dickinson and adopted without objection, the Trustees approved issuance of state commercial dock permit.

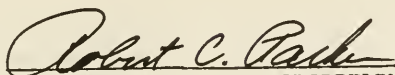
SUBJECTS UNDER CHAPTER 18296

On motion by Mr. Christian, seconded and adopted unanimously, the Trustees approved Report No. 933 listing 3 regular bids for sale of land in Walton and Washington Counties under the provisions of Chapter 18296, Acts of 1937, and Broward County Deed No. 84-

Corrective to Cypress Creek Lumber Company to correct the description in the deed to the same grantee dated July 15, 1940.

On motion duly adopted, the meeting was adjourned.


SECRETARY OF STATE - ACTING CHAIRMAN

ATTEST: 
DIRECTOR - SECRETARY

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Tallahassee, Florida
June 25, 1968

The Trustees of the Internal Improvement Fund met on this date in the Capitol in Senate Hearing Room 31, with the following members present:

Tom Adams	Secretary of State, Acting Chairman
Earl Faircloth	Attorney General
Broward Williams	Treasurer
Floyd T. Christian	Superintendent of Public Instruction
Doyle Conner	Commissioner of Agriculture

Robert C. Parker Director

On motion duly adopted, the Trustees approved the minutes of the meeting held on June 18, 1968, as submitted.

COLLIER COUNTY - File No. 2115-11-253.129. Application was made by Spingler and Allen, attorneys, on behalf of Marina Manor, Inc., the present upland owner, for issuance of a disclaimer under provisions of Section 253.129 Florida Statutes, covering two separate parcels of sovereignty land, now filled, lying in the Bay of Naples in Section 3, Township 50 South, Range 25 East, City of Naples, Collier County, containing a total of 0.12 acre that was filled prior to May 29, 1951.

On motion by Mr. Williams, adopted without objection, the Trustees authorized issuance of disclaimer for \$10.00 handling charge.

DUVAL COUNTY - Mr. F. Bradley Kennelly, attorney for Jacksonville Port Authority (local sponsor), on behalf of the United States of America, Corps of Engineers, applied for a 3,000 foot square area lying in the Atlantic Ocean, South 74°40'04" East, 16,461 feet from U. S. C. & G. S. monument "South Jetty" in Section 29, Township 1 South, Range 29 East, Duval County, containing 206.61 acres, more or less, for perpetual spoil easement. The spoil area was to be used as a hopper dredge dump area in connection with Jacksonville Harbor Deepening Project. The harbor improvement was authorized by River & Harbor Act of 27 October 1965

The Trustees were furnished copies of a letter dated May 24, 1967, from the Director of the Board of Conservation, which made general comments as to the overall project. Staff requested permission to waive additional biological study in view of the public nature and benefits accruing from the harbor improvement project.

Motion was made by Mr. Faircloth, seconded by Mr. Williams and adopted unanimously, that the Trustees authorize issuance of the permanent spoil easement requested.

<u>MONROE COUNTY</u> - File No. 2129-44-253.03	Dedication
2129-44-253.12(6)	Quitclaim
2129-44-253.129	Disclaimer

The Commanding Officer, Southeast Division, Naval Facilities Engineering Command, Charleston, South Carolina, requested dedication, quitclaim and disclaimer instruments for sovereignty lands in the vicinity of Fleming Key Naval Station Annex and U. S. Naval Station, Key West, Florida.

The area subject to dedication, containing 24.578 acres, more or less, was for national defense purposes, to control ingress and egress and to prohibit encroachment upon the naval installation.

The area subject to quitclaim pursuant to Section 253.12(6) Florida Statutes, consists of 5 parcels of sovereignty land containing an aggregate of 1.213 acres, more or less, upon which are constructed permanent finger piers attached to the uplands of the above cited naval installations. The Navy offered \$250.00 per acre, which was the appraised price for the land in the undeveloped state at the time of the appraisal. Total consideration for the quitclaim instruments was \$303.25.

There were 16 areas subject to disclaimer within the meaning of Section 253.129 Florida Statutes, abutting the said naval installations, comprising in the aggregate 83.665 acres, more or less. Under provisions of said section of the statutes, the Trustees are required to issue disclaimers.

On motion by Mr. Williams, approved without objection, the Trustees authorized issuance of dedication, quitclaim and disclaimer instruments as requested, for the usual fees and appraised values in accordance with previous actions of the Trustees in similar applications.

PINELLAS COUNTY - File No. 17447, 19742A, 22310-52-253.124 and 123.

On June 18, 1968, the Trustees heard a brief presentation by Mr. H. H. Baskin, Jr., on behalf of C. R. Dudley, Jr., and judging that the emergency provisions of the moratorium did apply, directed that the application be placed on the agenda for consideration.

Staff recommended approval of fill permits issued by Pinellas County Water and Navigation Control Authority on June 6, 1968, under provisions of Section 253.124 Florida Statutes, to fill a 4.6 acre parcel of submerged land in Sections 7, 8, 17 and 18,

Township 29 South, Range 15 East, Pinellas County, lying landward of the established bulkhead line and conveyed by the Trustees in the above referenced deeds (file numbers). Also, authority was requested to issue a dredge permit under Section 253.123 Florida Statutes, to dredge 74,600 cubic yards of material bayward of the bulkhead line to accomplish the filling, the cost of the material to be at the rate of 5¢ per cubic yard for a total price of \$3,730.00.

The biological report submitted by the Board of Conservation to the Pinellas County Water and Navigation Control Authority under date of May 31, 1968, offered no objections. However, the Division of Beaches and Shores by letter of May 16 to the Pinellas Authority had stated requirements as to the revetment and groin construction, and said that the sources proposed for taking of fill material were not acceptable. Mr. Baskin had discussed these requirements briefly last week.

There were two available sources proposed for taking the material to be used in filling this parcel of submerged land, the first from the channel for the authorized waterway project for Clearwater Harbor, and the second from the permanent spoil area located southerly of this channel. It was the feeling of the Staff that the public interest would be best served by authorizing the applicant to secure the dredge material from the channel.

Before the discussion began, the Director called attention to the fact, inadvertently overlooked in the transcript of the Pinellas Authority hearing, that the county approval was adopted " subject to the applicant reaching agreement with the Division of Beaches and Shores", which made it a tentative approval of the fill permit.

Mr. Baskin, on behalf of C. R. Dudley, Jr., the applicant for the dredge and fill permit and seawall, showed a photograph taken in 1951 showing the beach before that section severely eroded as a result of the Clearwater Little Pass Bridge, and proceeded by questioning Mr. Max Battle, Clearwater City Engineer who had been instructed to appear by the City Manager and was not employed in any way by the applicant, to show why they considered the sources of fill material suggested as alternates by the Division of Beaches and Shores impossible to comply with, although the applicant had worked out the objection to the type of revetment. He said that the intent of the Pinellas County Water and Navigation Control Authority in its resolution of approval was to untie their hands so that the dredge area could be adjusted without another hearing on the county level.

Mr. Battle said the city was apprehensive of trucked-in fill material which might damage the public beach, traffic conditions were such that the city would not approve trucking of that amount of fill material, that it would be detrimental to remove fill from a location suggested between two fingers as it would jeopardize the bulkheads. He said the application area was one of three critical erosion areas, and it would be of great benefit to have the silted material removed from the channel. Otherwise, the Corps of Engineers would have to come in and do it at public expense. Boatmen were presently complaining that the channel needed dredging as their wheels were touching. As a long-time resident, City Engineer for many years, and as a Registered Engineer, Mr. Battle described the project as beneficial and favored by the City of Clearwater.

Mr. Adams raised a number of questions not objecting to the

application, he said, but because the Trustees had broad responsibilities in beach erosion, channel maintenance, coastal structures.

Mr. Baskin said his client had anticipated the problem and was willing to amend the application to another more acceptable dredge area that was reasonable, such as out on the Gulf side of the channel, but that they could not truck in the material for the reasons he and Mr. Battle had explained.

Director Randolph Hodges of the Florida Board of Conservation called attention to the fact that the fill permit issued by the Authority was approved subject to meeting requirements of the Division of Beaches and Shores, which he took as being tentative permit. Also he pointed out that while the agenda noted the biological report had offered no objections, it showed nothing about the other aspects although the Director of Beaches and Shores had raised objections to using the fill material from the channel or from the spoil bank, which he recommended should be reserved for future beach nourishment projects. He said that hydrologic surveys were also required by the statutes, when recommended by the Board of Conservation, and that Mr. J. A. Purpura, technical consultant from the University of Florida Coastal Oceanographic and Engineering Department had made stipulations as to how the revetment was built and was present if the Board desired to ask any questions.

Mr. Christian said that since the Board of Conservation was not objecting to the filling but wanted to designate the material source and the type of construction, the matter might be deferred for the applicant to work out the matter with the Division of Beaches and Shores.

Mr. Baskin objected that he did not think they would alter their position, he met with them four days last week and came to a complete impasse, that his client would put in whatever type of revetment was necessary, there would be no damage from the filling project, and that it was a part of the beach that needed replacement of the sand which had eroded.

Mr. Adams said that the law required issuance of a coastal permit which had to be issued by the Board of Conservation, and that the problems should be worked out at staff level. Mr. Christian said that the applicant had made some concessions which should be helpful, and Mr. Adams added that there were few problems which could not be resolved by reasonable people.

Mr. Hodges said this was a beginning of development along the beach, and there was another application adjacent to it which would be forthcoming. He asked Mr. Baskin and Mr. Leo Butler to come to his office for further discussion while Mr. Purpura was there.

On motion by Mr. Christian, adopted unanimously, the Trustees removed the matter from the agenda for further efforts to be made toward resolving the objections.

VOLUSIA COUNTY - File No. 2050-64-253.124. Consideration of a fill permit application was placed on the agenda at the request of Mr. Dickinson, since it appeared that the applicant, G. S. C. Corp., Inc., had not submitted request for approval of the permit issued by the City of Port Orange on May 16 as required by Section 253.124, Florida Statutes, for the reason that he had not deemed it necessary to secure Trustees' approval. Actual dredging was

commenced but was stopped awaiting approval by the Trustees. The Staff construed Mr. Dickinson's request as a determination that the application came within the purview of the emergency provisions as set forth in the resolution declaring the moratorium on dredge and fill permits.

Staff recommended approval of the fill permit issued by the City of Port Orange on May 16, 1968, and confirmed by letter from the city dated June 19, 1968, under the provisions of Section 253.124 Florida Statutes, to G. S. C. Corp., Inc., the successor in title to the 1.75 acre parcel of submerged land conveyed by the Trustees on March 12, 1968, to Millard B. Conklin, et ux, et al, said permit being to fill a portion of the 1.75 acre parcel. Material would come from the other portion of the purchased area within the established bulkhead line, and therefore a permit under Section 253.123 Florida Statutes, would not be required from the Trustees.

On March 12 the Trustees had considered the biological report and confirmed the sale, since the area was reported by the Sanitation Director of the Volusia County Health Department to be polluted and the taking of shellfish prohibited.

On motion by Mr. Christian, adopted without objection, the Trustees approved the fill permit issued by the City of Port Orange under Section 253.124 Florida Statutes.

DUVAL COUNTY - File No. 2085-16-253.124. Consideration of a fill permit application was placed on the agenda at the request of Mr. Conner. The Staff construed the request as a determination that this item comes within the purview of the emergency provisions as set forth in the resolution declaring the moratorium on dredge and fill permits.

Staff recommended approval of fill permit issued by the Zoning Department of Duval County on June 10, 1968, under the provisions of Section 253.124 Florida Statutes, to Eskridge and Long Construction Company on behalf of The Pritchett Corporation and Cedar Shores Apartments, Inc., to fill the two contiguous parcels of submerged land in Cedar River abutting uplands in Section 42, Township 3 South, Range 26 East, Duval County, conveyed by the Trustees in meeting May 14, 1968, under the referenced file number, and containing a total of 0.58 acre. As all fill material would come from upland sources, a dredge permit under Section 253.123 Florida Statutes would not be required.

The biological report dated December 6, 1967, submitted by the Board of Conservation to the Duval County Engineer, used in the establishment of the bulkhead line approved by the Trustees on February 27, 1968, showed the area to be shallow, unvegetated and not a productive nursery or feeding ground for marine animals of sport or commercial importance.

On motion by Mr. Faircloth, adopted without objection, the Trustees approved the fill permit issued by Duval County under Section 253.124 Florida Statutes.

MONROE COUNTY - Dredge Permit, Section 253.03. Mr. Charles H. Netter, advised by the Staff that his application could not be placed on the agenda because of the moratorium, nevertheless was present and asked to be heard with reference to having placed on

a subsequent agenda his request, on behalf of Palmhurst, Inc., for a permit to construct six canals across applicant-owned submerged land, and a perimeter channel adjacent to applicant's ownership on the Gulf of Mexico side of Big Coppitt Key in Section 22, Township 67 South, Range 26 East, Monroe County. The excavated material from the interior and perimeter channels would be placed on applicant's ownership.

On motion by Mr. Williams, adopted without objection, the rules were waived and Mr. Netter was given an opportunity to be heard.

Mr. John DuBose, staff member, indicated the land previously sold to the applicant, and the line of mean high water, on a map.

Mr. Adams said that ownership of submerged land did not carry with it any guarantee of approval of dredge and fill permit, but as he understood it the Trustees were being asked to hear the applicant to determine if it was considered an emergency.

Mr. Netter, appearing as a principal as well as the attorney for Palmhurst, Inc., said the emergency was financial, that the small company began digging the canals on its ownership relying on the statute and an opinion from the Attorney General that Monroe County was exempt from provisions with respect to bulkhead lines, et cetera. The property was purchased years ago, plats were put on record, all the firm's funds expended on interior canals which dead-ended at rock dikes making sale of lots impossible unless permits could be secured for dredging for access to the water and a perimeter channel. He said the ecological report showed that the effect on marine life was minute, if any, and there was no erosion problem, the bottoms being rocky. He said they intended to comply with the Trustees' requirements, and that it was an emergency as they only found out permits were necessary as their work approached the shore line.

The Director explained that the U. S. Corps of Engineers had changed their procedure recently, that they asked the Trustees to represent the State of Florida as to clearing dredge and fill applications, and since Monroe County does come within the provisions of Chapter 253.03 Florida Statutes, the Trustees have jurisdiction in the issuance of such channel-dredging permits.

Mr. Netter urged that their application be considered a hardship and their mistake be understood as a reasonable mistake since it was based on the exemption set out in the law and in the opinion of the Attorney General as to Monroe County.

Motion was made by Mr. Williams, seconded by Mr. Christian and adopted unanimously, that the application be placed on the agenda next week for consideration under the emergency provisions of the moratorium.

OKALOOSA COUNTY - Mr. Joe S. Morgan, City Engineer of Fort Walton Beach, Florida, applied to the Division of Beaches and Shores, Florida Board of Conservation, for a permit to artificially nourish a public beach on the bay side of Santa Rosa Island. The total amount of sand to be dredged was estimated at 1000 cubic yards, and the Staff of the Board of Conservation recommended the project.

Motion was made by Mr. Faircloth, seconded by Mr. Williams and adopted unanimously, that the Trustees approve the work to be

done in accordance with the plans approved by the Board of Conservation.

PALM BEACH COUNTY - Dredge Permit, Section 253.123 Florida Statutes. The City of Boca Raton applied for a permit for installation of a 36-inch subaqueous ocean outfall sewer in Township 47 South, Range 43 East, in the Atlantic Ocean, which had been approved by the Florida Air and Water Pollution Control Commission.

On motion by Mr. Faircloth, adopted unanimously, the Trustees authorized issuance of the permit requested by the City of Boca Raton.

PINELLAS COUNTY - Dredge Permit, Section 253.123. General Telephone Company of Florida, St. Petersburg, Florida, applied for permit for installation of two submarine cables in Clearwater Bay, one in Sections 8 and 17, Township 29 South, Range 15 East, and the other in Section 16, Township 29 South, Range 15 East, Pinellas County.

Staff requested waiver of biological or ecological study as provided in Section 253.123(3)(a) Florida Statutes, since the public need would be served.

On motion by Mr. Faircloth, adopted without objection, the Trustees authorized issuance of the permit.

SARASOTA COUNTY - Dredge Permit, Section 253.123. Florida Power and Light Company, Sarasota, Florida, applied for permit for the installation of a submarine distribution cable crossing Sarasota Bay in Sections 24 and 25, Township 36 South, Range 17 East, Sarasota County.

Staff requested waiver of biological or ecological study as provided in Section 253.123(3)(a) Florida Statutes, since the public need will be served.

On motion by Mr. Christian, adopted without objection, the Trustees authorized issuance of the permit.

DADE COUNTY - Dock Permit, Section 253.03. Morris S. Burk, Partner, for the firm of Arlen-Burk of Miami, Florida, applied for permit to construct a dock in Biscayne Bay in Section 14, Township 52 South, Range 42 East, Dade County. All required exhibits, including the \$100.00 processing fee, were submitted.

Motion was made by Mr. Christian, seconded by Mr. Faircloth and adopted unanimously, that state commercial dock permit be issued.

MONROE COUNTY - Dock Permit, Section 253.03. Application was made by Mr. H. Reese Smith, Chief, Design and Construction, U. S. Department of the Interior, National Park Service, for a permit for the construction of a boat ramp and reconstruction of a dock at Fort Jefferson National Monument, Dry Tortugas Islands in the Gulf of Mexico. Staff requested waiver of the processing fee.

Motion was made by Mr. Christian, seconded by Mr. Faircloth and adopted unanimously that the permits requested be approved.

PINELLAS COUNTY - Dock Permit, Section 253.03. The Pinellas County Water and Navigation Control Authority issued a permit to Clearwater Bay Marine Ways, Inc., to construct a commercial boat lift in Clearwater Harbor in Section 9, Township 29 South, Range 15 East, Pinellas County, subject to approval of the Trustees.

All required exhibits including the \$100.00 processing fee were submitted.

On motion by Mr. Christian, seconded by Mr. Faircloth and adopted unanimously, the Trustees approved issuance of state commercial dock permit.

PALM BEACH COUNTY - The City of West Palm Beach on behalf of Vincent L. Burkhardt, requested issuance of a duplicate of Trustees' Deed No. 21986(292-50) dated November 21, 1958, for the reason that the original deed was lost before being recorded in the public records.

On motion by Mr. Faircloth, adopted without objection, the Trustees authorized issuance of the duplicate deed for \$10.00 handling charge.

TRUSTEES FUNDS - The additional personnel housed in the Clemons Apartments, located at the southwest corner of Duval and Madison Streets in Tallahassee and recently acquired and remodeled for use as state offices, created parking problems about which the Director had been in touch with the State Road Department. The Road Department approved release of \$8,000 from the Capitol Center Parking Fund of the Board of Commissioners of State Institutions with the approval of the Coordinator, Mr. Terry Lee. The total cost estimate for construction of the additional parking facilities as shown in the Road Department review was \$14,373.00.

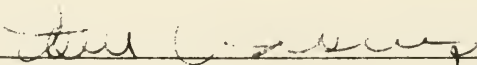
Staff recommended approval of release of \$6,373.00 to supplement the \$8,000.00 made available from the Capitol Center Parking Fund, for completion of the new parking facility which will accommodate some 47 cars.

On motion by Mr. Williams, adopted without objection, the Trustees approved the release of \$6,373.00 from Trustees' funds, as recommended.

SUBJECTS UNDER CHAPTER 18296

On motion by Mr. Christian, adopted without objection, the Trustees approved Report No. 934 listing 5 regular bids for sale of land in Jackson and Jefferson Counties under provisions of Chapter 18296, Acts of 1937 - the Murphy Act; and also approved Dade County Deed No. 1067-Corrective to W. S. Bourjaily, Jr., and Audrey Bourjaily, his wife, issued in lieu of a deed dated March 15, 1941, to Rosa Hancock who was deceased on the date of the deed.

On motion duly adopted, the meeting was adjourned.


SECRETARY OF STATE - ACTING CHAIRMAN

ATTEST: Robert C. Cook
DIRECTOR - SECRETARY

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EXPENSES

OPERATING EXPENSES:

Salaries	\$313,048.20
Other Personal Services	9,683.76
Retirement and Social Security Matching	10,274.89
Postage	3,310.00
Postage Due Account	25.00
Telephone and Telegraph	7,524.31
Printing and Express	56.14
Photographic and Reproduction Services	6,786.41
Repairs and Maintenance - Office Equipment	682.61
Repairs and Maintenance - Buildings	2,186.18
Repairs and Maintenance - Lawn	1,775.60
Repairs and Maintenance - Machinery	7,200.00
Travel	816.76
TLIF Office Utilities	20,582.29
Legal Advertising	10,551.35
Court Costs	6,871.77
Clipping Services	1,486.26
Extenuating Services	361.60
Other Contractual Services	5,184.40
Fuel Oil	417.59
Maps and Charts	11.06
First Aid Supplies	904.76
Minorata Supplies	284.80
Equipment - Maintenance Supplies	890.49
Stationery and Office Supplies	5,791.00
Reproduction Supplies	8,453.76
Informational Documents	27.00
Other Materials and Supplies	226.85
Surety Bonds	532.00
Building and Equipment Insurance	673.92
Workmen's Compensation Insurance	918.65
Rental of Equipment: Postage Meter	240.18
Rental of Equipment: Xerox Machine	3,205.21
Operating Trust Fund 4 1/2 Service Charge	88,548.41
Depreciation: Trustees' Office Building	10,804.70
Depreciation: Trustees' Office Furniture and Equipment	16,737.47
Transfers to State School Trust Fund	235,133.86
Payment for Conservation Reports	1,500.95
Recording Fees	75.00
Abstracts and Title Searches	92.95
Other Current Charges and Obligations	\$ 783,210.82

TAXES:

Central and Southern Florida Flood Control	\$ 9,251.66
Diston Island Drainage District	423.94
South Florida Conservancy District	36,841.52
East Beach Drainage District	163.10
East Shore Drainage District	4,502.33
Indian River Farms Drainage District	836.50
Southwest Florida Water Management District	4.10
Inland Navigation	367.61
<u>GRANTS AND SUBSIDIES:</u>	
U. S. G. S. Co-op Account	\$ 22,150.00
State Road Department Co-op Account: Topographic	
Mapping of State	16,829.47
University of Florida College of Engineering Surface	
Water Study	15,717.66
	\$ 54,697.13

NON-OPERATING EXPENSES:

Board of Antiquities Trust Fund	\$106,940.00
Board of Archives and History	92,484.90
Refunds	15,313.24
Purchase of Capitol Center Property	429,710.19
Alterations and Renovations to Capitol Center Property	27.00
Governor's Mansion Greenhouse	82,546.37
Inter-Agency Advisory Committee	23,459.34
Other Non-Operating	131.64
	472.26
<u>TOTAL EXPENSES</u>	751,069.79
	\$1,641,368.50
<u>EXCESS REVENUE OVER EXPENSES</u>	335,066.51
<u>TOTAL</u>	\$1,976,435.01

REVENUE

<u>LAND SALES:</u>	
Cash	\$416,769.24
Contract	385,431.18
	\$ 802,220.42
<u>INTEREST INCOME:</u>	
Interest Earned on Contract Sales - Public	\$ 48,046.64
Interest Earned on Contract Sales - City of Tallahassee	44,009.79
Interest Earned on Loans	44,624.07
Interest Earned on Securities	87,488.48
Interest Earned on Past due Accounts	472.01
	224,640.99
<u>LEASE RENTALS:</u>	
Farm	\$337,318.38
Grazing	21,015.62
Industrial	104,165.00
Oil	223,469.75
Timber	361.76
Miscellaneous	41,102.12
	727,322.66
<u>SALE OF LAND PRODUCTS:</u>	
Sand - Fill Material	\$ 23,095.55
	50,498.33
73,593.88	
<u>MISCELLANEOUS REVENUE:</u>	
Fees	\$ 50,420.85
Fees - Quitclaim Deeds	22,560.50
Reimbursement for Legal Advertising	1,160.55
Forfeiture of Funds due to Non-Performance	50,000.00
Overpayment on Contracts	9.09
Discount on Taxes	2,095.28
Refund of Prior Year Expenditures	30,140.49
Sale of Capitol Center Property	275.00
Miscellaneous Reimbursement or Refunds	472.10
Biological Reports	3,700.00
Biological Reports - Application Fee	823.00
	161,658.86
<u>OTHER INCOME:</u>	
Loss on Disposal of Fixed Assets	\$ (1,817.91)
Loss on Sale of Investment	(17,300.36)
Reimbursement for Special Taxes	6,116.47
	(13,001.80)

\$1,976,435.01

\$1,976,435.01

TRUSTEES OF THE INTERNAL IMPROVEMENT FUND

STATEMENT OF RECEIPTS AND DISBURSEMENTS

UNDER CHAPTER 18296 ACTS OF 1937

JULY 1, 1966 THROUGH JUNE 30, 1968

R E C E I P T S

Cash Land Sales and Miscellaneous Receipts \$84,990.99

D I S B U R S E M E N T S

All Receipts Deposited to General Revenue Fund under Chapter 25068,
Acts of 1949 \$84,990.99