

SOUTH FLORIDA WATER MANAGEMENT DISTRICT

RESOLUTION NO. 2008- _____

A RESOLUTION OF THE GOVERNING BOARD OF THE SOUTH FLORIDA WATER MANAGEMENT DISTRICT AUTHORIZING AND APPROVING THE ENTRY INTO A STIPULATION FOR FINAL SETTLEMENT BY AND BETWEEN THE DISTRICT AND PLAINTIFFS, IMPERIAL GOLF ESTATES HOMEOWNERS ASSOCIATION AND MARSILEA VILLAS, LLC, AND THE ENTRY INTO AND RECORDING OF A NOTICE CONFIRMING PRIORITY OF INTERESTS, CONFIRMING PRIORITY OF TWO ACCESS EASEMENTS OVER A CONSERVATION EASEMENT WHICH WAS CONVEYED TO THE DISTRICT BY PULTE HOME CORPORATION SUBJECT TO THE PRE-EXISTING ACCESS EASEMENTS, IN SETTLEMENT OF A MULTI-COUNT QUIET TITLE ACTION ENTITLED IMPERIAL GOLF ESTATES HOMEOWNERS ASSOCIATION, INC. AND MARSILEA VILLAS, LLC vs. SOUTH FLORIDA WATER MANAGEMENT DISTRICT, PULTE HOME CORPORATION, MILANO RECREATION ASSOCIATION, INC., DELASOL HOMEOWNERS ASSOCIATION, INC., RACEBROOK, INC. AND CENTEX HOMES, FILED IN THE 20TH CIRCUIT COURT FOR COLLIER COUNTY, FLORIDA, CASE NO. 07-3906-CA; PROVIDING AN EFFECTIVE DATE.

WHEREAS, Section 373.083(1), 373.129, and 373.139, Florida Statutes, authorize the South Florida Water Management District to settle such existing lawsuits; and,

WHEREAS, the Parties have been engaged in negotiations in an attempt to resolve, without trial, a dispute involving a Conservation Easement which was previously obtained as part of the District's regulatory program, but which was subject to two pre-existing access easements; and,

WHEREAS, the Parties have been successful in presenting a proposed settlement to the Governing Board of the South Florida Water Management District; **now therefore**

BE IT RESOLVED BY THE GOVERNING BOARD OF THE SOUTH FLORIDA WATER MANAGEMENT DISTRICT AS FOLLOWS:

Section 1. The Governing Board of the South Florida Water Management District hereby authorizes and approves the entry into a Stipulation for Final Settlement by

and between the District and Plaintiffs, Imperial Golf Estates Homeowners Association and Marsilea Villas, LLC, and the entry into and recording of a Notice Confirming Priority of Interests, confirming priority of two access easements over a Conservation Easement which was conveyed to the District by Pulte Home Corporation subject to the pre-existing access easements, in settlement of a multi-county Quiet Title Action styled Imperial Golf Estates Homeowners Association, Inc. and Marsilea Villas, LLC vs. South Florida Water Management District, Pulte Home Corporation, Milano Recreation Association, Inc., Delasol Homeowners Association, Inc., Racebrook, Inc. and Centex Homes, filed in the 20th Circuit Court for Collier County, Florida, Case No. 07-3906-CA.

Section 2. A copy of the forms of the Stipulation for Final Settlement by and between the District and Plaintiffs, Imperial Golf Estates Homeowners Association and Marsilea Villas, LLC, and the Notice Confirming Priority of Interests, are attached hereto and made a part hereof.

Section 3. This resolution shall take effect immediately upon adoption.

PASSED and **ADOPTED** this _____ day of _____, 2008.

SOUTH FLORIDA WATER MANAGEMENT DISTRICT,
BY ITS GOVERNING BOARD

By: _____
Chair Person

ATTEST:

District Clerk

Approved as to form:

By: _____
Office of Counsel