

SOUTH FLORIDA WATER MANAGEMENT DISTRICT

RESOLUTION NO. 2008 _____

A RESOLUTION OF THE GOVERNING BOARD OF THE SOUTH FLORIDA WATER MANAGEMENT DISTRICT TO AUTHORIZE DISTRICT STAFF TO FILE SUIT, PURSUE ANY APPROPRIATE DAMAGES AND REMEDIES, AND TAKE ALL APPROPRIATE ACTION, INCLUDING THE AUTHORITY TO SETTLE THE MATTER, SUBJECT TO THE APPROVAL OF THE EXECUTIVE DIRECTOR, AGAINST DAVID FELTENBERGER, AND ANY OTHER APPROPRIATE OR NECESSARY PARTIES, IN OKEECHOBEE COUNTY CIRCUIT COURT OR OTHER APPROPRIATE FORUM, REGARDING THE PROPERTY LOCATED IN SECTION 32, TOWNSHIP 37 SOUTH, RANGE 35 EAST, OKEECHOBEE COUNTY, FLORIDA, PROVIDING AN EFFECTIVE DATE.

WHEREAS, Section 373.083(1) and 373.129, Florida Statutes, authorizes the South Florida Water Management District to bring suit;

WHEREAS, in or about February 2007 David Feltenberger, aided and/or assisted in the unpermitted works and offsite dewatering without a permit.

WHEREAS, the District issued a Notice of Violation/In Aid of Settlement Letter on March 2, 2007 to David Feltenberger.

WHEREAS, the District issued a revised Notice of Violation/In Aid of Settlement Letter on March 15, 2007 to David Feltenberger.

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WHEREAS, David Feltenberger, and all other parties have failed to adequately respond and resolve the situation caused by their actions, **now therefore**

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

Section 1 The Governing Board of the South Florida Water Management District hereby authorizes District Staff to file suit, pursue any appropriate damages or remedies, and take all appropriate action, including the authority to settle the matter, subject to the approval of the Executive Director, against David Feltenberger, and any other appropriate or necessary parties, in the Okeechobee County Circuit Court or the appropriate forum, regarding the property located in Section 32, Township 37 South, Range 35 East, Okeechobee County.

Section 2 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: _____
Chairperson

ATTEST:

Approved as to form:

By: _____
District Clerk

BY: _____
Office of Counsel