



1 boundary and has not transferred the land westward of the wetland jurisdictional boundary  
2 to the District;

3 **WHEREAS**, in August, 2007, the District discovered more unauthorized work taking  
4 place on the property, including spreading of fill, construction of a boat canal, and clearing  
5 and adding ditches to 44 acres of sovereign lands to the immediate west of the property;

6 **WHEREAS**, on September 5, 2007, the property owner where the unauthorized  
7 work occurred was sent a Notice of Violation and informing them of the violation and the  
8 required actions to resolve the violation;

9 **WHEREAS**, after several meetings with the property owner, no resolution of the  
10 violations has occurred and the property and wetlands remain altered and unpermitted,  
11 **now therefore**

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

14 **Section 1** The Governing Board of the South Florida Water Management District  
15 hereby authorizes District Staff to file suit, pursue any appropriate damages or remedies,  
16 and take all appropriate action, including the authority to settle the matter, subject to the  
17 approval of the Executive Director, against Kenneth Hyatt and any other appropriate or  
18 necessary parties in the 9<sup>th</sup> Judicial Circuit in and for Osceola County or other appropriate  
19 forum, for violations of Chapter 373 of the Florida Statutes and Chapter 40E-4 of the  
20 Florida Administrative Code for unauthorized filling and grading of uplands and wetlands  
21 on the Hyatt Farms property located in Section 2, Township 31 South, Range 31 South,  
22 Osceola County.

23 **Section 2** This resolution shall take effect immediately upon adoption.

24 **PASSED and ADOPTED** this \_\_\_ day of \_\_\_\_\_, 2009.

25 Approved as to form: SOUTH FLORIDA WATER MANAGEMENT  
26 DISTRICT, BY ITS GOVERNING BOARD

27 BY: \_\_\_\_\_

28 Office of Counsel

29 By: \_\_\_\_\_

30 Chairperson

31 ATTEST: \_\_\_\_\_

32 District Clerk