

Resolution 2018-03

February 14, 2018

Joint Storm Water Memorandum of Understanding

**WHEREAS**, the Spring Lake Improvement District (hereinafter "SLID") was created by the Florida Legislature and codified in Chapter 1971-669, Laws of Florida, as amended by Chapter 2005-342, Laws of Florida, as amended by Chapter 2012-264, Laws of Florida, pursuant to the authority granted therein and;

**WHEREAS**, this joint Storm Water memorandum of understanding according to the attached "Exhibit A" is made between the Spring Lake Improvement District, and the Spring Lake Golf Resort and;

**WHEREAS**, this memorandum of understanding does not supersede prior easements granted by Wauchula Bank.

NOW, THEREFORE, BE IT RESOLVED THAT THE BOARD OF SUPERVISORS OF THE SPRING LAKE IMPROVEMENT DISTRICT ACCEPTS THE JOINT MEMORANDUM OF UNDERSTANDING.

Adopted this 14<sup>th</sup> day of February, 2018

  
\_\_\_\_\_  
Bill Lawens, Chairman

Attest:



\_\_\_\_\_  
Tim McKenna, Secretary



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## **JOINT STORM WATER MEMORANDUM OF UNDERSTANDING**

### **Spring Lake Improvement District**

### **Spring Lake Golf Course**

This Joint Storm Water memorandum of understanding is made between the Spring Lake Improvement District, a special purpose unit of local government established and existing under Chapter 298, Florida Statutes (the "District") and the Spring Lake Golf Course ("golf course"), a privately-owned Florida Corporation.

- A. The District holds an Environmental Resource Permit, number 28-00127-S, issued on May 11, 1978 and modified on March 23, 2015 to include the Districts Storm Water Treatment Area (STA). The permit requires the District to construct and operate a water management system serving 4,934 acres of residential and commercial lands by swales, canals, detention and retention lakes, the STA, and a pump station that discharges into Arbuckle Creek via an auxiliary channel.
- B. The District is required to maintain the System serving the properties pursuant to the Permits.
- C. Portions of the System are located on property owned, operated, and maintained by the golf course as generally depicted on Exhibit "A."
- D. The golf course has agreed to authorize the District to access the property in order to comply with all of the conditions and requirements of the Permits and other District services provided by non-ad valorem taxes.
- E. Water Use Permit: Originally issued January 17, 2012 by SFWMD, Permit number 28-00533-W allows an annual allocation of 183 million gallons for irrigation of 151 acres of golf course turf. It is the sole responsibility of the golf course to provide all required reports and data to be submitted to SFWMD. The District will support this permit thru its expiration date of January 17, 2032 with continued approval by SFWMD.
- F. ACCESS: The golf course grants access to the District through their property to monitor and maintain the System. The golf course may establish specific access locations, so long as such locations do not interfere with the District's ability to maintain the

system. Except in the event of an emergency, the District will schedule work on the golf course property after conferring with golf course personnel for consent. Normal golf play will not be interrupted unless in the event of an emergency. Services include, but are not limited, to: drainage; boom mowing on canal and pond banks; aquatic spraying; mosquito spraying; lot mowing per the District's operational schedules. The golf course will be permitted to use canal easements to access areas of the course such as Duane Palmer Blvd. adjacent to the Panther Course, and any other such areas deemed necessary to access.

**Repairs and Replacement:** In the event that existing drainage pipes have to be repaired or replaced, only approved replacement pipes will be installed. The District will provide equipment and labor; the golf course will be responsible for the cost of the pipes, so long as they are substantially similar to existing pipes. Any major modifications will require consent of both parties. The Environmental Resource Permit states that all pipe conveyance of water meet specific requirements. In the event a regulatory agency such as SFWMD identifies an existing problem, the District will work with the golf course to correct the issue accordingly.



Bill Lawens, Chairman  
SLID



Edd Vowels, Owner  
Spring Lake Golf Resort

Date 1-26-18

Date Jan. 26, 2018