

October 15, 2001 Draft

A bill to be entitled

An Act relating to the City of Palm Coast, Florida; amending Chapter 99-448, Law of Florida, which provided for the creation of the City of Palm Coast, subject to a referendum election, and for the City of Palm Coast Charter upon creation of the City; amending Sections 8, 9, 10 and 11 of Chapter 99-448, Laws of Florida; repealing Sections 13 and 14 Chapter 99-448, Laws of Florida; providing for the regular City election to be held on the first Tuesday after the second Monday in each odd-numbered year; providing for a primary City election only when more than two (2) candidates qualify for an office; providing that if a primary election is held, and a candidate receives a majority vote of the votes cast in the primary, that candidate shall be deemed elected to office and the office will not be subject to a regular city election; providing for a legal description of the City limits of the City of Palm Coast; providing for City Council districts and the amendment of such districts; restating the remainder of the Palm Coast City Charter; providing for severability; providing an effective date.

WHEREAS, the Florida Legislature enacted Chapter 99-448, Laws of Florida, in order to permit the residents of a particular area of Flagler County, Florida to determine whether they desired to incorporate the area as a Florida municipality to be named the "City of Palm Coast, Florida"; and

WHEREAS, on September 13, 1999, the voters of the future City of Palm Coast, Florida approved the provisions of Chapter 99-448, Law of Florida, and the City of Palm Coast was created effective December 31, 1999; and

WHEREAS, Chapter 99-448, Laws of Florida, composes the City of Palm Coast Charter; and

WHEREAS, certain matters set forth in the City of Palm Coast Charter require clarification and amendment and it is in the best interests of the citizens of the City of Palm Coast that the subject amendments be approved in this Act in order that the City may have a single organic document to refer to relative to the organic legal document establishing and governing the City of Palm Coast. NOW, THEREFORE,

Be It Enacted by the Legislature of the State of Florida:

Section 1. Chapter 99-448, Laws of Florida, the Palm Coast City Charter, is amended to read:

Section 1. Short Title. – This Act, together with any future amendments thereto, may be cited as the "City of Palm Coast Charter," hereinafter referred to as "the Charter."

Section 2. Legislative Intent. – The Legislature finds and declares that:

- (1) The area in Flagler County known as the Palm Coast Service District includes a compact and continuous urban community amenable to separate municipal government.
- (2) It is in the best interests of the public health, safety, and welfare of the citizens of this community to form a separate municipality for the Palm Coast Service District area with all powers and authority necessary to provide efficient and adequate municipal services to its residents.

Representative Joyce Cusack, The Florida Senate
224 N. Woodland Blvd.
Deland, FL 32720
Attn: Nikole Chale

Section 3. Incorporation of Municipality. –

(1) There is created, effective December 31, 1999, in Flagler County, Florida, a new municipality to be known as the City of Palm Coast.

(2) The Corporate boundaries of the City of Palm Coast, hereinafter referred to as “the City”, shall be as described in Subsection (1) of Section 9.

(3) The City of Palm Coast shall operate under a Council-Manager form of government. The general duties of the Council, as described in Section 5, shall be to set policy; the general duties of the Manager, as described in Section 6, shall be to carry out those policies.

Section 4. Municipal Powers. – The City shall be a body corporate and politic and shall have all the powers of a municipality under the State Constitution and the laws of Florida, as fully and completely as though such powers were specifically enumerated in this Charter, unless otherwise prohibited by or contrary to the provisions of this Charter. The City shall have all governmental, corporate, and proprietary powers necessary to enable it to conduct municipal government, perform municipal functions, and render municipal services, and may exercise any power for municipal purposes unless expressly prohibited by law. The powers of the City shall be liberally construed in favor of the City.

Section 5. City Council. --

(1) CITY COUNCIL; COMPOSITION, QUALIFICATIONS FOR OFFICE.

(a) Composition.

1. There shall be a five member City Council consisting of four District members and a Mayor.

2. There shall be four districts within the City, the boundaries of which are as outlined in Subsection (2) of Section 9. These districts shall be designated as District One (1), District Two (2), District Three (3), and District Four (4). Each of the four Council members shall run from the district in which he or she lives, but shall be elected at-large, and the Council members elected from each district shall be considered to hold Seat One, Seat Two, Seat Three, and Seat Four.

3. The Mayor shall live within the City boundaries. The Mayor shall run at-large, and be elected at-large.

(b) Qualifications for Office:

1. Each candidate for office shall be a qualified elector of the City.

2. Each individual seeking to qualify as a candidate for one of the four seats on the Council:

a. Shall submit a petition supporting his or her candidacy to the City Clerk containing the signatures of at least 1% of the electorate residing within the district as identified in the most recent decennial census from which he or she seeks to run or shall pay the City Clerk a qualifying fee of 10% of the salary of the office for which he or she seeks to run.

b. At the time of qualification, shall reside within the boundaries of the district from which he or she seeks to run. For the length of the member's term, a Council member shall maintain residency within the boundaries of the district from which he or she ran. In addition, candidates and Council members shall reside at least forty-five (45) weeks in each year in the district in which they live.

3. Each individual seeking to qualify as a candidate for Mayor:

a) Shall submit a petition supporting his or her candidacy to the City Clerk containing the signatures of at least 1% of the electors residing within the city limits, as identified in the most recent decennial census, or shall pay the City Clerk a qualifying fee of 10% of the Mayoral salary.

b) At the time of qualification, shall reside within the City limits. For the length of his or her term, the Mayor shall maintain residency within the City limits. In addition, Mayoral candidates, and the elected Mayor, shall reside at least forty-five (45) weeks of each year within the City limits.

4. Additionally, for the initial election, following the referendum approving the creation of the City, candidates for office shall qualify as provided in Subsection (3) of Section 13.

(2) TERMS OF OFFICE.

(a) The term of office for each District Member shall be four years. However, in order to provide for staggering of terms, the initial term of office for District Seats One and Three shall be four years, and that of District Seats Two and Four shall be 2 years. The initial term of office of the Mayor shall be 4 years.

(b) No Council member or Mayor may serve more than two successive 4-year terms in the same seat.

(c) Each Council member shall remain in office until his or her successor is elected and assumes the duties of the position at the first meeting of the new Council, which shall be held in accordance with City ordinance.

(3) POWERS AND DUTIES OF COUNCIL. -- Except as otherwise prescribed herein or as provided by law, legislative and police powers of the City shall be vested in the Council. The Council shall provide for the exercise of its powers and for the performance of all duties and obligations imposed on the City by

law.

(4) POWERS AND DUTIES OF THE MAYOR. --

(a) Powers. -- In addition to the regular powers invested in any other Council member, the Mayor shall be recognized by the governor for purposes of military law; shall have the power to declare an emergency situation; shall have the power for service of process, and execution of contracts, deeds, and other documents; and shall have the power to represent the city in all agreements with other governmental entities or certifications to other governmental entities that the Council has approved.

(b) Duties. -- In addition to his or her regular duties, the Mayor shall preside at meetings of the Council and be recognized as the head of city government for all ceremonial occasions. The Mayor shall have no administrative duties other than those necessary to accomplish these actions, or such other actions as may be authorized by the Council, consistent with general or special law.

(5) THE VICE-MAYOR; ELECTION AND DUTIES. --

(a) Election. -- There shall be a Vice-Mayor elected annually by the Council from among the Council members. Such election shall take place at the first meeting after the general election, or at the organizational meeting during years when there is no election.

(b) Duties. -- The Vice-Mayor shall have the same legislative powers and duties as any other Council member, except that he or she shall serve as Acting Mayor during the absence or disability of the Mayor and, during such period, shall have the same duties as provided for in Subsection (4) of this Section. In the absence of the Mayor and Vice-Mayor, the remaining Council members shall select a Council member to serve as Acting Mayor.

(6) COMPENSATION AND EXPENSES. --

(a) Compensation. -- The Council members and Mayor shall receive compensation as established by ordinance. Such compensation shall not take effect until the date of commencement of the terms of Council members elected at the next regularly scheduled election that follows the adoption of said ordinance by at least six months. The sole exception to this is that the Council members and Mayor elected initially under Subsection (3) of Section 13 may adopt an ordinance which compensates the Council members for up to \$1,200 per year, and the Mayor for up to \$1,800 per year. Such ordinance, if adopted, shall take effect immediately.

(b) Expenses. -- The Council may provide for reimbursement of actual expenses incurred by its members while performing their official duties.

(7) VACANCIES; FORFEITURE OF OFFICE, SUSPENSION, RECALL, FILLING OF VACANCIES. --

(a) Vacancies . -- A vacancy in the office of Mayor or of a Council seat shall occur upon the death of the incumbent, removal from office as authorized by law, resignation, appointment to other public office which creates dual office holding, judicially determined incompetence, or forfeiture of office as described in paragraph (b).

(b) Forfeiture of Office. -- The Mayor or any other Council member shall forfeit his or her office upon determination by the council, acting as a body, that he or she:

1. Lacks at any time, or fails to maintain during his or her term of office, any qualification for the office prescribed by this Charter or otherwise required by law;

2. Is convicted of a felony, or enters a plea of guilty or *nolo contendere* to a crime punishable as a felony, even if adjudication of guilt has been withheld;

3. Is convicted of a first degree misdemeanor arising directly out of his or her official conduct or duties, or enters a plea of guilty or *nolo contendere* thereto, even if adjudication of guilt has been withheld;

4. Is found to have violated any standard of conduct or code of ethics established by law for public officials and has been suspended from office by the Governor, unless subsequently reinstated as provided by law; or

5. Is absent from three consecutive regular Council meetings without being excused by the Council.

(c) Suspension from Office. -- The Mayor or any other Council member shall be suspended from office by the Council, acting as a body, upon return of an indictment or issuance of an information charging the Council member or Mayor with any crime which is punishable as a felony or with any crime arising out of his or her official conduct or duties which is punishable as a misdemeanor.

1. During the period of suspension, the Mayor or the Council member shall not perform any official act, duty, or function, or receive any allowance, emolument, or privilege of office.

2. If the Mayor or the Council member is subsequently found not guilty of the charge, or if the charge is otherwise dismissed or altered so that suspension would no longer be required as provided herein, the suspension shall be lifted by the Council, and the Council member or Mayor shall be entitled to receive

full back allowances and such other emoluments as he or she would have been entitled to had the suspension not occurred.

(d) Recall. -- The electors of the City following the procedures for recall established by general law or ordinance may remove the Mayor or any member of the City Council from office.

(e) Filling of Vacancies. --

1. If, for any reason other than recall, a vacancy occurs in the office of the Mayor, the Vice Mayor shall assume the position of Mayor, and within 30 days following occurrence of such vacancy, a Special Election shall be called as outlined in paragraph (5)(b) of Section 8. The Special Election for Mayor shall be for the remainder of the unfilled term.

2. If, for any reason other than recall, a vacancy occurs in the office of any Council seat within the first two years of a term, the office shall be filled by appointment within 30 days following the occurrence of such vacancy by majority vote of the remaining Council members. Such appointments shall last until the next regularly scheduled election, at which time the seat shall be declared open and an election held for the remaining 2 years of the original term, thus continuing the original staggering of district seats.

3. If, for any reason other than recall, a vacancy occurs in the office of any Council seat within the last 2 years of a term, the office shall be filled by appointment within 30 days following the occurrence of such vacancy by majority vote of the remaining Council members. Such appointments shall last until the next regularly scheduled election, at which time the seat shall be declared open and an election held for the regular 4-year term.

4. If a vacancy occurs as a result of a Recall Petition, such vacancy will be filled by Special Election as outlined in paragraph (5)(b) of Section 8.

5. Any person appointed to fill a vacant seat on the Council is required to meet all the qualifications for office except the petition requirement.

(8) CITY COUNCIL MEETINGS; ORGANIZATIONAL MEETING, QUORUM, SPECIAL MEETINGS. -- The Council shall meet regularly at least once a month, at such times and places as the Council may prescribe by ordinance. Such meetings shall be public meetings, and shall be subject to notice and other requirements of law applicable to public meetings.

(a) Organizational Meeting. -- The first meeting following a general City election at which elected or re-

elected Council members are inducted into office shall be held in accordance with City ordinance.

(b) Quorum. – A majority of the Council, including the Mayor, shall constitute a quorum. No action of the Council shall be valid unless adopted by an affirmative vote of the majority of the Council members and Mayor in attendance, unless otherwise provided by law or ordinance or as stated in this Charter. All actions of the City Council shall be by ordinance, resolution, or motion.

(c) Special Meetings. -- Special meetings may be held at the call of the Mayor or, in the absence of the Mayor, at the call of the Vice-Mayor. Special meetings may also be called upon the request of a majority of the Council members. The City Clerk shall provide no less than 24 hours prior notice of the meeting to the public, unless a declared emergency situation exists.

(9) CITY RECORDS. – The Council shall, in a properly indexed book kept for the purpose, provide for the authentication and recording in full of all minutes of meetings, and all ordinances and resolutions adopted by the Council, and the same shall at all times be a public record. In addition, the Council shall keep *verbatim* recordings of all meetings in accordance with state law. The Council shall further maintain a current codification of all ordinances. Such codification shall be printed and made available to the public on a continuing basis. All ordinances or resolutions of the Council shall be signed by the Mayor or, in the Mayor's absence, by the Vice-Mayor or, in the absence of both, by the Acting Mayor, and attested to by the City Clerk.

(10) LIMIT OF EMPLOYMENT OF COUNCIL MEMBERS. – Neither Council members nor the Mayor shall be in the employment of the City while in office, nor shall any former Council member or former Mayor be employed by the City until after the expiration of 1 year from the time of leaving office.

(11) NONINTERFERENCE BY CITY COUNCIL. – Except for the purpose of inquiry and information, the Council and its members, including committees thereof, are expressly prohibited from interfering with the performance of the duties of any City employee who is under the direct or indirect supervision of the City Manager or City Attorney.

Section 6. Charter Officers. – The designated charter officers shall be the city manager and the city attorney.

(1) DESIGNATED CHARTER OFFICES; APPOINTMENTS, REMOVAL, COMPENSATION, FILLING OF VACANCIES, CANDIDATE FOR CITY OFFICE. --

(a) Appointment. -- The Charter Officers shall be appointed by a majority vote of the full Council and shall serve at the pleasure of the Council.

(b) Removal. -- The Charter Officers shall be removed from office only by a majority vote of the full Council. If the vote is less than unanimous, the Charter Officer may, within 7 days of the dismissal motion by the Council, submit to the Mayor a written request for reconsideration. Any action taken by the Council at the reconsideration hearing shall be final.

(c) Compensation. -- The compensation of the Charter Officers shall be fixed by the City Council.

(d) Filling of Vacancy. -- The City Council shall begin the process to fill a vacancy in the Charter Office of the City Manager or City Attorney within 90 days of the vacancy. An Acting City Manager or Acting City Attorney may be appointed by the Council during a vacancy in office.

(e) Candidate for City Office. -- No Charter Officer shall be a candidate for any elected office while holding his or her Charter Office position.

(2) CITY MANAGER; QUALIFICATIONS, RESIDENCY, POWERS AND DUTIES. -- The City Manager shall be the chief Administrative Officer of the City.

(a) Qualifications. -- The City Manager shall be selected on the basis of experience, expertise, and management ability as it pertains to running municipal government.

(b) Residency. -- Although the City Manager need not be a resident of the City at the time of appointment, within 6 months of such appointment, he or she shall establish and maintain residency within the corporate limits of the City. Upon request of the City Manager, this 6-month period may be extended by the City Council for an additional 6-month period.

(c) Power and Duties. -- The City Manager shall:

1. Attend all meetings of the City Council.
2. Draw and sign vouchers upon depositories, and keep, or cause to be kept, a true and accurate account of same. Such vouchers shall be countersigned by the Mayor or by the Vice-Mayor in the event the office of Mayor is vacant. If both the Mayor and Vice Mayor offices are vacant, the Acting Mayor shall countersign such vouchers.
3. Be responsible for signature and issuance of all licenses issued by the City, issuance of receipts for all moneys paid to the City, and deposit of said moneys in the proper depositories on the first banking day

after receipt.

4. Provide administrative services as required by the Mayor and the Council.
 5. Appoint a City Clerk to serve at his or her pleasure.
 6. Appoint and suspend or remove any employee of the City. The City Manager may authorize any administrative officer who is subject to his or her direction and supervision to exercise these powers with respect to subordinates in that officer's department, office, or agency within the guidelines of stated personnel policies and procedures.
 7. Direct and supervise the administration of all departments, offices, and agencies of the City, except as otherwise provided by this Charter or by law.
 8. See that all laws, provisions of this Charter, and acts of the Council are faithfully executed.
 9. Prepare and submit annually a balanced budget, budget message, and capital program to the Council.
 10. Keep the Council fully advised as to the financial condition and future needs of the City and make such recommendations to the Council concerning the affairs of the City.
 11. Submit to the Council, and make available to the public, a complete report on finances and administrative activities of the City as of the end of each fiscal year.
 12. Sign contracts on behalf of the City to the extent authorized by the Council.
 13. Perform other such duties as are specified in this Charter or as may be directed by the council.
- (3) CITY ATTORNEY; QUALIFICATIONS, RESIDENCY, POWERS AND DUTIES. – The City Attorney shall be the chief legal officer of the city. The City Attorney may either be retained in-house, or be retained part-time under contract.
- (a) Qualifications. -- The City Attorney shall be a member in good standing of the Florida Bar.
 - (b) Residency. -- If retained in-house, the City Attorney shall, within 6 months of such appointment, establish and maintain residency within the corporate limits of the City. Upon request of the City Attorney, this 6-month period may be extended by the City Council for an additional 6-month period. If City Attorney services are contracted, such attorney need not be a resident of the city.
 - (c) Power and Duties. -- The city attorney:
 1. Shall serve as chief legal advisor to the City Council, the City Manager, and all City departments,

offices, City advisory boards, and agencies.

2. If in-house, shall appoint, suspend or remove such assistant attorneys as may be required. If City Attorney services are contracted, the City Manager shall appoint, suspend, or remove any in-house assistant attorneys as may be required. The remainder of the staff of the Office of City Attorney shall be employees of the city, appointed, suspended, or removed under the regular personnel policies and procedures of the city.

3. The City Attorney or his or her designee shall attend all City Council meetings unless excused by the City Council, and shall perform such professional duties as may be required by law or by the Council in furtherance of the law.

4. The City Attorney shall prepare an annual budget for the operation of the Office of the City Attorney and shall submit this budget to the City Manager for inclusion in the annual City budget, in accordance with uniform city procedures.

Section 7. Budget and Appropriations. --

(1) FISCAL YEAR. – The City fiscal year shall begin on October 1 of each year and end on September 30 of the succeeding year.

(2) BUDGET ADOPTION. – The Council shall, by resolution, adopt a budget on or before the 30th day of September of each year. A resolution adopting the annual budget shall constitute appropriation of the amounts specified therein as expenditures from funds indicated.

(3) APPROPRIATION AMENDMENTS DURING THE FISCAL YEAR; SUPPLEMENTAL APPROPRIATIONS, REDUCTION OF APPROPRIATIONS, TRANSFER OF APPROPRIATIONS, LIMITATIONS, EFFECTIVE DATE, LIMITATIONS TO COUNCIL'S CONTRACTING AUTHORITY. --

(a) Supplemental Appropriations. – If, during the fiscal year, revenues in excess of those estimated in the budget are available for appropriation, the Council may, by resolution, make supplemental appropriations for the year in an amount not to exceed such excess.

(b) Reduction of Appropriations. – If, at any time during the fiscal year, it appears probable to the City Manager that the revenues available will be insufficient to meet the amount appropriated, he or she shall report same to the Council without delay, indicating the estimated amount of the deficit, any remedial action to be taken, and recommendations as to any other steps that should be taken. The Council shall

then take such further action as it deems necessary to prevent any deficit and, for that purpose, the Council may by resolution reduce one or more appropriations accordingly.

(c) Transfer of Appropriations. – At any time during the fiscal year, the City Manager may transfer all or part of any unencumbered appropriation balance within a department, office, or agency of the City to other programs within the same department, office, or agency. Further, upon written request of the City Manager, the Council may transfer part or all of any unencumbered appropriation balance from one department, office, or agency to another.

(d) Limitations; Effective Date. -- No appropriation for debt service may be reduced or transferred, no appropriation may be reduced below any amount required by law to be appropriated, and no appropriation may be reduced by more than the amount of the unencumbered balance thereof. Other provisions of law to the contrary notwithstanding, the supplemental and emergency appropriations and reduction or transfer of appropriations authorized by this section may be made effective immediately upon adoption.

(e) Limitations to Council's Contracting Authority. Unless authorized by the electors of the City at a duty held referendum election, the Council shall not enter into lease purchase contracts or any other unfunded multiyear contracts, the repayment of which extends in excess of 36 months or exceeds \$15 million.

Section 8. Elections. –

(1) ELECTORS. – Any person who is a resident of the City, who has qualified as an elector of this state, and who registers in the manner prescribed by law, shall be an elector of the City.

(2) NONPARTISAN ELECTIONS. – All elections for City elective office shall be conducted on a nonpartisan basis without any designation of political party affiliation.

(3) QUALIFYING FOR OFFICE. – Any person who wishes to become a candidate for a City elective office shall qualify with the City Clerk no sooner than 45 calendar days nor later than 35 calendar days prior to the second Tuesday in September of each odd numbered year. In addition, candidates shall qualify as provided in paragraph (1)(b) of Section 5.

(4) SCHEDULE FOR REGULAR ELECTIONS AND PRIMARIES. – The regular City election shall be the first Tuesday after the first Monday in November on each odd-numbered year. Such City elections shall be general City elections. If there are more than two candidates who qualify for any office, a primary

City election shall be held on the first Tuesday after the second first Monday in September.

(a) An election to fill a vacant Council seat, as outlined in paragraph (7)(e) of Section 5, where there is more than half of the term remaining shall be held during the next regularly scheduled election. Such election shall be for the remaining 2 years of the original term.

(b) An election to fill a vacant Council seat, as outlined in paragraph (7)(e) of Section 5, where there is less than half of the term remaining shall be filled at the next regularly scheduled election. Such election shall be for a 4-year term.

(5) SCHEDULE FOR SPECIAL ELECTIONS. --

(a) A special election for a vacant position of Mayor as outlined in paragraph (7)(e) of Section 5, shall be called within 30 days, and the City Council shall, by resolution, fix the time for holding of such election. Such special election for Mayor shall be for the remainder of the vacant term.

(b) All other special municipal elections shall be held in the same manner as regular elections, and the City Council shall, by resolution, fix the time for holding of such elections.

(6) DETERMINATION OF ELECTION TO OFFICE. --

(a) If only one candidate qualifies for an office, that candidate shall be deemed to be elected and shall not be placed on either the general or the primary ballot.

(b) ~~If two or more candidates qualify for an office, the names of those candidates shall be placed on the ballot at the primary election.~~ If a primary City election is held and any candidate for such an office receives a majority of the votes cast in the primary election for the office, he or she shall be deemed to be elected to the office and the office will not be subject to an election at the regular City election.

(c) If no single candidate for an office receives a majority of the votes cast in the City primary election for that office, the two candidates for the office receiving the highest vote in the primary City election shall run again in the regular City election. Further:

1. In any primary election in which there is a tie for first place, the name of each such candidate shall be placed on the City's general election ballot.

2. In any primary election in which there is a tie for second place and the candidate placing first did not receive a majority of the votes cast for such office, the name of the candidate placing first and the name of each candidate tying for second shall be placed upon the City's general election ballot.

(d) The candidate receiving the highest number of votes cast for the office in the City's general election shall be elected to such office. If the vote at the general City election results in a tie, the outcome shall be determined by lot as follows:

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1. At the first regularly scheduled Council meeting after the election, the Supervisor of Elections of Flagler County shall toss a coin. In alphabetic order, the two candidates shall call the coin.

2. The candidate whose call matches the coin toss shall be declared the winner.

(7) CITY CANVASSING BOARD. – For purposes of certifying absentee ballots and election results, the City Clerk and a representative from the City designated by the Council shall be known as the Canvassing Board. At the close of the polls of any City election, the Canvassing Board shall insure that the absentee ballots are delivered to the Flagler County Supervisor of Elections, and shall meet at the County election headquarters and proceed to certify the ballots and open them in the presence of a representative of the Supervisor of Elections' office. In addition, after final election results are certified by the Flagler County Supervisor of Elections, the Canvassing Board shall immediately report the results back to a meeting of the City Council held for the purpose of final certification and filing with the City Clerk as required by law.

Section 9. Land Description. –

(1) CITY BOUNDARIES.

The initial corporate boundaries shall be as set forth in Chapter 99-448, Laws of Florida hereinafter described. At any time ~~after incorporation~~ boundaries may be changed in accordance with general laws regarding annexation without amendments to the Charter. Upon the effective date of this act, the corporate boundaries shall be as follows:

[OLD LEGAL DESCRIPTION (TO BE STRICKEN THROUGH) OMITTED, LENGTHY NEW LEGAL DESCRIPTION TO BE INCLUDED.]

(2) DISTRICT BOUNDARIES. –There shall be four Districts. The Districts shall be based upon the principal of equal and effective representation as required by the United States Constitution. Each district shall be formed of compact, contiguous territory, with boundary lines following the center lines of natural and man-made separations, such as canals, streets, etc., where possible. The Initial District boundaries are as hereinafter described. Thereafter, the District boundaries shall be revised

every 10 years based upon population figures following the release of census tract data in accordance with Section ~~10~~ 44(4) and, when accepted revised in accordance with Section 10 44(4), shall be considered to be an amendment to this charter.

~~FROM A POINT OF BEGINNING BEING THE NORTHEASTERLY MOST CORNER OF PALM COAST SECTION 37 AS RECORDED IN MAP BOOK 13, PAGE 27 AND BEING A POINT ON THE WEST RIGHT OF WAY LINE OF INTERSTATE 95; THENCE S25°15'02"E ALONG SAID WESTERLY RIGHT OF WAY LINE OF INTERSTATE 95 FOR A DISTANCE OF 5870.95, FEET TO A POINT IN SECTION 26-10-30; THENCE DEPART SAID WEST RIGHT OF WAY LINE OF INTERSTATE 95 AND RUN N64°44'58"E, 465.78 FEET TO THE SOUTHEAST CORNER OF LOT 1, BLOCK 39 OF VACATED PALM COAST SECTION 42 BEING A POINT OF THE WEST RIGHT OF WAY LINE OF NEW RANCH PLACE AS SHOWN ON SAID VACATED PLAT OF PALM COAST SECTION 42; THENCE ALONG THE FOLLOWING COURSES AND DISTANCES IN SAID VACATED PALM COAST SECTION 42: ALONG A CURVE TO THE RIGHT HAVING A RADIUS OF 100.00 FEET, A CENTRAL ANGLE OF 30°35'38", AN ARC LENGTH OF 53.40 FEET AND A CHORD BEARING N02°47'11"W TO A POINT ON A CURVE; THENCE NORTHWESTERLY ALONG A CURVE TO THE RIGHT HAVING A RADIUS OF 100.00 FEET, A CENTRAL ANGLE OF 37°45'41", AN ARC LENGTH OF 65.91 FEET AND A CHORD BEARING N44°07'52"W TO A POINT; THENCE N64°44'58"E, 50.00 FEET TO A POINT ON A CURVE; THENCE SOUTHEASTERLY ALONG A CURVE TO THE LEFT HAVING A RADIUS OF 50.00 FEET, A CENTRAL ANGLE OF 90°00'00", AN ARC LENGTH OF 78.54 FEET AND A CHORD BEARING S70°15'02"E TO A POINT OF TANGENCY; THENCE N64°44'58"E, 930.00 FEET; THENCE S25°15'02"E, 827.47 FEET; THENCE N64°44'58"E, 800.00 FEET TO A POINT OF CURVATURE; THENCE NORTHEASTERLY ALONG A CURVE TO THE LEFT HAVING A RADIUS OF 100.00 FEET, A CENTRAL ANGLE OF 90°00'00" AND AN ARC LENGTH OF 157.08 FEET TO THE POINT OF TANGENCY; THENCE N25°15'02"W, 370.00 FEET THENCE N64°44'58"E, 125.00 FEET; THENCE S79°22'56"E, 93.60 FEET TO A POINT OF CURVATURE; THENCE NORTHEASTERLY ALONG A CURVE TO THE LEFT HAVING A RADIUS OF 165.00 FEET, A CENTRAL ANGLE OF 134°56'40" AND AN ARC LENGTH OF 388.61 FEET TO A POINT OF TANGENCY; THENCE N58°22'07"E, 100.00 FEET; THENCE S31°37'53"E, 1627.40 FEET; THENCE S00°34'22"W, 1187.69 FEET; THENCE S89°25'38"E, 164.76 FEET TO A POINT OF CURVATURE; THENCE NORTHEASTERLY ALONG A CURVE TO THE RIGHT HAVING A RADIUS OF 225.00 FEET, A CENTRAL ANGLE OF 90°00'00" AND AN ARC LENGTH OF 353.43 FEET TO A POINT OF TANGENCY; THENCE N64°44'58"E, 1207.98 FEET TO A POINT OF CURVATURE; THENCE SOUTHEASTERLY ALONG A CURVE TO THE RIGHT HAVING A RADIUS OF 275.00 FEET, A CENTRAL ANGLE OF 83°37'09" AND AN ARC LENGTH OF 401.34 FEET TO A POINT OF TANGENCY; THENCE N58°22'07"E 200.00 FEET TO A POINT ON THE EASTERLY RIGHT OF WAY LINE OF THE 200.00 FOOT FLORIDA POWER & LIGHT~~

~~EASEMENT LYING IN GOVERNMENT SECTION 25-10-30; THENCE S31°37'53"E ALONG THE EASTERLY RIGHT OF WAY LINE OF SAID FLORIDA POWER & LIGHT EASEMENT FOR A DISTANCE OF 1009.92 FEET TO A POINT ON THE NORTH RIGHT OF WAY LINE OF NORMAN YOUNG PARKWAY AS SHOWN ON THE PLAT OF VACATED PALM COAST SECTION 89 (MAP BOOK 25, PAGE 52); THENCE NORTHEASTERLY ALONG SAID NORTH RIGHT OF WAY LINE OF NORMAN YOUNG PARKWAY BEING ALONG A CURVE TO THE RIGHT HAVING A RADIUS OF 10,000.00 FEET, A CENTRAL ANGLE OF 04°00'35", AN ARC LENGTH OF 699.84 FEET AND A CHORD BEARING N67°30'29"E TO A POINT OF TANGENCY; THENCE N69°30'47"E CONTINUING ALONG SAID RIGHT OF WAY LINE OF NORMAN YOUNG PARKWAY FOR A DISTANCE OF 1072.23 FEET TO A POINT OF CURVATURE; THENCE SOUTHEASTERLY CONTINUING ALONG SAID RIGHT OF WAY LINE OF NORMAN YOUNG PARKWAY BEING ALONG A CURVE TO THE RIGHT HAVING A RADIUS OF 599.00 FEET, A CENTRAL ANGLE OF 90°00'00" AND AN ARC OF 940.91 FEET TO A POINT OF TANGENCY THENCE S20°29'13"E CONTINUING ALONG SAID RIGHT OF WAY LINE OF NORMAN YOUNG PARKWAY FOR A DISTANCE OF 1810.00 FEET TO THE NORTHEAST CORNER OF PALM COAST SECTION 10 AS RECORDED IN MAP BOOK 6, PAGE 43; THENCE S20°19'13"E CONTINUING ALONG SAID RIGHT OF WAY LINE OF NORMAN YOUNG PARKWAY FOR A DISTANCE OF 547.21 FEET TO ITS INTERSECTION WITH THE NORTHERLY RIGHT OF WAY LINE OF CRIS LANE (A 50.00 FOOT RIGHT OF WAY AS SHOWN ON THE MAP OF COUNTRY CLUB COVE AT PALM COAST, SECTION 16, MAP BOOK 6, PAGE 86); THENCE N69°30'47"E ALONG SAID NORTHERLY RIGHT OF WAY LINE OF CRIS LANE FOR A DISTANCE OF 960.00 FEET; THENCE S20°29'13"E, 55.00 FEET TO THE NORTHWEST CORNER OF LOT 1, BLOCK 12 OF SAID SECTION 16, PALM COAST; THENCE N69°30'47"E ALONG THE NORTHERLY LINE OF SAID LOT 1 FOR A DISTANCE OF 125.00 FEET TO A POINT ON THE WESTERLY RIGHT OF WAY OF CURRY WATERWAY (A 125.00 FOOT RIGHT OF WAY IN SAID PALM COAST SECTION 16) THENCE N20°29'13"W ALONG SAID CURRY WATERWAY RIGHT OF WAY LINE A DISTANCE OF 80.00 FEET; THENCE N69°30'47"E, 250.00 FEET TO A POINT ON THE WESTERLY RIGHT OF WAY LINE OF GOVINGTON LANE (A 50.00 FOOT RIGHT OF WAY IN SAID PALM COAST SECTION 16, SAID POINT BEING THE NORTHEAST CORNER OF LOT 113, BLOCK 10 OF SAID PALM COAST SECTION 16; THENCE N20°29'13"W ALONG THE WESTERLY RIGHT OF WAY OF GOVINGTON LANE FOR A DISTANCE OF 20.00 FEET; THENCE N69°30'47"E, 409.49 FEET TO THE NORTHERLYMOST CORNER OF LOT 50, BLOCK 11 OF SAID PALM COAST SECTION 16; THENCE N72°34'30"E, 1996.35 FEET TO THE NORTHWEST CORNER OF COUNTRY CLUB COVE, SECTION 15 AT PALM COAST, (AS RECORDED IN MAP BOOK 6, PAGE 71 OF THE PUBLIC RECORDS OF FLAGLER COUNTY, FLORIDA); THENCE N25°53'57"E, 940.00 FEET TO THE MOST NORTHERLY CORNER OF SAID PALM COAST, SECTION 15; THENCE S64°06'03"E ALONG THE NORTHERLY BOUNDARY OF SAID PALM COAST SECTION 15 FOR A DISTANCE OF 1505.47 FEET; THENCE N70°53'57"E ALONG THE NORTH BOUNDARY OF SAID PALM COAST SECTION 15 AND A~~

~~CONTINUATION THEREOF FOR A DISTANCE OF 1732.56 FEET TO A POINT ON THE WESTERLY RIGHT OF WAY LINE OF THE INTRACOASTAL WATERWAY; THENCE SOUTHERLY ALONG THE WEST RIGHT OF WAY LINE OF THE INTRACOASTAL WATERWAY FOR A DISTANCE OF 18,000 +/- FEET TO THE NORTH LINE OF RESERVED PARCEL A, WATERWAY TRACE SUBDIVISION AS RECORDED IN MAP BOOK 30, PAGES 33-35; THENCE EASTERLY ALONG THE NORTH LINE OF SAID RESERVED PARCEL A TO THE EAST LINE OF SAID WATERWAY TRACE SUBDIVISION BEING THE WEST MEAN HIGH WATER LINE OF THE INTRACOASTAL WATERWAY CANAL; THENCE SOUTHERLY ALONG SAID EAST LINE OF SAID WATERWAY TRACE SUBDIVISION BEING ALONG THE WEST MEAN HIGH WATER LINE OF THE INTRACOASTAL WATERWAY TO THE SOUTHEAST CORNER OF SAID WATERWAY TRACE SUBDIVISION; THENCE WEST ALONG THE SOUTH LINE OF SAID WATERWAY TRACE SUBDIVISION TO THE WEST RIGHT OF WAY LINE OF THE INTRACOASTAL WATERWAY; THENCE SOUTHERLY ALONG THE WEST RIGHT OF WAY LINE OF THE INTRACOASTAL WATERWAY FOR A DISTANCE OF 3,600 +/- FEET TO THE NORTHWESTERLY CORNER OF FLAGLER COUNTY'S "NORTH ICWW PARK" AS DESCRIBED IN OFFICIAL RECORDS BOOK 455, PAGE 778 AND OFFICIAL RECORDS BOOK 571, PAGE 1946; THENCE SOUTHERLY AROUND THE WESTERLY, SOUTHERLY AND EASTERLY BOUNDARIES OF SAID "NORTH ICWW PARK" TO THE WEST RIGHT OF WAY LINE OF THE INTRACOASTAL WATERWAY; THENCE SOUTH ALONG THE WEST RIGHT OF WAY LINE OF THE INTRACOASTAL WATERWAY FOR A DISTANCE OF 3,500 +/- FEET TO THE NORTH LINE OF FRONT STREET AT GRAND HAVEN PHASE 1 SUBDIVISION AS RECORDED IN MAP BOOK 30, PAGES 87-88; THENCE EAST ALONG THE NORTH LINE OF SAID FRONT STREET PHASE 1 SUBDIVISION TO THE WEST MEAN HIGH WATER LINE OF THE INTRACOASTAL WATERWAY CANAL; THENCE SOUTH ALONG THE EAST LINE OF SAID FRONT STREET PHASE 1 SUBDIVISION AND ALONG THE EAST LINE OF FRONT STREET PHASE 2 SUBDIVISION AS RECORDED IN MAP BOOK 30, PAGES 96-97 AND ALONG THE EAST LINE OF FRONT STREET PHASE 3 SUBDIVISION AS RECORDED IN MAP BOOK 31, PAGES 4-5 BEING ALSO ALONG THE WEST MEAN HIGH WATER LINE OF THE INTRACOASTAL WATERWAY CANAL FOR A DISTANCE OF 3,000 +/- FEET TO THE SOUTH LINE OF SAID FRONT STREET PHASE 3 SUBDIVISION; THENCE WEST ALONG THE SOUTH LINE OF SAID FRONT STREET PHASE 3 SUBDIVISION TO THE WEST RIGHT OF WAY LINE OF THE INTRACOASTAL WATERWAY; THENCE SOUTH ALONG THE WEST RIGHT OF WAY LINE OF THE INTRACOASTAL WATERWAY FOR A DISTANCE OF 7,500 +/- FEET TO THE NORTH LINE OF FLAGLER COUNTY'S "SOUTH ICWW PARK" AS DESCRIBED IN OFFICIAL RECORDS BOOK 455, PAGE 769; THENCE SOUTHERLY AROUND THE NORTHERLY AND WESTERLY BOUNDARIES OF SAID "SOUTH ICWW PARK" TO THE NORTH RIGHT OF WAY LINE OF SOUTH PARK ROAD AS DESCRIBED IN OFFICIAL RECORDS BOOK 581, PAGE 1512; THENCE SOUTHERLY AND WESTERLY ALONG THE NORTH RIGHT OF WAY LINE OF SOUTH PARK ROAD AND THE EXTENSION THEREOF, CROSSING GOLBERT LANE TO THE EAST BOUNDARY OF THE GRAND~~

~~HAVEN CONSERVATION AREA (GRAHAM SWAMP) CONVEYED TO THE ST. JOHNS RIVER WATER MANAGEMENT DISTRICT; THENCE NORTH ALONG SAID EAST BOUNDARY OF GRAHAM SWAMP FOR A DISTANCE OF 15,000 +/- FEET TO THE NORTHEAST CORNER THEREOF BEING A POINT ON THE SOUTH SIDE OF A DRAINAGE DITCH LOCALLY KNOWN AS DITCH 10; THENCE EAST ALONG THE SOUTH SIDE OF DITCH 10 TO THE WEST RIGHT OF WAY LINE OF COLBERT LANE; THENCE NORTH ALONG THE WEST RIGHT OF WAY LINE OF COLBERT LANE FOR A DISTANCE OF 3,000 +/- FEET TO ITS INTERSECTION WITH THE EAST LINE OF PALM COAST HOLDINGS' PARCEL NO. 533 AS DESCRIBED IN OFFICIAL RECORDS BOOK 553, PAGE 1802; THENCE DEPARTING THE WEST RIGHT OF WAY LINE OF COLBERT LANE AND RUN SOUTHERLY AND WESTERLY ALONG THE BOUNDARY OF SAID PARCEL NO. 533 TO ITS INTERSECTION AGAIN WITH THE WEST RIGHT OF WAY LINE OF COLBERT LANE; THENCE NORTHWESTERLY ALONG THE WEST RIGHT OF WAY OF COLBERT LANE FOR A DISTANCE OF 600 +/- FEET TO ITS INTERSECTION WITH THE EAST LINE OF OF PALM COAST HOLDINGS' PARCEL NO. 505 AS DESCRIBED IN OFFICIAL RECORDS BOOK 553, PAGE 1781; THENCE DEPARTING THE WEST RIGHT OF WAY LINE OF COLBERT LANE AND RUN SOUTHERLY AND WESTERLY ALONG THE BOUNDARY OF SAID PARCEL NO. 505 TO THE SOUTHWEST CORNER THEREOF BEING A POINT ON THE EAST LINE OF GOVERNMENT SECTION 42, TOWNSHIP 14 SOUTH, RANGE 31 EAST BEING ALSO A POINT ON THE BOUNDARY OF SAID GRAHAM SWAMP; THENCE NORTHERLY AND WESTERLY ALONG THE BOUNDARY OF SAID GRAHAM SWAMP FOR A DISTANCE OF 9,000 +/- FEET TO THE EAST RIGHT OF WAY LINE OF OLD KINGS ROAD; THENCE SOUTH ALONG THE EAST RIGHT OF WAY OF OLD KINGS ROAD BEING ALSO ALONG THE BOUNDARY OF SAID GRAHAM SWAMP FOR A DISTANCE OF 3,000 +/- FEET; THENCE DEPARTING THE EAST RIGHT OF WAY OF OLD KINGS ROAD AND RUN ALONG THE BOUNDARY OF SAID GRAHAM SWAMP AND THE EXTENSION THEREOF EASTERLY AND SOUTHERLY FOR A DISTANCE OF 22,500 +/- FEET TO THE SOUTH RIGHT OF WAY LINE OF THE LEHIGH RAILROAD SPUR LYING IN GOVERNMENT SECTION 40, TOWNSHIP 12 SOUTH, RANGE 31 EAST; THENCE EAST ALONG SAID SOUTH RIGHT OF WAY LINE OF THE LEHIGH RAILROAD SPUR FOR A DISTANCE OF 500 +/- FEET TO THE NORTHEAST CORNER OF THE LANDS NOW OR FORMERLY OWNED BY CON COR MICHIGAN, INC. AS DESCRIBED IN OFFICIAL RECORDS BOOK 551, PAGE 598; THENCE SOUTHEASTERLY ALONG THE EAST LINE OF SAID CON COR MICHIGAN LANDS FOR A DISTANCE OF 10,000 +/- FEET TO THE NORTH RIGHT OF WAY LINE OF STATE ROAD 100; THENCE WEST ALONG THE NORTH RIGHT OF WAY LINE OF SAID STATE ROAD 100 FOR A DISTANCE OF 600 +/- FEET TO A POINT OPPOSITE THE NORTHWEST CORNER OF THE FLAGLER COUNTY COQUINA QUARRY; THENCE SOUTH CROSSING STATE ROAD 100 AND RUNNING ALONG THE WEST BOUNDARY OF THE FLAGLER COUNTY COQUINA QUARRY FOR A DISTANCE OF 1,000 +/- FEET TO THE SOUTHWEST CORNER OF SAID COQUINA QUARRY; THENCE WEST 3,500 +/- FEET TO THE WESTERLY RIGHT OF WAY LINE OF INTERSTATE 95~~

(STATE ROAD 9) BEING IN GOVERNMENT SECTION 9 12 31; THENCE SOUTH ALONG SAID WESTERLY RIGHT OF WAY LINE FOR A DISTANCE OF 22,000 +/- FEET TO THE NORTH LINE OF THE S. E. 1/4 OF THE S.E. 1/4 OF SECTION 33 12 31; THENCE WEST 6,300 +/- FEET TO THE N.W. CORNER OF THE S.W. 1/4 OF THE S.W. 1/4 OF SECTION 34 12 31; THENCE S89°15'49"W, 2682.66 FEET; THENCE N00°22'50"W ALONG THE EAST LINE OF THE SOUTH 1/2 OF THE NORTHEAST 1/4 OF THE SOUTHWEST 1/4 OF SECTION 33 12 31 FOR A DISTANCE OF 662.16 FEET; THENCE S89°08'53"W ALONG THE NORTH LINE OF SAID SOUTH 1/2 OF THE NORTHEAST 1/4 OF THE SOUTHWEST 1/4 OF SECTION 33 12 31 FOR A DISTANCE OF 1324.92 FEET; THENCE S00°43'39"E ALONG THE WEST LINE OF SAID SOUTH 1/2 OF THE NORTHEAST 1/4 OF THE SOUTHWEST 1/4 OF SECTION 33 12 31 FOR A DISTANCE OF 661.38 FEET; THENCE S89°10'53"W ALONG THE SOUTH LINE OF THE NORTHWEST 1/4 OF THE SOUTHWEST 1/4 OF SECTION 33 12 31 FOR A DISTANCE OF 1320.91 FEET TO THE WEST LINE OF SAID SECTION 33 12 31; THENCE N01°04'30"W ALONG SAID WEST LINE OF SAID SECTION 33 12 31 FOR A DISTANCE OF 660.61 FEET TO THE SOUTHWEST CORNER OF THE NORTHWEST 1/4 OF THE NORTHWEST 1/4 OF THE SOUTHWEST 1/4 OF SAID SECTION 33 12 31; THENCE N89°08'53"E 662.46 FEET; THENCE N00°54'04"W ALONG THE EAST LINE OF THE NORTHWEST 1/4 OF THE NORTHWEST 1/4 OF THE SOUTHWEST 1/4 OF SECTION 33 12 31 FOR A DISTANCE OF 660.99 FEET; THENCE S89°06'54"W, 664.48 FEET TO THE EAST 1/4 OF SECTION 32 12 31; THENCE N01°37'03"W ALONG THE EAST LINE OF SAID SECTION 32 12 31 FOR A DISTANCE OF 663.26 FEET; THENCE S88°35'13"W, 1309.85 FEET; THENCE N00°33'44"W, 1319.61 FEET; THENCE S88°34'20"W, 664.57 FEET; THENCE S00°46'20"E, 988.44 FEET; THENCE S88°45'05"W 660.05 FEET; THENCE S00°43'25"E ALONG THE EAST LINE OF THE NORTHWEST 1/4 OF SECTION 32 12 31 FOR A DISTANCE OF 990.02 FEET TO THE CENTER OF SAID SECTION 32 12 31; THENCE N89°48'19"W, 664.55 FEET; THENCE N00°44'21"W, 1298.43 FEET; THENCE S88°40'01"W, 1235.79 FEET; THENCE S00°30'23"W, 1281.20 FEET TO A POINT ON THE SOUTH LINE OF THE NORTHWEST 1/4 OF SECTION 32 12 31; THENCE S89°08'36"W, ALONG SAID SOUTH LINE, A DISTANCE OF 325.24 FEET; THENCE S01°18'41"W, 1330.76 FEET; THENCE S88°51'46"W, 335.19 FEET TO A POINT ON THE WEST LINE OF SECTION 32 12 31; THENCE WEST 250 +/- FEET TO A POINT ON THE EASTERLY RIGHT OF WAY LINE OF U.S.1; THENCE NORTHWESTERLY ALONG THE EASTERLY RIGHT OF WAY LINE OF U.S. HIGHWAY NO1 FOR A DISTANCE OF 2,000 +/- FEET TO THE NORTH RIGHT OF WAY LINE OF SEMINOLE WOODS BOULEVARD; THENCE EASTERLY AND NORTHERLY ALONG SAID NORTH RIGHT OF WAY LINE FOR A DISTANCE OF 31,500 +/- FEET TO THE SOUTH RIGHT OF WAY LINE OF STATE ROAD 100; THENCE WEST ALONG THE SOUTH RIGHT OF WAY LINE OF STATE ROAD 100 FOR A DISTANCE OF 9,600 +/- FEET TO THE NORTHWEST CORNER OF THE FLAGLER COUNTY AIRPORT PROPERTY; THENCE DEPARTING THE SOUTH RIGHT OF WAY LINE OF STATE ROAD 100 AND RUN SOUTH ALONG THE WEST BOUNDARY LINE OF THE FLAGLER COUNTY AIRPORT 1,800 FEET +/- TO A POINT LYING

~~N88°46'16"E 555.09 FEET FROM THE NORTHEASTERLY CORNER OF THE FLAGLER COUNTY COUNCIL ON AGING PROPERTY; THENCE S88°46'16"W 555.09 FEET TO THE NORTHEASTERLY CORNER OF THE FLAGLER COUNTY COUNCIL ON AGING PROPERTY; THENCE WESTERLY ALONG THE NORTH LINE OF SAID COUNCIL ON AGING PROPERTY FOR A DISTANCE OF 585 +/- FEET TO THE EAST RIGHT OF WAY LINE OF BELLE TERRE PARKWAY; THENCE SOUTHERLY ALONG THE EAST RIGHT OF WAY LINE OF BELLE TERRE PARKWAY FOR A DISTANCE OF 9,000 +/- FEET TO THE SOUTHWEST CORNER OF RESERVED PARCEL E-2, LAGUNA FOREST SUBDIVISION AS RECORDED IN MAP BOOK 18, PAGES 36-43 BEING ALSO A POINT ON THE NORTH RIGHT OF WAY LINE OF LAGUNA FOREST TRAIL; THENCE EASTERLY ALONG THE SOUTH LINE OF SAID RESERVED PARCEL E-2 AND CONTINUE ALONG THE SOUTH LINE OF RESERVED PARCELS D-1, C-5 AND C-4 FOR A DISTANCE OF 6,000 +/- FEET TO THE EASTERLY LINE OF SAID LAGUNA FOREST SUBDIVISION; THENCE SOUTHEASTERLY 3,600 +/- FEET ALONG THE EASTERLY LINE OF SAID LAGUNA FOREST SUBDIVISION AND THE EXTENSION THEREOF TO THE SOUTH RIGHT OF WAY LINE OF CITATION PARKWAY; THENCE WESTERLY ALONG THE SOUTH RIGHT OF WAY LINE OF CITATION PARKWAY FOR A DISTANCE OF 6,000 +/- FEET TO THE SOUTH RIGHT OF WAY LINE OF BELLE TERRE PARKWAY; THENCE WESTERLY ALONG THE SOUTH RIGHT OF WAY LINE OF BELLE TERRE PARKWAY FOR A DISTANCE OF 3,300 +/- FEET TO THE EAST LINE OF KANKAKEE RUN SUBDIVISION — SECTION 65 AS RECORDED IN MAP BOOK 17, PAGES 56-67; THENCE SOUTHERLY ALONG THE EAST LINE OF SAID KANKAKEE RUN SUBDIVISION FOR A DISTANCE OF 7,500 +/- FEET TO THE NORTH RIGHT OF WAY LINE OF U.S. HIGHWAY NO. 1; THENCE NORTHWESTERLY ALONG THE NORTH RIGHT OF WAY OF U.S. HIGHWAY NO. 1 FOR A DISTANCE OF 9,000 +/- FEET TO A POINT ON THE SOUTH LINE OF SECTION 24-12-30; THENCE DEPART SAID RIGHT OF WAY LINE OF U.S. NO. 1 AND RUN S88°39'23"W ALONG SAID SOUTH LINE OF SECTION 24-12-30 FOR A DISTANCE OF 589.03 FEET; THENCE N01°21'13"W, 660.27 FEET; THENCE N88°39'12"E, 957.50 FEET TO A POINT ON THE EASTERLY RIGHT OF WAY LINE OF U.S. 1; THENCE N30°31'02"W ALONG SAID EASTERLY RIGHT OF WAY LINE FOR A DISTANCE OF 1289.12 FEET TO A POINT ON THE WEST LINE OF SECTION 24-12-31; THENCE DEPART THE SAID EASTERLY RIGHT OF WAY LINE OF US 1 AND RUN N00°45'33"E ALONG THE WEST LINE OF SECTION 24-12-30 FOR A DISTANCE OF 3502.18 FEET TO THE SOUTHWEST CORNER OF SECTION 13-12-30; THENCE N01°13'03"W ALONG THE WEST LINE OF SAID SECTION 13-12-30 FOR A DISTANCE OF 5279.10 FEET TO THE SOUTHWEST CORNER OF SECTION 12-12-30; THENCE N00°10'59"W ALONG THE WEST LINE OF SAID SECTION 12-12-30 FOR A DISTANCE OF 1345.60 FEET; THENCE N89°01'42"E, 3798.28 FEET; THENCE N01°14'25"W, 654.99 FEET TO THE SOUTH RIGHT OF WAY LINE OF OLD MOODY BOULEVARD (A 50.00 FOOT RIGHT OF WAY); THENCE N89°16'07"E ALONG SAID SOUTH RIGHT OF WAY LINE FOR A DISTANCE OF 1260.84 FEET TO THE EAST LINE OF SAID SECTION 12-12-30; THENCE NORTH ALONG THE EAST LINE OF SAID SECTION 12 FOR A DISTANCE OF 910 +/-~~

~~FEET TO THE NORTH RIGHT OF WAY LINE OF S.R. 100 (A 200 FOOT RIGHT OF WAY); THENCE N01°08'37"W CONTINUING ALONG THE EAST LINE OF SAID SECTION 12, BEING ALSO ALONG THE WEST LINE OF BLOCK 41, PALM COAST SECTION 34 AS PER MAP BOOK 11, PAGE 30 FOR A DISTANCE OF 1122.56 FEET TO THE NORTHWEST CORNER OF LOT 26, BLOCK 41 OF SAID PALM COAST SECTION 34; THENCE S88°37'21"W ALONG THE SOUTH LINE OF SAID PALM COAST SECTION 34 FOR A DISTANCE OF 5009.29 FEET TO A POINT ON THE WEST LINE OF GOVERNMENT SECTION 12-12-30; THENCE N00°22'11"W ALONG THE WEST LINE OF SAID GOVERNMENT SECTION 12-12-30 FOR A DISTANCE OF 1304.11 FEET TO THE SOUTHEAST CORNER OF GOVERNMENT SECTION 2-12-30; THENCE S88°49'25"W ALONG THE SOUTH LINE OF SAID GOVERNMENT SECTION 2-12-30 FOR A DISTANCE OF 2597.58 FEET; THENCE N00°43'21"W, 5128.21 FEET TO THE SOUTH RIGHT OF WAY LINE OF THE F.E.C. RAILROAD LEHIGH SPUR; THENCE S89°15'49"W ALONG SAID SOUTH RIGHT OF WAY LINE OF THE LEHIGH RAILROAD SPUR FOR A DISTANCE OF 5,400 +/- FEET TO THE EAST RIGHT OF WAY LINE OF U.S. HIGHWAY NO. 1; THENCE NORTHERLY ALONG SAID EAST RIGHT OF WAY OF U.S. HIGHWAY NO. 1 FOR A DISTANCE OF 10,500 +/- FEET TO THE SOUTH LINE OF SECTION 22-11-30; THENCE DEPART SAID, EASTERLY RIGHT OF WAY LINE OF U.S. HIGHWAY NO.1 AND RUN EAST 2,000 +/- FEET TO THE EAST LINE OF SAID SECTION 22-11-30; THENCE NORTH ALONG THE EAST LINE OF SAID SECTION 22-11-30 FOR A DISTANCE OF 2640 +/- FEET TO THE EAST ¼ CORNER OF SAID SECTION 22-11-30; THENCE WEST ALONG THE NORTH LINE OF THE S.W. ¼ OF SAID SECTION 22-11-30 FOR A DISTANCE OF 1,800 +/- FEET TO THE EAST RIGHT OF WAY LINE OF U.S. HIGHWAY NO. 1; THENCE NORTH ALONG THE EAST RIGHT OF WAY LINE OF U.S. HIGHWAY NO. 1 FOR A DISTANCE OF 500 +/- FEET TO THE SOUTH LINE OF THE U.S. FORESTRY SERVICE FIRE TOWER SITE; THENCE EAST, NORTH AND WEST AROUND THE BOUNDARY OF SAID TOWER SITE FOR A DISTANCE OF 1,500 FEET RETURNING TO THE EAST RIGHT OF WAY LINE OF U.S. HIGHWAY NO. 1; THENCE NORTHERLY ALONG SAID EAST RIGHT OF WAY LINE FOR A DISTANCE OF 1,500 +/- FEET TO A POINT ON THE SOUTH LINE OF SECTION 15-11-30; THENCE S88°59'44"W ALONG THE SOUTH LINE OF SECTION 15-11-30 FOR A DISTANCE OF 826.26 FEET; THENCE N22°39'29"W 781.49 FEET; THENCE N15°23'55"W 2257.66 FEET; THENCE S84°38'19"W, 3811.48 FEET TO A POINT ON THE EASTERLY RIGHT OF WAY LINE OF THE F.E.C. RAILROAD IN SECTION 16-11-30 (A 150.00 FOOT RIGHT OF WAY AT THIS POINT; THENCE N09°09'56"W ALONG SAID EASTERLY RIGHT OF WAY LINE FOR A DISTANCE OF 2454.51 FEET; THENCE N67°38'10"E, 3286.25 FEET; THENCE N19°01'15"W, 1352.46 FEET; THENCE N67°12'21"E, 6840.80 FEET TO A POINT ON THE WESTERLY RIGHT OF WAY LINE OF BELLE TERRE PARKWAY IN SECTION 2-11-30 AS SHOWN ON MAP OF PALM COAST SECTION 12 AS RECORDED IN MAP BOOK 6, PAGE 73; THENCE NORTHERLY ALONG SAID WESTERLY RIGHT OF WAY LINE OF BELLE TERRE PARKWAY FOR A DISTANCE OF 13,500 +/- FEET TO THE SOUTHERLY RIGHT OF WAY OF MATANZAS WOODS PARKWAY (FORMERLY NORMAN YOUNG~~

~~PARKWAY) AS SHOWN ON MAP OF PALM COAST SECTION 37 AS RECORDED IN MAP BOOK 13, PAGE 1; THENCE DEPART THE WESTERLY RIGHT OF WAY OF BELLE TERRE PARKWAY AND RUN WESTERLY ALONG SAID SOUTHERLY RIGHT OF WAY LINE OF SAID MATANZAS WOODS PARKWAY FOR A DISTANCE OF 6,000 +/- FEET TO THE EASTERLY RIGHT OF WAY LINE OF U.S. HIGHWAY NO. 1; THENCE SOUTHERLY ALONG SAID EASTERLY RIGHT OF WAY LINE FOR A DISTANCE OF 2,000 +/- FEET TO A POINT ON THE SOUTH LINE OF SECTION 28-10-30; THENCE DEPART SAID WESTERLY RIGHT OF WAY LINE OF U.S. HIGHWAY NO. 1 AND RUN S89°01'24"W ALONG THE SOUTH LINE OF SAID SECTION 28 FOR A DISTANCE OF 150 +/- FEET TO A POINT ON THE WEST RIGHT OF WAY LINE OF U.S. HIGHWAY NO. 1; THENCE S89°01'24"W CONTINUING ALONG THE SOUTH LINE OF SAID SECTION 28 FOR A DISTANCE OF 51.34 FEET THENCE S89°01'29"W, 499.49 FEET; THENCE N86°54'42"W, 166.65 FEET TO A POINT OF CURVATURE; THENCE NORTHWESTERLY ALONG A CURVE TO THE LEFT HAVING A RADIUS OF 595.00 FEET, A CENTRAL ANGLE OF 12°15'15" AND AN ARC LENGTH OF 116.56 FEET TO A POINT OF TANGENCY; THENCE S80°50'04"W, 200.00 FEET TO A POINT OF CURVATURE; THENCE NORTHWESTERLY ALONG A CURVE TO THE LEFT HAVING A RADIUS OF 1000.00 FEET, A CENTRAL ANGLE OF 11°55'21" AND AN ARC LENGTH OF 208.09 FEET TO A POINT OF TANGENCY; THENCE N09°09'56"W, 2191.00 FEET; THENCE S80°50'04"W, 1505.00 FEET; THENCE N09°09'56"W, 1821.28 FEET; THENCE N80°50'47"E, 130.00 FEET; THENCE N09°09'13"W, 55.00 FEET; THENCE N80°50'47"E, 1070.48 FEET; THENCE N56°50'47"E, 898.31 FEET; THENCE S24°09'13"E, 267.00 FEET; THENCE N65°50'07"E, 530.00 FEET TO A POINT OF CURVATURE; THENCE SOUTHEASTERLY ALONG A CURVE TO THE RIGHT HAVING A RADIUS OF 50.00 FEET, A CENTRAL ANGLE OF 90°00'00" AND AN ARC LENGTH OF 78.54 FEET TO A POINT OF TANGENCY; THENCE S24°09'13"E, 667.23 FEET TO A POINT OF CURVATURE; THENCE SOUTHERLY ALONG A CURVE TO THE RIGHT HAVING A RADIUS OF 150.00 FEET, A CENTRAL ANGLE OF 34°08'48" AND AN ARC LENGTH OF 89.39 FEET TO A POINT OF TANGENCY; THENCE S09°59'31"W, 217.89 FEET; THENCE S80°00'29"E, 475.00 FEET TO A POINT ON THE EASTERLY RIGHT OF WAY OF U.S. HIGHWAY NO. 1; THENCE NORTHERLY ALONG THE EASTERLY RIGHT OF WAY LINE OF U. S. HIGHWAY NO.1 FOR A DISTANCE OF 4,500 +/- FEET TO NORTHERLY LINE OF PARCEL "C", PALM COAST, SECTION 37 (AS RECORDED IN MAP BOOK 13, PAGE 27); THENCE DEPART SAID EASTERLY RIGHT OF WAY OF U.S. HIGHWAY NO. 1 AND RUN N89°26'28"E ALONG THE NORTH LINE OF SAID PALM COAST SECTION 37 FOR A DISTANCE OF 1678.73 FEET; THENCE DEPART SAID NORTH LINE OF PALM COAST SECTION 37 AND RUN N00°29'04"W, 1170.00 FEET; THENCE N61°12'56"E, 775.00 FEET; THENCE N81°42'56"E, 343.00 FEET; THENCE N43°24'56"E, 565.00 FEET; THENCE N85°54'56"E, 570.00 FEET; THENCE S59°53'04"E 811.20 FEET; THENCE N29°30'56"E, 299.32 FEET; THENCE S60°29'04"E, 932.59 FEET; THENCE N64°44'58"E, 1010.19 FEET TO A POINT ON THE WESTERLY RIGHT OF WAY OF I-95 ALSO BEING THE NORTHEASTERLY MOST CORNER OF SAID PALM COAST SECTION 37 AND~~

~~BEING THE POINT OF BEGINNING OF THIS DESCRIPTION, CONTAINING 32,051 ACRES, MORE OR LESS~~

A PARCEL OF LAND LYING WITHIN TOWNSHIP 10, 11 AND 12 SOUTH, RANGE 30 EAST, TOWNSHIP 10, 11 AND 12 SOUTH, RANGE 31 EAST, FLAGLER COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS;

FROM A POINT OF BEGINNING BEING THE NORTHEAST CORNER OF THE PLAT LAKEVIEW SECTION-37, MAP BOOK 13, PAGES 1 THROUGH 29, OF THE PUBLIC RECORDS OF FLAGLER COUNTY, FLORIDA, THENCE DEPARTING SAID PLAT SECTION-37 NORTH 64°44'58" EAST A DISTANCE OF 150.00 FEET TO A POINT ON THE CENTERLINE OF INTERSTATE-95, THENCE SOUTH 25°15'02" EAST ALONG SAID CENTERLINE OF INTERSTATE-95 A DISTANCE OF 5870.84 FEET, THENCE DEPARTING SAID CENTERLINE NORTH 64°44'58" EAST A DISTANCE OF 150.00 FEET TO A POINT ON THE EASTERLY RIGHT-OF-WAY LINE OF INTERSTATE-95 BEING ALSO THE NORTHWEST CORNER OF RESERVED PARCEL E-1 AS SHOWN ON THE VACATED PLAT OF PALM COAST SECTION 42 AS ORIGINALLY RECORDED IN MAP BOOK 14, PAGES 13-28, THENCE DEPARTING INTERSTATE-95 AND RUN ALONG THE FOLLOWING COURSES SHOWN WITH IN SAID VACATED PLAT: NORTH 64°44'58" EAST A DISTANCE OF 165.78 FEET TO A POINT ON A CURVE, THENCE NORTHERLY 53.40 FEET ALONG THE ARC OF A CURVE TO THE RIGHT, (CONCAVE EASTERLY), HAVING A CENTRAL ANGLE OF 30°35'43", A RADIUS OF 100.00 FEET, A CHORD BEARING OF NORTH 02°47'13" WEST AND A CHORD DISTANCE OF 52.77 FEET TO A POINT ON A CURVE, THENCE NORTHWESTERLY 65.91 FEET ALONG THE ARC OF A CURVE TO THE RIGHT, (CONCAVE NORTHEASTERLY), HAVING A CENTRAL ANGLE OF 37°45'40", A RADIUS OF 100.00 FEET, A CHORD BEARING OF NORTH 44°07'53" WEST AND A CHORD DISTANCE OF 64.72 FEET TO A POINT, THENCE NORTH 64°44'58" EAST A DISTANCE OF 50.00 FEET TO A POINT ON A CURVE, THENCE SOUTHEASTERLY 78.54 FEET ALONG THE ARC OF A CURVE TO THE LEFT,(CONCAVE NORTHERLY), HAVING A CENTRAL ANGLE OF 90°00'00", A RADIUS OF 50.00

FEET, A CHORD BEARING OF SOUTH 70°15'02" EAST AND A CHORD DISTANCE OF 70.71 FEET TO A POINT OF TANGENCY, THENCE NORTH 64°44'58" EAST A DISTANCE OF 960.00 FEET, THENCE SOUTH 25°15'02" EAST A DISTANCE OF 770.00 FEET, THENCE NORTH 64°44'58" EAST A DISTANCE OF 800.00 FEET TO A POINT OF CURVATURE, THENCE 157.08 FEET ALONG THE ARC OF A CURVE TO THE LEFT, (CONCAVE WESTERLY), HAVING A CENTRAL ANGLE OF 90°00'00", A RADIUS OF 100.00 FEET, A CHORD BEARING OF NORTH 19°44'58" EAST AND A CHORD DISTANCE OF 141.42 FEET TO A POINT OF TANGENCY, THENCE NORTH 25°15'02" WEST A DISTANCE OF 370.00 FEET, THENCE NORTH 64°44'58" EAST A DISTANCE OF 125.00 FEET, THENCE SOUTH 79°22'56" EAST A DISTANCE OF 93.60 FEET TO A POINT ON A CURVE, THENCE 165.00 FEET ALONG THE ARC OF A CURVE TO THE LEFT, (CONCAVE NORTHERLY), HAVING A CENTRAL ANGLE OF 57°17'45", A RADIUS OF 165.00 FEET, A CHORD BEARING OF NORTH 68°48'20" EAST AND A CHORD DISTANCE OF 158.21 FEET TO A POINT, THENCE NORTH 49°50'32" WEST A DISTANCE OF 125.00 FEET TO A POINT OF CURVATURE, THENCE NORTHEASTERLY 12.00 FEET ALONG THE ARC OF A CURVE TO THE LEFT, (CONCAVE NORTHWESTERLY), HAVING A CENTRAL ANGLE OF 17°11'19", A RADIUS OF 40.00 FEET, A CHORD BEARING OF NORTH 31°33'48" EAST AND A CHORD DISTANCE OF 11.95 FEET TO A POINT, THENCE SOUTH 67°01'51" EAST A DISTANCE OF 124.87 FEET TO A POINT ON A CURVE, THENCE 164.87 FEET ALONG THE ARC OF A CURVE TO THE LEFT, (CONCAVE NORTHWESTERLY), HAVING A CENTRAL ANGLE OF 57°17'45", A RADIUS OF 164.87 FEET, A CHORD BEARING OF NORTH 05°40'44" WEST AND A CHORD DISTANCE OF 158.08 FEET TO A POINT OF TANGENCY, THENCE NORTH 58°22'07" EAST A DISTANCE OF 100.00 FEET, THENCE SOUTH 31 37'53" EAST A DISTANCE OF 1627.40 FEET, THENCE SOUTH 00 34'22" WEST A DISTANCE OF 1187.69 FEET, THENCE SOUTH 89°25'38" EAST A DISTANCE OF 164.76 FEET, TO A POINT ON A CURVE, THENCE NORTHEASTERLY 353.43 FEET ALONG THE ARC OF A CURVE TO THE RIGHT, (CONCAVE SOUTHEASTERLY), HAVING A CENTRAL ANGLE OF 90°00'00", A RADIUS OF 225.00 FEET, A CHORD BEARING OF NORTH 19°44'58" EAST AND A CHORD DISTANCE OF 318.20 FEET TO A POINT OF TANGENCY, THENCE NORTH 64°44'58" EAST A DISTANCE OF 1207.98 FEET TO A POINT OF CURVATURE, THENCE 401.34 FEET ALONG THE ARC OF A CURVE TO THE RIGHT, (CONCAVE SOUTHERLY), HAVING A

CENTRAL ANGLE OF 83°37'09", A RADIUS OF 275.00 FEET, A CHORD BEARING OF SOUTH 73°26'28" EAST AND A CHORD DISTANCE OF 366.66 FEET TO A POINT OF TANGENCY, THENCE NORTH 58°22'07" EAST A DISTANCE OF 200.00 FEET TO A POINT ON THE EAST RIGHT-OF-WAY LINE OF A 200 FOOT WIDE FLORIDA POWER AND LIGHT CO. EASEMENT AS SHOWN ON SAID VACATED PLAT, THENCE SOUTH 31°37'53" EAST ALONG SAID EASEMENT A DISTANCE OF 1009.91 FEET TO A POINT ON A NON-TANGENT CURVE, SAID POINT BEING THE NORTHWEST CORNER OF THE VACATED PLAT OF PALM COAST SECTION 89, AS ORIGINALLY RECORDED IN MAP BOOK 25, PAGES 52 THROUGH 56, THENCE EASTERLY ALONG SAID VACATED PLAT BOUNDARY 699.84 FEET BEING ALONG THE ARC OF A CURVE TO THE RIGHT, (CONCAVE SOUTHEASTERLY), HAVING A CENTRAL ANGLE OF 04°00'35", A RADIUS OF 10000.00 FEET, A CHORD BEARING OF NORTH 67°30'29" EAST AND A CHORD DISTANCE OF 699.70 FEET TO A POINT OF TANGENCY, THENCE NORTH 69°30'47" EAST A DISTANCE OF 1072.23 FEET TO A POINT OF CURVATURE, THENCE 940.91 FEET ALONG THE ARC OF A CURVE TO THE RIGHT, (CONCAVE SOUTHWESTERLY), HAVING A CENTRAL ANGLE OF 90°00'00", A RADIUS OF 599.00 FEET, A CHORD BEARING OF SOUTH 65°29'13" EAST AND A CHORD DISTANCE OF 847.11 FEET TO A POINT OF TANGENCY, THENCE SOUTH 20°29'13" EAST A DISTANCE OF 1810.00 FEET TO THE NORTHEAST CORNER OF THE PLAT OF PALM COAST SECTION 10 AS RECORDED IN MAP BOOK 6, PAGES 43-53; THENCE CONTINUE SOUTH 20°29'13" EAST A DISTANCE OF 1810.00 FEET ALONG THE EAST LINE OF SAID PALM COAST SECTION 10 FOR A DISTANCE OF 547.21 FEET TO THE NORTHWEST CORNER OF THE PLAT OF PALM COAST SECTION 16, MAP BOOK 6, PAGES 81 THROUGH 86 (MAP REFERENCE POINT "A"); THENCE EASTERLY ALONG THE NORTHERLY BOUNDARY OF SECTION-16, 1899.00 FEET, MORE OR LESS, TO A POINT BEING A PERMANENT REFERENCE MONUMENT AS SHOWN ON SAID PLAT OF PALM COAST SECTION 16 AT LOT 50, BLOCK 11, THENCE DEPARTING SAID PLAT OF PALM COAST SECTION 16 AND RUN NORTH 72°34'30" EAST A DISTANCE OF 1996.35 FEET, MORE OR LESS, TO A POINT ON THE NORTHWEST CORNER OF THE PLAT OF PALM COAST SECTION 15, MAP BOOK 6, PAGES 68 THROUGH 72, THENCE NORTH 25°53'57" EAST A DISTANCE OF 940.00 FEET, THENCE SOUTH 64°06'03" EAST A DISTANCE OF 1505.47 FEET, THENCE SOUTH 70°54'21" WEST A DISTANCE OF

926.73 FEET TO A POINT BEING THE NORTHEAST CORNER OF SAID PLAT OF PALM COAST SECTION 15, THENCE RUN EASTERLY ALONG THE NORTH BOUNDARY OF COCHISE WATERWAY AS DESCRIBED IN OFFICIAL RECORDS BOOK 664, PAGES 1222-1232 RUNNING ALONG THE FOLLOWING COURSES: THENCE NORTH 70°53'57" EAST A DISTANCE OF 97.43 FEET, THENCE NORTH 64°00'00" EAST A DISTANCE OF 208.12 FEET, THENCE NORTH 70°53'57" EAST A DISTANCE OF 502.35 FEET, THENCE NORTH 17°52'27" WEST A DISTANCE OF 10.00 FEET, THENCE NORTH 35°53'57" EAST A DISTANCE OF 216.53 FEET TO THE NORTHEAST CORNER OF THE DESCRIBED COCHISE WATERWAY PARCEL, THENCE NORTH 72°07'33" EAST A DISTANCE OF 160 FEET, MORE OR LESS, TO THE CENTER OF CHANNEL OF THE INTRACOASTAL WATERWAY, THENCE SOUTHERLY ALONG THE CENTERLINE OF SAID CHANNEL 30782.00 FEET, MORE OR LESS, TO THE INTERSECTION POINT OF SAID CENTERLINE OF CHANNEL WITH THE WESTERLY BOUNDARY LINE OF A FLAGLER COUNTY PARK RECORDED IN OFFICIAL RECORDS BOOK 455, PAGES 769 AND 770, PUBLIC RECORDS OF FLAGLER COUNTY, FLORIDA, (LOCAL NAME - SOUTH PARK) EXTENDED NORTHERLY TO THE CENTERLINE OF SAID CHANNEL SAID INTERSECTION POINT LYING WITHIN GOVERNMENT SECTION 22, TOWNSHIP 11 SOUTH, RANGE 31 EAST, THENCE DEPARTING SAID CENTERLINE OF CHANNEL OF THE INTRACOASTAL WATERWAY SOUTHERLY 1238.00 FEET, MORE OR LESS, ALONG THE WEST LINE OF SAID PARK BOUNDARY TO A POINT ON THE NORTHERLY RIGHT-OF-WAY LINE OF THE ENTRANCE ROAD TO SAID PARK (SOUTH PARK ROAD), RECORDED IN OFFICIAL RECORDS BOOK 581, PAGES 1512 THROUGH 1514, THENCE WESTERLY ALONG THE NORTHERLY RIGHT-OF-WAY LINE OF SOUTH PARK ROAD TO THE EASTERLY RIGHT-OF-WAY LINE OF COLBERT LANE, THENCE CONTINUE WESTERLY CROSSING COLBERT LANE ALONG THE EXTENSION OF THE NORTHERLY RIGHT-OF-WAY LINE OF SOUTH PARK ROAD TO A POINT ON THE EASTERLY BOUNDARY OF LANDS OF THE ST. JOHNS RIVER WATER MANAGEMENT DISTRICT ("GRAHAM SWAMP PROPERTY"), RECORDED IN OFFICIAL RECORDS BOOK 546, PAGES 1197 THROUGH 1221 AND BOOK 582, PAGES 1562 THROUGH 1581, BEING ALSO A POINT ON THE WESTERLY RIGHT OF WAY OF COLBERT LANE (MAP REFERENCE POINT "B"); THENCE NORTHERLY ALONG THE EASTERLY BOUNDARY OF SAID GRAHAM SWAMP PROPERTY FOR A DISTANCE OF 6000

FEET, MORE OR LESS, TO THE BOUNDARY LINE OF THE 44-ACRE FLAGLER COUNTY PARK PROPERTY AS RECORDED IN OFFICIAL RECORDS BOOK 473, PAGES 1961-1962; THENCE EASTERLY, SOUTHERLY AND NORTHERLY ALONG SAID PARK PROPERTY BOUNDARY (SO AS TO EXCLUDE SAID PARK PROPERTY FROM THIS DESCRIPTION) FOR A DISTANCE OF 6500 FEET, MORE OR LESS, TO THE EASTERLY BOUNDARY OF SAID GRAHAM SWAMP PROPERTY; THENCE NORTHERLY ALONG THE EASTERLY BOUNDARY OF SAID GRAHAM SWAMP PROPERTY FOR A DISTANCE OF 2500 FEET, MORE OR LESS, TO THE NORTHEAST CORNER OF SAID GRAHAM SWAMP PROPERTY; THENCE RUN NORTHERLY ALONG THE EASTERLY BOUNDARY OF THE PALM COAST COMMUNITY SERVICE CORPORATION'S PARCEL DESCRIBED IN OFFICIAL RECORDS BOOK 664, PAGES 1222-1232 RUNNING ALONG THE FOLLOWING COURSES: NORTH 23°57'23" WEST A DISTANCE OF 3.10 FEET; THENCE S89°53'38"E A DISTANCE OF 77.37 FEET; THENCE NORTH 10°19'05" WEST A DISTANCE OF 32.52 FEET; NORTH 05°07'41"E 92.37 FEET; THENCE NORTH 05°07'35"E A DISTANCE OF 253.49 FEET; THENCE NORTH 03°38'35"E A DISTANCE OF 406.08 FEET; THENCE NORTH 10°52'52" WEST 1119.30 FEET; THENCE NORTH 19°36'48" WEST A DISTANCE OF 573.43 FEET, MORE OR LESS, TO ITS INTERSECTION WITH WEST BOUNDARY OF A 3.50 FOOT WIDE STRIP OF LAND FOR ADDITIONAL RIGHT-OF-WAY OF COLBERT LANE, SAID STRIP OF LAND RECORDED IN OFFICIAL RECORDS BOOK 591, PAGES 762 THROUGH 765, THENCE NORTHERLY ALONG SAID COLBERT LANE RIGHT-OF-WAY, RUNNING ALONG THE WEST LINE OF SAID RIGHT-OF-WAY AND RETENTION AREAS AND PARCELS DEEDED TO FLAGLER COUNTY WHICH ARE APPURTENANT TO COLBERT LANE FOR A DISTANCE OF 1750 FEET, MORE OR LESS, TO THE EASTERLY BOUNDARY THE PARCEL DESCRIBED IN OFFICIAL RECORDS BOOK 553, PAGE 1802 (ALSO KNOWN AS PALM COAST HOLDINGS' PARCEL NUMBER 533); THENCE RUN SOUTHERLY AND WESTERLY AND NORTHERLY ALONG THE BOUNDARY OF SAID PARCEL 533 TO ITS INTERSECTION WITH THE SOUTHERLY BOUNDARY OF RETENTION POND "L" SERVING COLBERT LANE RIGHT-OF-WAY ; THENCE WESTERLY AND NORTHERLY ALONG RETENTION POND "L" TO THE SOUTHERLY BOUNDARY OF A 3.50 FOOT WIDE STRIP OF LAND FOR ADDITIONAL RIGHT-OF-WAY OF COLBERT LANE SAID STRIP OF LAND RECORDED IN OFFICIAL RECORDS BOOK 591, PAGES 762

THROUGH 765, THENCE WESTERLY ALONG SAID RIGHT-OF-WAY A DISTANCE OF 635 FEET, MORE OR LESS, TO THE INTERSECTION OF PALM COAST HOLDINGS PARCEL NUMBER 505 AS DESCRIBED IN OFFICIAL RECORDS BOOK 553, PAGE 1781; THENCE DEPARTING COLBERT LANE RUN SOUTHERLY AND WESTERLY ALONG THE BOUNDARY OF SAID PARCEL NO. 505 TO THE SOUTHWEST CORNER THEREOF, BEING ALSO A POINT ON THE EAST LINE OF GOVERNMENT SECTION 50, TOWNSHIP 11 SOUTH, RANGE 31 EAST BEING ALSO A POINT ON THE BOUNDARY OF SAID GRAHAM SWAMP PROPERTY AS RECORDED IN OR 546 PAGES 1197-1221; THENCE NORTHERLY AND WESTERLY ALONG THE BOUNDARY OF SAID GRAHAM SWAMP PROPERTY AS RECORDED IN OR 546 PAGE 1197-1221 FOR A DISTANCE OF 9,000 FEET, MORE OR LESS, TO THE EAST RIGHT OF WAY LINE OF OLD KINGS ROAD RECORDED IN OFFICIAL RECORDS BOOK 596, PAGES 712 THROUGH 715; THENCE SOUTHERLY ALONG SAID RIGHT-OF-WAY OF OLD KINGS ROAD BEING ALSO THE BOUNDARY OF THE GRAHAM SWAMP PROPERTY FOR A DISTANCE OF 2890.00 FEET, MORE OR LESS, THENCE DEPARTING OLD KINGS ROAD, EASTERLY AND SOUTHERLY ALONG THE BOUNDARY OF SAID GRAHAM SWAMP PROPERTY FOR A DISTANCE OF 20183.00 FEET, MORE OR LESS, TO A POINT ON THE NORTHERLY BOUNDARY LINE OF A 60' WIDE STRIP OF LAND FOR THE LEHIGH RAILROAD SPUR, THENCE NORTH 89°15'49" EAST ALONG SAID NORTHERLY LINE OF THE LEHIGH RAILROAD SPUR A DISTANCE OF 479.85 FEET, THENCE DEPARTING SAID NORTHERLY LINE SOUTH 00°44'11" EAST A DISTANCE OF 60.00 FEET TO A POINT ON THE SOUTHERLY LINE OF SAID RAILROAD SPUR LAND, THENCE DEPARTING THE LEHIGH RAILROAD SPUR SOUTH 20°54'58" EAST ALONG THE EASTERLY BOUNDARY LINE OF LAND RECORDED IN OFFICIAL RECORDS BOOK 551, PAGES 598 THROUGH 602 AND OFFICIAL RECORDS BOOK 554, PAGES 1292 THROUGH 1297 A DISTANCE OF 2024.75 FEET, THENCE SOUTH 18°25'23" EAST ALONG SAID BOUNDARY LINE A DISTANCE OF 5919.71 FEET TO A POINT ON THE NORTHERLY RIGHT-OF-WAY LINE OF STATE ROAD 100 (200'R/W)(MAP REFERENCE POINT "C"), THENCE SOUTH 87°48'45" WEST ALONG SAID RIGHT-OF-WAY LINE A DISTANCE OF 669.29 FEET, THENCE DEPARTING SAID NORTHERLY RIGHT-OF-WAY LINE SOUTH 02°11'15" EAST CROSSING STATE ROAD 100 AND ALONG THE WEST BOUNDARY LINE OF THE FLAGLER COUNTY SHELL PIT PARCEL A DISTANCE OF 1424.00 FEET TO THE

SOUTHWEST CORNER OF SAID SHELL PIT PARCEL, THENCE SOUTH 87°48'45" WEST A
DISTANCE OF 535.57 FEET TO A POINT ON THE EASTERLY BOUNDARY OF THE FLAGLER
COUNTY SCHOOL BOARD PARCEL RECORDED IN OFFICIAL RECORDS BOOK 406, PAGES 64
AND 65, THENCE SOUTH 26°20'32" WEST ALONG SAID SCHOOL PARCEL A DISTANCE OF 421.93
FEET, THENCE SOUTH 60°16'55" EAST A DISTANCE OF 421.00 FEET, THENCE SOUTH 04°15'04"
WEST A DISTANCE OF 199.37 FEET, THENCE NORTH 60°16'55" WEST A DISTANCE OF 795.00
FEET, THENCE DEPARTING SAID SCHOOL PARCEL AND RUN SOUTH 60°01'33" WEST A
DISTANCE OF 39.26 FEET TO A POINT ON THE EASTERLY RIGHT-OF-WAY OF OLD KINGS ROAD,
THENCE NORTH 29°58'27" WEST ALONG SAID RIGHT-OF-WAY A DISTANCE OF 449.25 FEET,
THENCE SOUTH 87°48'45" WEST CROSSING OVER AND DEPARTING OLD KINGS ROAD A
DISTANCE OF 1963.39 FEET TO A POINT ON THE CENTERLINE OF INTERSTATE-95, THENCE
SOUTHERLY ALONG THE CENTERLINE OF INTERSTATE-95 A DISTANCE OF 22109.00 FEET,
MORE OR LESS, TO A POINT ON THE NORTH LINE OF THE SOUTH HALF (1/2) OF THE SOUTH
HALF (1/2) OF GOVERNMENT SECTION 34, TOWNSHIP 12 SOUTH, RANGE 31 EAST, THENCE
SOUTH 89°07'59" WEST ALONG SAID NORTH LINE A DISTANCE OF 212.72 FEET, MORE OR LESS,
TO THE SOUTHEAST CORNER OF THE PLAT SEMINOLE PARK SECTION-58, MAP BOOK 19,
PAGES 26 THROUGH 40, THENCE WESTERLY ALONG THE SOUTHERLY BOUNDARY LINE OF
SEMINOLE PARK SECTION-58, MAP BOOK 19, PAGES 26 THROUGH 40, SEMINOLE PARK
SECTION-59, MAP BOOK 19, PAGES 41 THROUGH 50 AND MAP BOOK 20, PAGES 1 THROUGH 8,
AND SEMINOLE PARK SECTION-60, MAP BOOK 17, PAGES 48 THROUGH 55, A DISTANCE OF
26232.00 FEET, MORE OR LESS, TO THE SOUTHWEST CORNER OF SAID PLAT SECTION-60, SAID
CORNER BEING ON THE EASTERLY RIGHT-OF-WAY OF U.S. HIGHWAY NO.1, THENCE
WESTERLY ALONG THE EXTENSION OF THE SOUTH BOUNDARY OF SECTION-60 A DISTANCE
OF 57.00 FEET, MORE OR LESS, TO A POINT ON THE CENTER OF RIGHT-OF-WAY OF U.S.
HIGHWAY NO. 1, THENCE NORTHERLY ALONG THE CENTER OF U.S. HIGHWAY NO. 1 FOR A
DISTANCE OF 1955.00 FEET, MORE OR LESS, TO A POINT BEING THE NORTHERLY RIGHT-OF-
WAY LINE OF SEMINOLE WOODS BOULEVARD EXTENDED WESTERLY TO THE CENTER OF U.S.
HIGHWAY NO. 1, THENCE DEPARTING U.S. HIGHWAY NO. 1 EASTERLY AND NORTHERLY ALONG

THE NORTHWESTERLY RIGHT-OF-WAY LINE OF SEMINOLE WOODS BOULEVARD AND PARKWAY A DISTANCE OF 25874.00 FEET, MORE OR LESS, TO A POINT ON THE SOUTHERLY RIGHT-OF-WAY LINE OF STATE ROAD 100, THENCE DEPARTING SEMINOLE WOODS PARKWAY WESTERLY ALONG SAID SOUTHERLY RIGHT-OF-WAY A DISTANCE OF 8025.00 FEET TO A POINT ON THE WESTERLY BOUNDARY LINE OF LANDS OWNED BY FLAGLER COUNTY RECORDED IN OFFICIAL RECORDS BOOK 33, PAGES 549 THROUGH 551 THENCE DEPARTING STATE ROAD 100 SOUTH 01°13'44" EAST ALONG THE WESTERLY BOUNDARY LINE OF THE FLAGLER COUNTY AIRPORT A DISTANCE OF 1629.75 FEET, THENCE SOUTH 88°46'16" WEST A DISTANCE OF 555.09 FEET TO THE NORTHEAST CORNER OF THE COUNCIL FOR THE AGED PARCEL, THENCE NORTH 78°46'38" WEST ALONG THE NORTH LINE OF SAID PARCEL A DISTANCE OF 585.48 FEET TO A POINT ON THE EASTERLY RIGHT-OF-WAY LINE OF BELLE TERRE BOULEVARD, THENCE SOUTHERLY ALONG SAID RIGHT-OF-WAY A DISTANCE OF 7644.00 FEET, MORE OR LESS, TO A POINT BEING THE SOUTHWEST CORNER OF RESERVED PARCEL "E-2" OF THE PLAT LAGUNA FOREST SECTION-64, MAP BOOK 18, PAGES 36 THROUGH 43, THENCE EASTERLY ALONG THE SOUTH LINE OF RESERVED PARCELS C-5, D-1 AND E-2 A DISTANCE OF 6518.00 FEET, MORE OR LESS, TO THE NORTHEAST CORNER OF RESERVED PARCEL C-5, THENCE NORTH 88°59'26" EAST ALONG THE SOUTH LINE OF RESERVED PARCEL C-4 A DISTANCE OF 154.26 FEET TO A POINT ON THE EASTERLY BOUNDARY OF SAID PLAT LAGUNA FOREST SECTION-64, THENCE SOUTHERLY ALONG THE EASTERLY BOUNDARY LINE OF SAID LAGUNA FOREST A DISTANCE OF 3322.00 FEET, MORE OR LESS, TO A POINT ON THE SOUTHERLY RIGHT-OF-WAY LINE OF CITATION PARKWAY, THENCE WESTERLY ALONG SAID SOUTHERLY RIGHT-OF-WAY OF CITATION PARKWAY A DISTANCE OF 5028.00 FEET, MORE OR LESS, TO A POINT ON THE EASTERLY RIGHT-OF-WAY LINE OF BELLE TERRE BOULEVARD, THENCE SOUTHERLY AND WESTERLY ALONG SAID EASTERLY AND SOUTHERLY RIGHT-OF-WAY OF BELLE TERRE BOULEVARD RIGHT-OF-WAY A DISTANCE OF 2629.00 FEET, MORE OR LESS, TO A POINT ON THE EASTERLY BOUNDARY LINE OF THE PLAT KANKAKEE RUN SECTION-65, MAP BOOK 17, PAGES 56 THROUGH 67, THENCE SOUTHERLY ALONG SAID BOUNDARY A DISTANCE OF 6097.00 FEET, MORE OR LESS, TO A POINT ON THE CENTER OF U.S. HIGHWAY NO. 1, THENCE

NORTHERLY ALONG SAID CENTER OF U.S. HIGHWAY NO. 1 A DISTANCE OF 7639.00 FEET,
MORE OR LESS, TO A POINT ON THE SOUTH LINE OF GOVERNMENT SECTION 24, TOWNSHIP 12
SOUTH, RANGE 30 EAST, THENCE NORTH 88°39'31" EAST ALONG THE BOUNDARY OF SAID
PLAT KANKAKEE RUN A DISTANCE OF 672.08 FEET, THENCE NORTH 01°21'13" WEST A
DISTANCE OF 660.27 FEET, THENCE SOUTH 88°39'12" WEST A DISTANCE OF 1040.53 FEET TO A
POINT ON THE CENTER OF U.S. HIGHWAY NO. 1, THENCE NORTHERLY ALONG THE CENTER OF
U.S. HIGHWAY NO. 1 A DISTANCE OF 1130.62 FEET, MORE OR LESS, TO A POINT OF
INTERSECTION OF THE CENTER OF U.S. HIGHWAY NO. 1 WITH THE WEST LINE OF
GOVERNMENT SECTION 24, TOWNSHIP 11 SOUTH, RANGE 30 EAST, THENCE DEPARTING U.S.
HIGHWAY NO. 1 NORTHERLY ALONG THE WEST LINE OF GOVERNMENT SECTIONS 24 AND 13,
NORTHERLY ALONG THE WEST LINE OF GOVERNMENT SECTION 12 A DISTANCE OF 10265.00
FEET TO A POINT ON THE NORTH LINE OF THE SOUTH HALF (1/2) OF THE SOUTH HALF (1/2) OF
SECTION 12, TOWNSHIP 11 SOUTH, RANGE 30 EAST, THENCE NORTH 89°01'42" EAST ALONG
SAID NORTH LINE A DISTANCE OF 2497.94 FEET TO A POINT ON THE BOUNDARY LINE OF THE
PLAT ZEBULAH'S TRAIL SECTION-63, MAP BOOK 18, PAGES 24 THROUGH 35, THENCE
CONTINUE NORTH 89°01'42" EAST ALONG THE BOUNDARY OF SAID PLAT A DISTANCE OF
1300.34 FEET, THENCE NORTH 01°14'25" WEST A DISTANCE OF 635.00 FEET, THENCE NORTH
89°16'07" EAST A DISTANCE OF 1260.84 FEET, THENCE NORTH 00°06'26" EAST A DISTANCE OF
50.01 FEET, THENCE NORTH 01°16'45" WEST ALONG THE WESTERLY BOUNDARY OF SAID PLAT
ZEBULAH'S TRAIL SECTION-63 AS EXTENDED FOR A DISTANCE OF 860 FEET, MORE OR LESS,
TO A POINT ON THE NORTH RIGHT-OF-WAY LINE OF STATE ROAD 100 BEING THE SOUTHWEST
CORNER OF RESERVED PARCEL E-1 OF THE PLAT EASTHAMPTON SECTION-34, MAP BOOK 11,
PAGES 30 THROUGH 49, THENCE NORTHERLY AND WESTERLY ALONG THE BOUNDARY LINE
OF SAID PLAT EASTHAMPTON SECTION-34 A DISTANCE OF 14752.00 FEET, MORE OR LESS, TO
A POINT BEING THE NORTHWEST CORNER OF SAID PLAT EASTHAMPTON SECTION-34, THENCE
CONTINUE ALONG THE WEST LINE OF EASTHAMPTON SECTION-34 EXTENDED NORTHERLY TO
THE SOUTH RIGHT-OF-WAY LINE OF THE LEHIGH GREENWAY RECORDED IN OFFICIAL
RECORDS BOOK 731, PAGE 1653 (MAP REFERENCE POINT "D"), THENCE WESTERLY ALONG

SAID SOUTH RIGHT-OF-WAY LINE A DISTANCE OF 5600 FEET, MORE OR LESS, TO A POINT IN THE CENTER OF U.S. HIGHWAY NO. 1, THENCE NORTHERLY ALONG THE CENTER OF U.S. HIGHWAY NO. 1, A DISTANCE OF 10739.00 FEET, MORE OR LESS, TO A POINT ON THE SOUTH LINE OF GOVERNMENT SECTION 22, TOWNSHIP 11 SOUTH, RANGE 30 EAST, THENCE DEPARTING SAID CENTER OF U.S. HIGHWAY NO. 1 NORTH 87°24'10" EAST ALONG THE SOUTH LINE OF SECTION 22 AND ALONG THE BOUNDARY OF THE PLAT WYNNFIELD SECTION-27, MAP BOOK 9, PAGES 36 THROUGH 49, THENCE NORTH 00°32'46" WEST ALONG SAID PLAT BOUNDARY A DISTANCE OF 2651.91 FEET, THENCE SOUTH 87°33'08" WEST A DISTANCE OF 1686.62 FEET TO A POINT IN THE CENTER OF U.S. HIGHWAY NO. 1, THENCE NORTHERLY ALONG THE CENTER OF U.S. HIGHWAY NO. 1, A DISTANCE OF 552.00 FEET, MORE OR LESS, TO A POINT BEING THE SOUTH LINE OF THE DIVISION OF FORESTRY PARCEL EXTENDED WESTERLY TO THE CENTER OF U.S. HIGHWAY NO. 1, THENCE NORTH 88°13'59" EAST ALONG THE BOUNDARY OF SAID PLAT WYNNFIELD SECTION-27, A DISTANCE OF 547.64 FEET, THENCE NORTH 00°27'56" WEST ALONG SAID BOUNDARY A DISTANCE OF 693.01 FEET, THENCE SOUTH 88°26'14" WEST ALONG SAID BOUNDARY A DISTANCE OF 707.86 FEET TO A POINT IN THE CENTER OF U.S. HIGHWAY NO. 1, THENCE NORTHERLY ALONG THE CENTER OF U.S. HIGHWAY NO. 1, A DISTANCE OF 1495.00 FEET, MORE OR LESS, TO A POINT ON THE SOUTH LINE OF GOVERNMENT SECTION 15, TOWNSHIP 11 SOUTH, RANGE 30 EAST, THENCE DEPARTING SAID CENTER OF U.S. HIGHWAY NO. 1 SOUTH 89°00'51" WEST A DISTANCE OF 672.58 FEET, THENCE NORTH 22°39'36" WEST A DISTANCE OF 43.43 FEET TO A POINT ON THE SOUTH BOUNDARY LINE OF WELL SITE SW-58 RECORDED IN OFFICIAL RECORDS BOOK 552, PAGES 1767 THROUGH 1781, THENCE SOUTH 74°50'11" WEST ALONG SAID WELL SITE BOUNDARY A DISTANCE OF 28.71 FEET, THENCE NORTH 15°09'49" WEST A DISTANCE OF 60.00 FEET, THENCE NORTH 74°50'11" EAST A DISTANCE OF 20.81 FEET, THENCE DEPARTING SAID WELL SITE SW-58 AND RUN NORTH 22°39'36" WEST A DISTANCE OF 677.42 FEET, THENCE NORTH 15°23'55" WEST A DISTANCE OF 2257.66 FEET, THENCE SOUTH 84°38'19" WEST A DISTANCE OF 3811.48 FEET TO A POINT ON THE EASTERLY RIGHT-OF-WAY LINE OF THE FLORIDA EAST COAST RAILWAY, THENCE NORTH 09°09'56" WEST ALONG THE EASTERLY RIGHT-OF-WAY LINE OF THE FLORIDA

EAST COAST RAILWAY A DISTANCE OF 2454.62 FEET, THENCE DEPARTING SAID RIGHT-OF-WAY NORTH 67°38'17" EAST ALONG THE NORTH LINE OF PARCEL 101, RECORDED IN OFFICIAL RECORDS BOOK 553, PAGES 1539 THROUGH 1840, A DISTANCE OF 3286.23 FEET, THENCE NORTH 19°01'15" WEST A DISTANCE OF 1352.46 FEET, THENCE NORTH 67°12'21" EAST A DISTANCE OF 1050.00 FEET, TO A POINT ON THE WESTERLY BOUNDARY OF A PARCEL OF LAND RECORDED IN OFFICIAL RECORDS BOOK 352, PAGES 134 THROUGH 136, THENCE NORTH 22°47'15" WEST ALONG SAID PARCEL A DISTANCE OF 298.90 FEET, THENCE NORTH 67°12'45" EAST ALONG THE NORTH BOUNDARY LINE OF SAID PARCEL OF LAND A DISTANCE OF 450.00 FEET, THENCE SOUTH 22 47'15" EAST ALONG THE WESTERLY RIGHT-OF-WAY LINE OF U.S. HIGHWAY NO. 1 A DISTANCE OF 298.85 FEET, THENCE CROSSING OVER AND DEPARTING U.S. HIGHWAY NO. 1 NORTH 67°12'21" EAST A DISTANCE OF 6840.82 FEET RUNNING ALONG THE NORTH LINE OF PINE LAKES COMMERCE CENTER SUBDIVISION, MAP BOOK 31, PAGES 80 AND 81, TO A POINT ON THE WESTERLY RIGHT-OF-WAY LINE OF BELLE TERRE PARKWAY (MAP REFERENCE POINT "E"), THENCE NORTHERLY ALONG SAID WESTERLY RIGHT-OF-WAY LINE A DISTANCE OF 13001.00 FEET, MORE OR LESS, TO A POINT ON THE SOUTH RIGHT OF WAY LINE OF MATANZAS WOODS PARKWAY, THENCE WESTERLY ALONG THE SOUTHERLY RIGHT-OF-WAY LINE OF MATANZAS WOODS PARKWAY A DISTANCE OF 6239.00 FEET, MORE OR LESS, TO A POINT ON THE EASTERLY RIGHT-OF-WAY LINE OF U.S. HIGHWAY NO. 1, THENCE CONTINUE ALONG THE EXTENSION OF SAID SOUTHERLY RIGHT-OF WAY LINE OF MATANZAS WOODS TO THE CENTER OF U.S. HIGHWAY No. 1, THENCE SOUTHERLY ALONG SAID CENTER OF U.S. HIGHWAY No. 1 A DISTANCE OF 2060.00 FEET, MORE OR LESS, TO A POINT ON THE SOUTH LINE OF GOVERNMENT SECTION 28, TOWNSHIP 10 SOUTH, RANGE 30 EAST, THENCE WESTERLY ALONG THE SOUTH LINE OF SAID SECTION 28 TO A POINT ON THE WESTERLY RIGHT-OF-WAY LINE, THENCE DEPARTING U.S. HIGHWAY NO. 1 WESTERLY ALONG THE SOUTHERLY, WESTERLY AND NORTHERLY BOUNDARY OF PARCEL 217, RECORDED IN OFFICIAL RECORDS BOOK 553, PAGES 1539 THROUGH 1840, TO A POINT BEING THE NORTHEAST CORNER OF PARCEL 217, SAID POINT BEING ON THE WESTERLY RIGHT-OF WAY LINE OF U.S. HIGHWAY NO. 1, THENCE SOUTH 80°00'29" EAST TO A POINT ON THE CENTER OF

U.S. HIGHWAY No. 1; THENCE NORTHERLY ALONG SAID CENTER OF U.S. HIGHWAY No. 1 A DISTANCE OF 4488.00 FEET, MORE OR LESS, TO A POINT BEING THE NORTH LINE OF THE PLAT LAKEVIEW SECTION-37, MAP BOOK 13, PAGES 1 THROUGH 29, EXTENDED WESTERLY TO THE CENTER OF SAID HIGHWAY; THENCE NORTH 89°26'28" EAST TO A POINT ON THE EASTERLY RIGHT-OF-WAY LINE AND THE NORTHWEST CORNER OF THE PLAT LAKEVIEW SECTION-37, MAP BOOK 13, PAGES 1 THROUGH 29, THENCE DEPARTING U.S. HIGHWAY NO. 1 NORTH 89°26'28" EAST ALONG THE NORTHERLY BOUNDARY LINE OF LAKEVIEW SECTION-37 A DISTANCE OF 1678.73 FEET, THENCE DEPARTING SAID PLAT BOUNDARY NORTH 00°29'04" WEST ALONG THE NORTHERLY LINE OF LAND OWNED BY THE PALM COAST COMMUNITY SERVICE CORPORATION (PCCSC) OFFICIAL RECORDS BOOK 549, PAGES 966 THROUGH 990, A DISTANCE OF 1170.00 FEET, THENCE NORTH 61°12'56" EAST ALONG SAID PCCSC LINE A DISTANCE OF 775.00 FEET, THENCE NORTH 81°42'56" EAST A DISTANCE OF 343.00 FEET, THENCE NORTH 43°24'56" EAST ALONG SAID PCCSC LINE A DISTANCE OF 565.00 FEET, THENCE NORTH 85°54'56" EAST A DISTANCE OF 570.00 FEET; THENCE SOUTH 59°53'04" EAST ALONG SAID PCCSC LINE A DISTANCE OF 811.20 FEET, THENCE DEPARTING SAID PCCSC BOUNDARY NORTH 29°30'56" EAST A DISTANCE OF 299.32 FEET; THENCE SOUTH 60°29'04" EAST A DISTANCE OF 932.59 FEET; THENCE NORTH 64°44'58" EAST ALONG THE NORTH LINE OF PARCEL 211 RECORDED IN OFFICIAL RECORDS BOOK 553, PAGES 1539 THROUGH 1840, A DISTANCE OF 1010.18 FEET TO THE NORTHEAST CORNER OF SAID PLAT LAKEVIEW SECTION-37 AND THE POINT OF BEGINNING.

~~Section 10. Dissolution of Palm Coast Area Municipal Service Districts. Notwithstanding the incorporation of the City of Palm Coast, the Palm Coast Area Municipal Service District, a special taxing district created by the Flagler County Council, is authorized to continue in existence and to provide services through December 31, 1999. Thereafter, upon passage of the referendum as described in Section 13(1), the Palm Coast Area Municipal Services District shall be consider dissolved.~~

Section 11 10. General Provisions. –

(1) CHARTER AMENDMENT. – This Charter may be amended in accordance with the provisions of

the Municipal Home Rules Power Act, Chapter 166, Florida Statutes, as the same may be amended from time to time, or as may otherwise be provided by general law. The form, content, and certification of any petition to amend shall be established by ordinance.

(2) CHARTER REVIEW; SCHEDULE, CHARTER REVIEW COMMITTEE. –

(a) Schedule. – The Charter shall be reviewed no sooner than 10 years after the creation of the City of Palm Coast on December 31, 1999, and thereafter it may be reviewed every 10 years.

(b) Charter Review Committee. – A five-member Charter Review Committee shall be appointed. Each District Council member shall appoint one member from his or her District, and the Mayor shall appoint one member at-large. The Palm Coast City Council shall fund this Committee. The Charter Review Committee shall be appointed at least 1 year before the next scheduled general election and complete its work and present any recommendations for change no later than 60 days before the general election. The Palm Coast City Council shall hold a minimum of two public hearings on the proposed changes to the Charter prior to placing the proposed changes on the scheduled general election ballot.

(3) INITIATIVE AND REFERENDUM. – At least 25 percent of the qualified electorate of the City shall have the power to petition the Council to propose an ordinance or to require reconsideration of an adopted ordinance, or to propose an amendment to this Charter. If the Council fails to adopt such ordinance or amendment so proposed, or to repeal such adopted ordinance, without any change in substance, then the Council shall place the proposed ordinance or amendments, or the repeal of the adopted ordinance, on the ballot at the next general election.

(4) ADJUSTMENTS OF DISTRICTS; NUMBER, COMMISSION, REPORT, SUPPORT, PROCEDURE, FAILURE TO ENACT, EFFECT OF ENACTMENT. –

(a) Number of Districts. -- There shall be four City Council districts as described in Subsection (2) of Section 9. These boundaries shall remain in effect until the decennial census of 2010. ~~Thereafter, there shall be~~ City Council determines that redistricting would be appropriate to ensure that the requirements of Section 9(2) and 10(4)(c) are accomplished and adequately maintained or a Districting Commission as outlined in Section (b) is appointed.

(b) Districting Commission. -- By the first day of the month following official certification notification of the decennial census to the State, the City Council shall appoint five city electors, determined from the

registration for the last statewide general election, who shall comprise the Districting Commission. Electors chosen shall not be employed by the City in any other capacity.

(c) Commission Report. – Within 120 days after the appointment or such earlier time as prescribed by the Council, the Districting Commission shall file with the official designated by the Council a report containing a recommended plan for adjustment of the council district boundaries to comply with these specifications:

1. Each district shall be formed of compact, contiguous territory, and its boundary lines shall follow the center lines of natural and man-made separations, such as canals, streets, etc., where possible.

2. The districts shall be based upon the principal of equal and effective representation as required by the United States Constitution and as represented in the mathematical preciseness reached in the legislative apportionment of the State.

3. The report shall include a map and description of the districts recommended and shall be drafted as a proposed ordinance. Once filed with the designated official, the report shall be treated as an ordinance introduced by a Council member.

(d) Support. -- It shall be the responsibility of the City Manager to provide staff assistance and technical data to the Districting Commission.

(e) Procedure. – The procedure for the Council's consideration of the report shall be the same as for other ordinances, provided that if a summary of the ordinance is published pursuant to this Charter and general law it must include both the map and a description of the recommended districts.

(f) Failure to Enact Ordinance. – After receipt of the Commission Report, the Council shall adopt a redistricting ordinance at least 90 days before the next regular City election. If the Council fails to do so by such date, the report of the Districting Commission shall go into effect and have the effect of an ordinance.

(g) Effect of Enactment. –

1. The new council districts and boundaries, as of the date of enactment, shall supersede previous council districts and boundaries for all the purposes of the next regular City election, including qualifications.

2. The new districts and boundaries shall supersede previous districts and boundaries for all other

purposes as of the date on which all Council members elected subsequent to the date of the new districts.

3. All district seats which are not up for election, but which, as a result of the redistricting, no longer have Council members who live within the district, shall be declared vacant for purposes of the next regularly scheduled election. Such election shall, in order to preserve the staggering of the terms, be either for 4 years, or for the remaining 2 years of the term, depending on the district vacant.

(5) STANDARDS OF CONDUCT. – All elected officials and employees of the City shall be subject to the standards of conduct for public officers and employees set by general law. In addition, the City Council may, by ordinance, establish a code of ethics for officials and employees of the city, which may be supplemental to general law, but in no case may such an ordinance diminish the provisions of general law.

Section 42 11. Severability. – If any provision of this Charter act, or the application thereof to any person or circumstance, is held invalid, the invalidity shall not affect other provisions or applications of this Charter act which can be given effect without the invalid provision or application, and to this end the provisions of this act are declared severable.

Section 43 12. Transition Schedule. –

(1) ~~REFERENDUM. The referendum election called for by this act shall be held on the second Tuesday in September, 1999, at which time the following question shall be placed upon the ballot:~~

~~SHALL CHAPTER 99 _____, LAWS OF FLORIDA, CREATING THE
CITY OF PALM COAST AND PROVIDING ITS CHARTER BE
APPROVED?~~

~~In the event this question is answered affirmatively by a majority of voters voting in the referendum, the provisions of this Charter shall take effect as provided herein.~~

~~(2) CREATION AND ESTABLISHMENT OF CITY. – For the purpose of compliance with Florida Statutes, relating to assessment and collection of ad valorem taxes, and for the purpose of Subsection (2) of Section 11, the City is hereby created and established effective December 31, 1999.~~

~~(3) INITIAL ELECTION OF COUNCIL MEMBERS; DATES; QUALIFYING PERIOD QUALIFY;
CERTIFICATION OF ELECTION RESULTS; INDUCTION INTO OFFICE.~~

~~(a) Dates. Following the adoption of this Charter in accordance with Section 13(1), the Flagler County Council shall call a special election for the election of the four (4) City Council members and the Mayor to be held on Tuesday, December 14, 1999. Any necessary primary election shall be held on Tuesday, November 9, 1999.~~

~~(b) Qualifying Period. Between 8:30 a.m. on Tuesday, September 21, 1999, and 2:00 p.m. on Friday, October 1, 1999, any individual who wishes to run for one of the four initial seats on the Council or for the office of Mayor shall qualify as a candidate with the Flagler County Supervisor of Elections in accordance with the provisions of general law and Section 5(1)(b) of this Charter, except that for this initial election, the following provisions supercede Section 5(1)(b):~~

~~1. For any of the four District Seats: the number of qualifying signatures required on a qualifying petition shall be 80; or, if the candidate wishes to qualify by fee, that fee shall be \$120.00.~~

~~2. For the seat of Mayor: the number of qualifying signatures required on a qualifying petition shall be 300; or, if the candidate wishes to qualify by fee, that fee shall be \$180.00.~~

~~(c) Certification of Election Results. For the initial election, the Flagler County Commission shall appoint a canvassing board which shall certify the results of the election.~~

~~(d) Induction In To Office. Those candidates who are elected on December 14, 1999, or at the primary on November 9, 1999, following the same manner as outlined in Section 8(6), shall take office at the initial City Council meeting, which shall be held at 7:00 p.m., on December 16, 1999, at the Palm Coast Community Center, 305 Palm Coast Parkway, Palm Coast, Florida.~~

~~(4) TRANSITION SERVES AND COMPENSATION.~~

~~(a) It is the intent of this section that the County shall provide and be compensated for the provision of services to the City of Palm Coast as budgeted for in the FY 1999-2000 Flagler County Budget for the remainder of the budget year. The level of services to be provided will be consistent with the level upon which the FY 1999-2000 expense budget was predicated and in accordance with adopted revenues.~~

~~(b) It is also the intent of this section that, if the Referendum of September 1999 passes, the County shall make no changes to the 1999-2000 draft budget which would affect the future City of Palm Coast, either positively or negatively, unless a special budget hearing is held for the citizens of the future City of Palm Coast to discuss such changes.~~

~~(c) In addition, services which the County shall provide under the terms of this agreement shall include all services provided to the Palm Coast Municipal Service District as adopted by the Flagler County Commission prior to the City of Palm Coast becoming operational on December 31, 1999. Compensation to the County of Flagler for services provided shall include all revenues which, although accruing to the City, would have accrued to the County as budgeted for provision of services prior to the incorporation of the City.~~

~~(d) It is the responsibility of the City to adopt appropriate ordinances, resolutions, or agreements as required to ensure the continued collection of budgeted revenues with which to fund services beginning January 1, 2000.~~

~~(e) Any revenues adopted or received by the City of Palm Coast upon which delivery of services was not predicated within the Flagler County Commission's FY 1999-2000 adopted Budget will accrue to the City of Palm Coast.~~

~~(5) FIRST YEAR EXPENSES. The City Council, in order to provide additional monies needed for the expenses and support of the City, shall have the power to borrow money necessary for the operation of City Government until such time as a budget is adopted and revenues are raised in accordance with the provisions of this Charter.~~

(2) ~~(6)~~ TRANSITIONAL ORDINANCES AND RESOLUTIONS. – The City Council shall adopt ordinances and resolutions required to effect the transition. Ordinances adopted within 60 days after the first Council meeting shall be passed as emergency ordinances. These transitional ordinances shall be effective for no longer than 90 days after adoption, and thereafter may be readopted, renewed, or otherwise continued only in the manner normally prescribed for ordinances.

(3) ~~(7)~~ TRANSITIONAL COMPREHENSIVE PLAN AND LAND DEVELOPMENT REGULATION.

(a) Until such time as the City shall adopt a comprehensive plan, the applicable provisions of the Comprehensive Plan of Flagler County, Florida, as the same exists on the day the City commences corporate existence, shall remain in effect as the City's transitional comprehensive plan. However, all planning functions, duties, and authority shall thereafter be vested in the City Council of Palm Coast, which shall be deemed the local planning agency until the council establishes a separate local planning agency.

(b) All powers and duties of the Flagler County Planning and Land Development Regulations Council, any Boards of Adjustment and Appeals created pursuant to statutory trade codes, and the County Council of Flagler County, Florida, as set forth in these transitional zoning and land use regulations, shall be vested in the City Council of Palm Coast until such time as the City Commission delegates all or a portion thereof to another entity.

General law prohibits the adoption of zoning ordinances as emergency ordinances.

(c) Subsequent to the commencement of the City's corporate existence, no amendment of the Comprehensive Plan or Land Development Regulations enacted by the Flagler County Council shall be deemed as an amendment of the City's transitional Comprehensive Plan or Land Development Regulations or shall otherwise take effect within the City's corporate limits unless approved by the City Council.

~~(8) SHARED REVENUES. The City of Palm Coast shall be entitled to participate in all shared revenue programs of the State of Florida effective on the date of incorporation. The provisions of Section 218.23(1), Florida Statutes, shall be waived for the purpose of eligibility to receive revenue sharing funds from the date of incorporation through the state fiscal year 1999-2000. The provisions of Section 218.26(3), Florida Statutes, shall be waived for the 1999-2000 fiscal year and apportionment factors for the municipalities and counties shall be recalculated pursuant to Section 218.245, Florida Statutes, upon the date of incorporation. Initial population estimates for calculating eligibility for shared revenues shall be determined by the University of Florida Bureau of Economic and Business Research. Should the Bureau be unable to provide an appropriate population estimate, the Flagler County Planning Department shall provide an appropriate estimate.~~

~~———— (9) The City of Palm Coast shall be entitled to receive local option gas tax revenues beginning October 1, 2000 in accord with an inter-local agreement f executed prior to June 1, 2000. If said interlocal agreement is not executed prior to June 1, 2000, the distributions shall be in accordance with the lane-mile formula contained in s 336.025(4)(b)1., Florida Statutes.~~

~~Section 14. This Act shall take effect as provided herein only upon its approval by a majority vote of those qualified electors residing within the proposed corporate limits of the proposed City of Palm Coast as described in Section 9(1), voting in a referendum election to be called by the Flagler County~~

~~Commission and to be held in accordance with Section 13(1), and provisions of general law relating to elections currently in force, except this section shall take effect upon becoming a law.~~

Section 2. This Act shall take effect upon becoming a law.

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