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LEGAL STATUS REPORT

DATE: June 24, 2010

TO: Board of Supervisors
Loxahatchee Groves Water Control District

FROM: Caldwell Pacetti Edwards Schoech & Viator LLP

The following is a summary of the matters which have been handled by this office during the past year:

1. OGEM Road Stabilization Improvements: We coordinated with the District regarding South "C" Road Referendum for OGEM road improvements. We also prepared the Resolution Implementing OGEM Road Stabilization Improvements. We then coordinated with the District regarding obtaining OGEM Roadway Easements relating to the previously approved Road Referenda. We reviewed thirty (30) Right-of-Way Easements for North "A" Road and thirty-seven (37) Right-of-Way Easements for North "C" Road, which we revised as necessary. We addressed possible methods for acquiring necessary road easements, including the quiet title/prescriptive easement process and a possible Local Bill. We provided legal research regarding the applicability of Section 95.361, Florida Statutes, and finalized and coordinated with the District regarding a request to the Florida Attorney General for an advisory opinion.
2. 40th Street North and North Road Canal: We coordinated with representatives of the Town of Loxahatchee Groves to address mutual issues regarding 40th Street North and the North Road Canal. We also addressed access issues for properties north of North Road Canal from the "D" Road Bridge culvert to 145th Avenue North.

3. Culvert Crossing at 148th Terrace North and 40th Street North: We reviewed the 1918 Right-of-Way Deed and responded to inquiries regarding items relating to construction and installation of the culvert at 148th Terrace North, including dedication of the road.
4. Non-Ad Valorem Assessment Roll: We coordinated with the District regarding the District's Non-Ad Valorem Assessment Roll Procedure.
5. District Supervisor Elections: We notified the Supervisor of Elections of the upcoming election and notification procedures. We updated the Supervisor Election Process to reflect current statutory guidelines and coordinated with the District regarding the Annual Landowners Meeting.
6. Community of Hope: We reviewed the Community of Hope Plat dedications and revised the related grant of easement form. We then recorded the Community of Hope Grant of Easement.
7. We reviewed and provided comments for the District's Response to the Town of Loxahatchee Groves' Request for Proposals for Town Administrative Services.
8. Town of Loxahatchee Groves Interlocal Agreement/Gas Tax Revenues: The Town and the District agreed on the terms of an Interlocal Agreement ("ILA") by which the Town will designate the District as its agent to maintain or improve certain public roads within Town boundaries. By its terms, the Town will reimburse the District from its "Gas Tax" revenues for agreed road maintenance activities that are consistent with the requirements of Section 336.025, F.S. The ILA was adopted by the Town Council at its meeting of June 15, 2009. The District's Board of Supervisors subsequently approved the ILA.
9. We reviewed the Florida Association of Special District's proposal regarding the development of Numeric Water Quality Standards by the Florida Department of Environmental Protection and the Federal Environmental Protection Agency, and provided a Resolution regarding same.
10. We recorded nine (9) Standard Permits in the Public Records of Palm Beach County.
11. We reviewed and finalized the Line of Credit Financing Documents for Emergency Disaster(s) with Sun Trust Bank.
12. We reviewed the Notice of Surplus of funds from a tax deed sale received from the Palm Beach County Clerk and Comptroller.

13. We provided legal research and analysis of certain provisions of the 2005 Interlocal Agreement between the District and Palm Beach County regarding Equestrian Trail Funding.
14. We coordinated with representatives of the Town of Loxahatchee Groves regarding maintenance of non-district roads.
15. We addressed financing issues and Capital Improvement Financing for the upcoming Road Referendum and Unit 1 Projects.
16. We coordinated with the District regarding "D" Road Canal Maintenance, including the removal of unpermitted culverts and the enforcement of the District's Uniform Standards.
17. We also coordinated various additional matters:
 - a. Administrative and Personnel Matters
 - b. Landowner Correspondence regarding 43rd Road North Grading
 - c. District Courtesy Grading Policy
 - d. Collection Container inquiry
 - e. Proclamations for Water Reuse Week / Water Conservation Month
 - f. Audit coordination