

## Resolution

1. Be it resolved, the Coquina Water Control District (CWCD) Board of Supervisors hereby authorizes the CWCD attorney and paralegal to represent CWCD and its interests as witnesses and/or to present testimony, documents, opinions and expertise that defend CWCD's or District landowners' statutory rights. All costs for such efforts shall be borne by the requesting party at no cost to CWCD.

2a. Be it resolved, the Coquina Water Control District (CWCD) Board of Supervisors hereby stipulates it has full power and authority under Florida Statute 298.22(12) to authorize recreational use on its property. All residents and landowners within the CWCD and their guests have CWCD's expressed consent to operate All-Terrain-Vehicles (ATVs), buggies, other Off-Highway-Vehicles (OHVs), and/or any vehicle designated as "not-for-highway-use" on CWCD's easements/roads/rights-of-way.

2b. Furthermore, Coquina Water Control District (CWCD) recognizes the recreational use by landowners and their guests to operate All-Terrain-Vehicles (ATVs), buggies and/or other Off-Highway-Vehicles (OHVs), or any vehicle designated as "not for highway use", as "historic and prescriptive uses of CWCD's easements/roads/rights-of-way". These historic and prescriptive uses of CWCD's easements for recreation including the above referenced purposes have been enjoyed by landowners for generations; and such uses have never been and cannot be rescinded.

3. CWCD has periodically complied with requests from landowners to provide documents to landowners in their efforts to defend law enforcement citations when those citations violated CWCD's statutory authority under Florida Statute 298.22(12) concerning the aforementioned uses. CWCD hereby further memorializes its statutory authority by providing notice to all landowners, their guests, the Okeechobee Board of County Commissioners, The Okeechobee County Sheriff's Department and any Judicial body that, "All residents and landowners within the CWCD and their guests have CWCD's expressed consent to operate All-Terrain-Vehicles (ATVs), buggies, other Off-Highway-Vehicles (OHVs), and/or any vehicle designated as "not-for-highway-use" on CWCD's easements/roads/rights-of-way".

4. CWCD's properties are not open for public use. They provide no public access to any public facility that a public road does not serve. CWCD's easements/roads/rights-of-way are private, privately owned, privately maintained and are not part of any public road system. Listed below is a not-all-inclusive list of CWCD's easements/roads/rights-of-way and swales that are open for the common use by landowners, their guests and invitees, or those specifically named in prior declared easements of Public Records (and no other) as identified by county GIS maps within the District- The center 40' and abutting swales of the following:

NW 224th Ave, NW 208th Ave, NW 200th Ave, (the swales only) along NW 192nd Ave, NW 176th Ave, NW 160th Ave, (the swales only) along NW 144th Ave

NW 256th St, NW 208th St, NW 272nd St, 288th St, NW 304th St, NW 320th St

All other routes throughout the District (aka grass 1/2 mile easements), although identified as numbered Streets and Avenues on county GIS maps, are in fact privately owned easements by abutting landowners and privately maintained. They serve only as declared and provide no public access to any public facility and are not a part of any public road system.

Executed on this date, April 12, 2019 by the Coquina Water Control District Board of Supervisors



Robert Stark, Chairman



Michael Vincent