IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF FLORIDA
JACKSONVILLE DIVISION

JACKSONVILLE BRANCH
OF THE NAACP, et al,

Plaintiffs,

v.

Case No. 3:22-cv-493-MMH-LLL

CITY OF JACKSONVILLE, et al,

Defendants
_____/

3/$,17,))6· 5(3/< ,1 6833257 2)
THEIR MOTION TO ORDER SPECIAL ELECTIONS

,Q DFFRUGDQFH ZLWK WKH &RXUW·V $XJXVW 2UG

Reply in Support of Their Motion to Order Special Elections, ECF 134 (´Mot. µ).

7KH &LW\·V Opposition WR 3ODLQWLIIV· ECF 137 (´Opp. µ) strains to wish away 3ODLQWLIIV· for special elections. It tries to constitutionalize the request by turning standing doctrine on its head, ignores WKH EUHDGWK DQG QDWXUH equitable discretion, and rests on several false premises. These attempts fall short. The Court has jurisdiction and broad equitable powers to tailor a remedy appropriate to the facts of this case. ,W VKRXOG JUDQW 3ODLQWLIIV· PRWLRQ

A. The City Turns Standing Doctrine on Its Head.

The City mentions multiple cases about standing, Opp. at 7 ²11, but not one has a holding applicable WR 3ODLQWLIIV· and analogous to the dispute here. The City cites each of these cases for broad and unobjectionable principles. See id. at 7 ²8 (citing

AGREED AND CONSENTED TO:

J. VICTOR AFRICANO

P.O. Box 1450
Live Oak, Florida 32060

ATTORNEY FOR DEFENDANTS

DATED: 9-19-85

DAVID M. LIPMAN
ROBERT E. WEISBERG

LIPMAN & WEISBERG
5901 S.W. 74 Street
Suite 304
Miami, Florida 33143-5186
(305) 662-2600

ATTORNEYS FOR PLAINTIFFS

DATED: 9-10-1985

0322M

IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF FLORIDA
JACKSONVILLE DIVISION

EARNEST MAYHUE, EDGAR WASHINGTON, JR. REVEREND JACOB WILLIAMS, SAMUEL BEASLEY, LEATHA B. MC MILLAN, HENRY SMART, JR., CARBIE ELLIS, and VALUA L. WARREN, on behalf of themselves and all others similarly situated,

Plaintiffs,

vs.

CIVIL ACTION NO.
84-1104-Civ-J-14

SCHOOL BOARD OF SUWANNEE COUNTY, FLORIDA; Chairman, TOM LASHLEY; CHIEF EDWARD M. SMITH; J.M. HOLTZLAW; and GEORGE L. KNIGHT; Members of the Suwannee County School Board, Florida, their successors and agents, all in their official capacities,

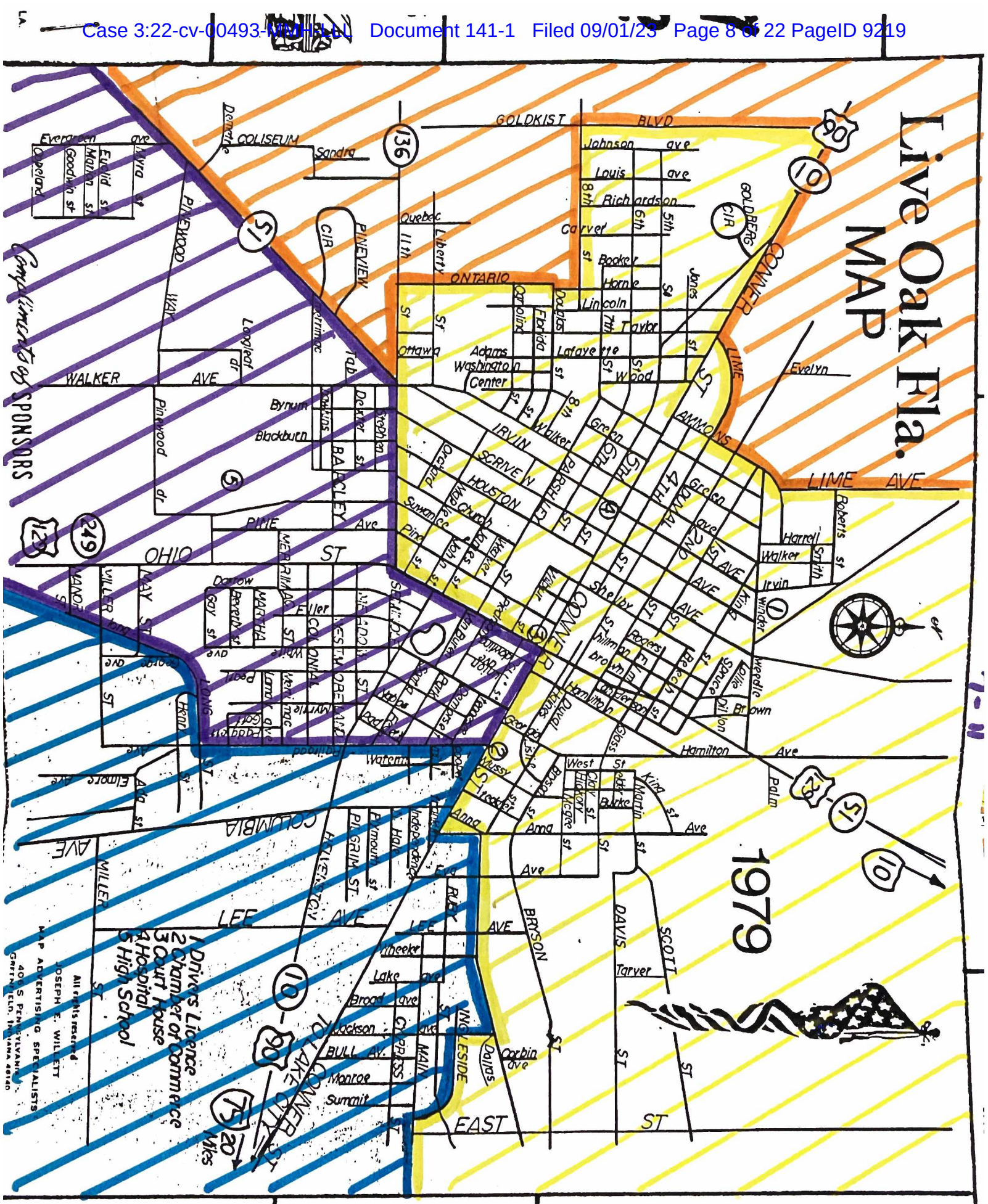
Defendants.
_____/

APPENDIX

1. MAP OF ELECTION RESIDENCE AREAS
2. DEMOGRAPHIC DATA REFLECTING POPULATION AND VOTER REGISTRATION BY RESIDENCE AREA
3. SCHEDULE OF NEW ELECTIONS
4. LEGAL DESCRIPTION OF ELECTION PLAN

APPENDIX 1

MAP OF ELECTION RESIDENCE AREAS


Live Oak Fla.
MAP
1979
Compliments of SPONSORS
GOLDKIST BLVD
COLISEUM
Sandra
Demarie
Evergreen ave
Copeland
Myra st
Euclid st
Marion st
Goodwin st
PINEWOOD WAY
PINEVIEW CIR
Quebec
Liberty
11th
ONTARIO
Johnson ave
Louis ave
8th
Richardson
6th
5th
Carver
Booker
Horne
Lincoln
Taylor
Jones
GOLDBERG CIR
CONNER
LIME
Evelyn
Caroline
Douglas
Florida
Lafayette
Adams
Washington
Center
Wood
Ottawa
Loblolly dr
Pinewood dr
WALKER AVE
Byrnum
Blackburn
Dekle
Stephan
Jenkins
BARCLEY
PINE Ave
OHIO ST
MERRITT AVE
Darrow
Bryant
Gay st
Martha
Ellen
Wilcox
Westcott
Cordonia
Myrtle
Peoples
Long
Hand
Maple
Church
Orchard
Sumner
Pine
Walker
Irvin
SCRIVE N
HOUSTON
IRVIN
Green
6th
PARSHLEY
AMMONS
4th
3rd
2nd
1st AVE
Roberts st
Harrell
Smith st
Irvin
Winder
Shelby
Rogers
Brown
Spruce
Dillon
Hamilton Ave
Palm
Martin
Burke
Kirk
West
Bryson
Hickory
Magee
Amg
Ave
Watertm
Mussy
Trestle
Elmore Ave
Ada st
COLUMBIA AVE
MILLER
LEE AVE
PILGRIM ST
Armour
Hall
Independence
Evergreen
RUBY
Wheeler
Lake
Brood ave
Jackson
BULL AV.
Monroe
Summit
CYPRESS
MAIN
INGLESIDE
Davis
Corbin ave
BRYSON
DAVIS
Tarver
SCOTT
EAST ST
1 Drivers Licence
2 Chamber of Commerce
3 Court House
4 Hospital
5 High School
10-75 TO OKEECHOBEE
20 Miles
All rights reserved
JOSEPH E. WILLETT
MAP ADVERTISING SPECIALISTS
4085 PENNSYLVANIA
GREENFIELD, INDIANA 46140
"WE W
362-17
HOUSE
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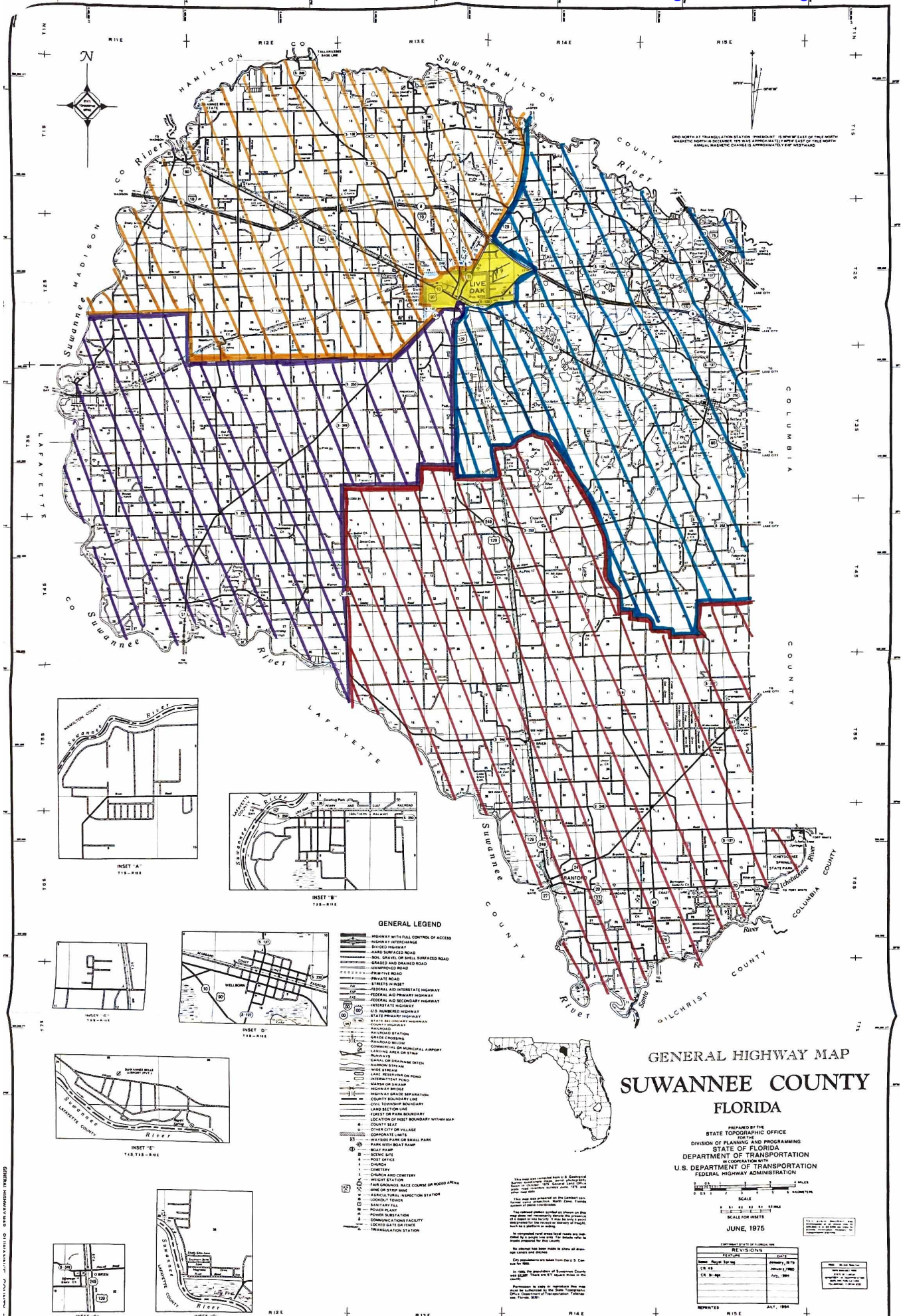
JAN
FEB
MA
AP


GENERAL LEGEND
GENERAL HIGHWAY MAP
SUWANNEE COUNTY
FLORIDA
PREPARED BY THE
STATE TOPOGRAPHIC OFFICE
FOR THE
DIVISION OF PLANNING AND PROGRAMMING
STATE OF FLORIDA
DEPARTMENT OF TRANSPORTATION
IN COOPERATION WITH
U.S. DEPARTMENT OF TRANSPORTATION
FEDERAL HIGHWAY ADMINISTRATION
JUNE, 1975
REVISIONS
LIVE OAK
Suwannee River
HAMILTON COUNTY
LAFAYETTE COUNTY
COLUMBIA COUNTY
GILCHRIST COUNTY
MADISON COUNTY
INSET "A"
INSET "B"
INSET "C"
INSET "D"
INSET "E"
INSET "F"
INSET "G"

APPENDIX 2

SUWANNEE COUNTY

DEMOGRAPHIC DATA REFLECTING POPULATION AND VOTER REGISTRATION BY RESIDENCE AREA

Population

	District	Total	White (%)	Black (%)
Orange	I	4,530	4,196 (92.6)	307 (6.8)
Yellow	II	4,329	1,913 (44.2)	2,393 (55.8)
Purple	III	4,526	4,468 (98.7)	55 (1.2)
Blue	IV	4,499	3,777 (84.0)	701 (15.6)
Red	V	4,493	4,004 (89.1)	471 (10.5)
	TOTALS*	22,287	18,268 (82.0)	3,927 (17.6)

Registered Voters

	District	Total	White (%)	Black (%)
Orange	I	2,622	2,382 (90.9)	238 (9.1)
Yellow	II	2,280	1008 (44.2)	1,272 (55.8)
Purple	III	3,380	3,368 (99.6)	12 (.4)
Blue	IV	2,452	2,205 (89.9)	244 (9.6)
Red	V	2,615	2,374 (90.8)	239 (9.1)
	TOTALS*	13,298	11,287 (84.9)	2005 (15.1)

*Total include persons of other origins

APPENDIX 3

SCHEDULE OF NEW ELECTIONS

1. All School Board members will be subject to election under the single member distrit election system described herein beginning with the regularly scheduled elections in 1986.

2. At the 1986 election, the representatives elected to the School Board Seats Nos. 2, 3, 4 and 5 will serve a four-year term. The representative elected from District No. 2*, previously District No. 1, will serve a two-year term. That representative previously elected from District No. 1, previously District No. 2, shall complete his regular four-year term of office through 1988. Thereafter all School Board members shall serve and be elected under four-year staggered terms.

* District No. 1 under this plan is presently District No. 2, and District No. 2 under this plan is presently District No. 1.

APPENDIX 4

LEGAL DESCRIPTION OF ELECTION PLAN

(All footages are approximations)

DISTRICT I (ORANGE ON MAP):

For a point of beginning, commence at the conjunction of the Suwannee River and U. S. Highway 129; thence continue southwesterly along U. S. Highway 129 to its intersection with the north city limit line of the City of Live Oak; thence continue west along the north city limit line of the City of Live Oak to its intersection with Lime Avenue; thence continue south along Lime Avenue to its intersection with U. S. Highway 90; thence continue northwest along U. S. Highway 90 to its intersection with the west city limit line of the City of Live Oak; thence continue south along the west city limit line of the City of Live Oak to its intersection with 8th Street; thence continue east along 8th Street to its intersection with Ontario Street; thence continue south along Ontario Street to its intersection with 11th Street (also known as State Road 136); thence continue east along 11th Street to its intersection with State Road 51 (also known as the Mayo Road); thence continue southwesterly along State Road 51 to its intersection with District Line Road; thence continue west along District Line Road to its intersection with Brown Road;

thence continue north along Brown Road to its intersection with State Road 136; thence continue west along State Road 136 to its conjunction with the Suwannee River; thence continue north and northeasterly along the Suwannee River to its conjunction with U. S. Highway 129 and the point of beginning.

DISTRICT II (YELLOW ON MAP):

For a point of beginning, commence at the intersection of U. S. Interstate 10 and U. S. Highway 129; thence continue southeasterly along U. S. Interstate 10 to its intersection with State Road 136 (also known as the White Springs Road); thence continue southwesterly along State Road 136 for approximately 5,000 feet to its intersection with a county-graded road (also known as the Sugar Hill Road); thence continue south along said county-graded road for approximately 3,000 feet to its intersection with Main Street (also known as the Old White Springs Road); thence continue past the east city limit line of the City of Live Oak west along Main Street to its intersection with Ingleside Street; thence continue north, northwesterly and west on Ingleside Street to its intersection with Jackson Avenue; thence

continue north on Jackson Avenue to Duval Street; thence continue west on Duval Street to Anna Avenue; thence continue south on Anna Avenue to its intersection with the Seaboard Coastline Railroad track; thence continue northwesterly along said railroad track to its intersection with Mussey Avenue; thence continue south on Mussey Avenue to its intersectionn with new U.S. Highway 90; thence continue northwesterly along new U.S. Highway 90 to its intersection with Railroad Avenue; thence continue south along Railroad Avenue to its intersection on old U.S. Highway 90; thence northwesterly along old U.S. Highway 90 to its intersection on U.S. Highway 129; thence southwesterly along U.S. Highway 129 to its intersection with 11th Street (also known as State Road 136); thence continue west along 11th Street to its intersection with Ontario Street; thence continue north along Ontario Street to its intersection with 8th Street; thence continue west along 8th Street to its intersection with the west city limit line of the City of Live oak; thence continue north along said west city limit line of the City of Live Oak to its intersection with U.S. Highway 90; thence continue southeasterly along U.S. Highway 90 to its intersection with Lime Avenue; thence continue northeasterly and north along Lime Avenue to its intersection with the north city limit line of the City of Live Oak; thence continue east along the north city line of the City of Live Oak to its intersection with U.S. Highway 129; thence continue

northeasterly along U. S. Highway 129 to its intersection with U. S. Interstate 10 and the point of beginning.

DISTRICT III (PURPLE ON MAP):

For a point of beginning, commence at the intersection of U. S. Highway 129 and U. S. Highway 90; thence continue southwesterly along U. S. Highway 129 to its intersection with 11th Street (also known as State Road 136); thence continue west along 11th Street to its intersection with State Road 51 (also known as the Mayo Road); thence continue southwesterly along the State Road 51 to its intersection with District Line Road; thence continue west along District Line Road to its intersection with Brown Road; thence continue north along Brown Road to its intersection with State Road 136; thence continue west along State Road 136 to its conjunction with the Suwannee River; thence continue south and southeasterly along the Suwannee River to its conjunction with the east range line of Range 12 East, in Township 5 South; thence continue north along the east range line of Range 12 East to its conjunction with State Road 349; thence continue north along State Road

349 to its intersection with the boundary line between Enumeration Districts 33 and 44 (also known as the Friendship Church Road); thence continue east, then north and then east again along the boundary line between Enumeration Districts 33 and 44, (which can also be described as continuing east along the Friendship Church Road to its intersection with Hughes Road; thence continuing north along Hughes Road to its intersection with Holmes Road; thence continuing east along Holmes Road) to its intersection with U. S. Highway 129; thence continue north along U. S. Highway 129 to its intersection with the south city limit line of the City of Live Oak; thence continue east along said south city limit line of the City of Live Oak to its intersection with Long Street; thence continue northeasterly and east along Long Street to its intersection with Railroad Avenue; thence continue north along Railroad Avenue to its intersection with U. S. Highway 90; thence continue northwest along U. S. Highway 90 to its intersection with U. S. Highway 129 and the point of beginning.

DISTRICT IV (BLUE ON MAP):

For a point of beginning, commence at the conjunction of

the Suwannee River with U. S. Highway 129; thence continue southwesterly along U. S. Highway 129 to its intersection with U. S. Interstate 10; thence continue southeasterly along U. S. Interstate 10 to its intersection with State Road 136 (also known as the White Springs Road); thence continue southwesterly along State Road 136 for approximately 5,000 feet to its intersection with a county-graded road (also known as the Sugar Hill Road); thence continue south along said county-graded road for approximately 3,000 feet to its intersection with Main Street (also known as Old White Springs Road); thence continue west along Main Street past the east city limit line of the City of Live Oak to Ingleside Street; thence continue north, northwesterly and west on Ingleside Street to its intersection with Jackson Avenue; thence continue north on Jackson Avenue to its intersection with Duval Street; thence continue west on Duval Street to Anna Avenue; thence continue south on Anna Avenue to its intersection with the Seaboard Coastline Railroad track; thence continue northwesterly along said railroad track to its intersection with Mussey Avenue; thence continue south on Mussey Avenue to its intersection with U. S. Highway 90; thence continue northwesterly along U. S. Highway 90 to its intersection with Railroad Avenue; thence

continue south along Railroad Avenue to its intersection with Long Street; thence continue west, southwesterly and south along Long Street to its intersection with the south city limit line of the City of Live Oak; thence continue west along said south city limit line of the City of Live Oak to its intersection with U. S. Highway 129; thence continue south along U. S. Highway 129 to its intersection with the boundary line between Enumeration Districts 43 and 45; thence continue east along the boundary line between Enumeration Districts 43 and 45 to its intersection with the Seaboard Coastline Railroad track; thence continue north along said railroad track to its intersection with the boundary line between Enumeration Districts 43 and 45; thence continue east along said boundary line to its intersection with State Road 49; thence continue south along State Road 49 to its intersection with the boundary line between Enumeration Districts 42 and 47; thence continue east, south and north along the boundary line between Enumeration Districts 42 and 47 to the boundary line between Columbia County and Suwannee County; thence continue north along the boundary line between Columbia County and Suwannee County to its conjunction with the Suwannee River; thence continue northwesterly along the Suwannee River to its

conjunction with U. S. Highway 129, and the point of beginning.

DISTRICT V (RED ON MAP):

For a point of beginning, commence at the intersection of U. S. Highway 129 and the boundary line between Enumeration Districts 33 and 44; thence continue west, south and west again along the boundary line between Enumeration Districts 33 and 44 to its intersection with State Road 349 (which may also be described as continuing west along Holmes Road to its intersection with Hughes Road; thence continuing south on Hughes Road to its intersection with what is commonly known as the Friendship Church Road; thence continuing west along Friendship Church Road to its intersection with State Road 349); thence continue south along State Road 349 to its conjunction with the northeast corner of Section 1, Township 5 South, Range 12 East; thence continue south along the east range line of Range 12 East to its conjunction with the Suwannee River; thence continue southeasterly along the Suwannee River to its conjunction with the Santa Fe River; thence continue northeasterly along the Santa Fe River to its conjunc-

tion with the Ichetucknee River; thence continue northeasterly and north along the Ichetucknee River to its conjunction with the boundary line between Columbia County and Suwannee County; thence continue west along said boundary line between Columbia County and Suwannee County to its intersection with the north-south boundary line between Columbia County and Suwannee County; thence continue north along said boundary line between Columbia County and Suwannee County to its intersection with the boundary line between Enumeration Districts 42 and 47; thence continue west, south and west again along the boundary line between Enumeration Districts 47 and 42 to its intersection with State Road 49; thence continue northwesterly along State Road 49 to its intersection with the boundary line between Enumeration Districts 43 and 45; thence continue west along the boundary line between Enumeration Districts 43 and 45 to the Seaboard Coastline Railroad track; thence continue south along said Seaboard Coastline Railroad track to its intersection with the boundary line between Enumeration Districts 43 and 45; thence continue west along the boundary line between Enumeration Districts 43 and 45 to its intersection with U. S. Highway 129; thence continue north along U. S. Highway 129 to its intersection with the boundary line between Enumeration Districts 33 and

44 (also known as Holmes Road), and the point of beginning.

RULES OF CONSTRUCTION

1. In the event of an ambiguity or conflict between the written description for each District and the boundary lines of that District as shown on the maps included in Appendix 1, the boundary lines shown on those maps shall prevail.

2. A reference in a call or course to a street, road or highway in the written description for each District shall be deemed to refer to the center line of that street, road or highway.

3. A reference in a call or course in the written description for each District to a river shall be deemed to refer to the thread of that river.

4. In the event of any ambiguity or error in the written description of the peripheral boundaries of Districts I, III, IV and V, those peripheral boundaries shall be construed in accordance with the provisions of §7.61, Florida Statutes (1983).

5. A road, highway, street, railroad track or Enumeration District boundary line may not actually intersect with another road, highway, street, railroad track or Enumeration District boundary line as provided for in the calls and courses contained in the written description for each District. In that event, for purposes of defining the boundaries and obtaining a closed curve description for each District, the center line of a road or track or the thread of a river shall be treated as extending to and intersecting with the road, highway, track or river next referred to in the written description for that District.

6. The parties acknowledge that the north end of Jackson Avenue is a dead end street that does not actually intersect Duval Street. For the purpose of defining the boundary line of District II, the center line of Jackson Avenue shall be deemed to be extended northward to its intersection with Duval Street.

7. The Enumeration District boundary lines referred to herein are those Enumeration District lines established on the basis of the 1980 census.

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF FLORIDA
PANAMA CITY DIVISION

CARLTON SMITH,
on behalf of himself and
all others similarly
situated,

Plaintiff,

vs.

MCA 86-2100-RV

THE CALHOUN COUNTY, FLORIDA
SCHOOL BOARD; DON A. O'BRYAN;
CLIFFORD NEWSOME; DOUG PRICE;
RONNY HAND; EUNICE HILL; in
their official capacity as
members of the CALHOUN COUNTY
SCHOOL BOARD, FLORIDA.

Defendants.

_____/

CONSENT JUDGMENT

On May 5, 1986 the above named Plaintiff filed a Complaint against the above named Defendants alleging that the at-large county-wide voting for members of the Calhoun County School Board, Calhoun County, Florida excludes black representation and participation and dilutes the voting strength of black citizens of Calhoun County, in violation of Plaintiff's rights as secured by the Voting Rights Act of 1965, as amended, 42 U.S.C. §1973 and the Civil Rights Act of 1871, 42 U.S.C. §1983.

EXHIBIT "A"

The Court, having reviewed the status of the action, and being aided by the recommendations of the Plaintiff's and Defendants' counsel, and being of the opinion that the best interests of all parties and all citizens of Calhoun County, Florida, would be served by approving this Consent Judgment, finds that said Judgment was entered into voluntarily by the parties, that it is a fair and reasonable settlement of this case, and that it should be approved.

IT IS THEREFORE ORDERED, ADJUDGED, AND DECREED AS FOLLOWS:

1. This decree extends to all issues regarding liability and remedy as set forth in the Complaint in this matter.

2. The class proposed by the Plaintiff is as follows:

> All black United States citizens who are residents of Calhoun County, Florida.

The prerequisites of Fed.R.Civ.P. 23(a) have been met:

(1) The class has approximately 1,132 persons in it. Numerosity is established.

(2 & 3) The Plaintiff's claims of vote dilution and illegality of the at-large election system are common with and typical of the claims of the class.

(4) The Plaintiff is an adequate class representative as demonstrated by his willingness to bring this action, by his ability to secure counsel expert in this area to prosecute it, and by his having successfully settled the case and securing full relief for the class.

In light of the above, the Court certifies the class as defined above.

3. This Court has jurisdiction over the suject matter of this action and the parties thereto.

4. That pursuant to relevant Florida constitutional and statutory provisions, all members of the Calhoun County School Board have been and are currently elected through county-wide at-large elections.

5. That due to a series of factors, including a past history of official racial discrimination in the State of Florida and certain social economic conditions of black citizens in Calhoun County, the at-large election system for the Calhoun County School Board employing partisan elections with party primaries having a majority vote runoff requirement, numbered places and anti-single shot voting requirements has the effect of diluting and minimizing the voting strength of black citizens of Calhoun County and thereby denying black citizens of Calhoun County an equal opportunity to participate in the political process and to elect candidates of their own choice, in violation of the Plaintiffs' rights as secured by, inter alia, the Voting Rights Act of 1965, as amended.

6. Defendants are hereby enjoined from providing future county-wide at-large elections for Calhoun County School Board members.

7. The parties further agree to establish a new election system consisting of five single-member districts. The boundaries for the five respective single-member districts are set forth in Exhibit 1, attached.

8. The population totals for the five districts are as follows:

District 1: 1,788

District 2: 1,898

District 3: 1,961

District 4: 1,874

District 5: 1,751

9. The terms of office of the persons who are now serving as members of the Calhoun County School Board for Districts 2, 3, 4, and 5 shall expire on the second Tuesday following the general election to be held in November of 1986. Districts 2, 3, and 5 shall run for new four year terms and District 4 shall run for a two-year term under the single-member district plan to be implemented in 1986. The regular scheduled four year term for District 4 will commence beginning after the fall 1988 elections. The term of office of the person who is now serving as member of the Calhoun County School Board for District 1 shall expire on the second Tuesday following the general election to be held in November of 1988, and he, along with the person serving in District 4, shall run for a new four year term under the single-

member district plan in 1988.

10. The nomination of candidates by each political party holding a primary election during any election year beginning in 1986 shall be by vote of only the qualified electors residing in the member district in which the candidate for that district must also reside. No qualified elector may vote in the general election for a candidate residing in any other member resident's district.

11. As the prevailing party in this action, Plaintiff is entitled, pursuant to the Voting Rights Act of 1965, as amended, 42 U.S.C. Sec. 1973L(e), and the Civil Rights Attorney Fees Award Act of 1976, 42 U.S.C. §1988, to an award of attorney fees and litigation expense reimbursement. The parties shall endeavor to resolve this issue amicably, and if unable to do so, the Court will determine the amount after the appropriate motion is filed by Plaintiff.

12. The Court shall retain jurisdiction of this action for a period of not less than five (5) years following implementation of the single-member district plan described above.

DONE AND ORDERED this 25th day of June, 1986.

ROGER VINSON
United States District Judge

Consent to the entry of this Judgment is hereby given for the parties by undersigned counsel:

THOMAS A. WARREN
Spriggs & Warren, P.A.
117 S. Martin Luther King
Tallahassee, Florida 32301
(904) 224-8700

Counsel for Plaintiff

DAVID HOUSE
McClellan & House, P.A.
119 River Street
Blountstown, FL 32424
(904) 674-5481

Counsel for Defendants

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF FLORIDA
PANAMA CITY DIVISION

WILLIE J. BATTLES, MARY L. BRUCE, EDDIE L. JOHNSON, PAUL HUNT and MARY L. CAREY, on behalf of themselves and all others similarly situated,

Plaintiffs,

vs

CIVIL ACTION NO.
MCA-84-2011

PANAMA CITY, FLORIDA; GIRARD CLEMONS, JR., Mayor; DONNA MORTLAND, EDGAR DAFFIN, MIKE NELSON, A. C. LITTLETON, JR., Commissioners of Panama City, Florida, their successors and agents, all in their official capacities,

Defendants.

FINAL JUDGMENT

On February 6, 1984, the above named Plaintiffs filed their Complaint against the above named Defendants alleging that at-large city-wide voting for members of the Panama City Commission excludes black representation and participation and minimizes and cancels out black voting strength in violation of their rights secured by the Voting Rights Act of 1965, as amended,

22

Pub. L. No. 97-205, Sec.3, 96 Stat. 134 (1982), amending 42 U.S.C. Sec. 1973, et seq. (hereafter "Voting Rights Act.").

The Court, having reviewed the status of this action, and being aided by the recommendations of the Plaintiffs' and Defendants' counsel, and being of the opinion that the best interest of all the parties and all the citizens of Panama City, Florida, would be served by approving the Final Judgment, and the Court having reviewed the Final Judgment tendered by Plaintiffs' and Defendants' counsel, finds that the said Judgment was entered into voluntarily by the parties, and that it should be approved,

IT IS THEREFORE, ADJUDGED AND DECREED AS FOLLOWS:

1. This decree extends to all issues set forth in the Complaint in this matter and to the class of Plaintiffs defined as all black residents of the city of Panama City, Florida.

2. This Court has jurisdiction over the subject matter of this action and the parties hereto.

3. All Plaintiffs allege that due to a series of factors, including a history of official racial discrimination within Panama City and the state of Florida, and racially polarized voting in elections within Panama City, the at-large

election system of the Panama City Commission has had the effect of denying the black citizens of Panama City an equal opportunity to participate in the political process and elect candidates of their own choice in violation of Plaintiffs' rights under the Voting Rights Act.

While Defendants do not admit the allegation, they have chosen not to contest same, believing settlement to be in the best interest of all parties.

4. Defendants are enjoined from providing municipal at-large elections in a manner which violates the Voting Rights Act.

5. The attached "Map of Election Districts", Appendix 1, sets forth the plan for Panama City, Florida, to conduct municipal elections for the members of the City Commission in accordance with the Voting Rights Act. Therefore, the Court finds that the "Election District" contained in Appendix 1 as well as Appendices 2 and 3, as submitted, is a proper remedy in this action, and is adopted and incorporated by reference into this Final Judgment as attached.

All elections henceforth shall proceed on a single member district basis; that is, all candidates must reside in the district for which they seek election and only voters in that

particular district shall cast ballots for the particular candidates running in that district, with the exception of the mayor-commissioner, who shall run at large. The present Charter provisions of the City shall govern the election of the mayor-commissioner-at-large.

A commission candidate must obtain a majority of those votes cast in order to be deemed the winner of that district election. In the event that no candidate obtains a majority, those two candidates who obtain the two hightest number of votes shall run in a second run-off election and the candidate obtaining the most votes in the run-off election shall be deemed the winner.

6. That all provisions of the Charter of Panama City, Florida, the Code of Panama City, Florida, and all ordinances which are inconsistent or in conflict herewith be and the same shall be construed and applied in a manner consistent with this Final Judgment.

7. (a) As the prevailing party in this action, Plaintiffs are entitled, pursuant to the Voting Rights Act of 1965, as amended, 42 U.S.C. Sec. 1973 (e) and Civil Rights Attorney Fees Awards Act of 1976, 42 U.S.C. Sec. 1988, to an award of an attorney fees and litigation expense reimbursement.

(b) The parties will attempt to resolve the attorney fees and litigation expense reimbursement. In the event the parties have resolved this issue, the Court shall be so informed and all attorney fees and costs for Plaintiffs' counsel shall be payable to Plaintiffs by Defendants within twenty 20) days after the execution of the Final Judgment.

(c) In the event the parties have not agreed on the amount of Plaintiffs' attorney fees and litigation expenses, Plaintiffs shall file with the Court within twenty (20) days from issuance of the Court's Final Judgment appropriate fee/expense submissions and accompanying memoranda as to this issue. Defendants shall respond within twenty (20) days from Plaintiffs' filing. The Court shall then enter an appropriate order granting Plaintiffs' attorney fees and litigation expenses consistent with the parties' submissions.

8. Upon this Court entering an Order Awarding Attorney Fees, this litigation is terminated and the action is hereby dismissed.

ORDERED AND ADJUDGED this 11th day of January,

1985.

Roger Vinson

UNITED STATES DISTRICT JUDGE

ACCEPTED AND APPROVED BY:

Rowlett W. Bryant
Rowlett W. Bryant
BRYANT, HIGBY & WILLIAMS
Post Office Box 124
Panama City, Florida 32402

904/763-1787

DATED 1-8-85

ATTORNEYS FOR DEFENDANTS

David M. Lipman
David M. Lipman
LIPMAN & WEISBERG
5901 S. W. 74 Street
Suite 304
Miami, Florida 33143-5186
305/662-2600

DATED 1-10-1985

ATTORNEYS FOR PLAINTIFFS

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF FLORIDA
PANAMA CITY DIVISION

WILLIE J. BATTLES, MARY L. BRUCE, EDDIE L. JOHNSON, PAUL HUNT and MARY L. CAREY, on behalf of themselves and all others similarly situated,

Plaintiffs,

vs

CIVIL ACTION NO.
MCA-84-2011

PANAMA CITY, FLORIDA; GIRARD CLEMONS,JR., Mayor; DONNA MORTLAND, EDGAR DAFFIN, MIKE NELSON, A. C. LITTLETON, JR., Commissioners of Panama City, Florida, their successors and agents, all in their official capacities,

Defendants.

APPENDIX
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APPENDIX 1

MAP OF REDISTRICTING PLAN ATTACHED

(Map attached to Appendices)

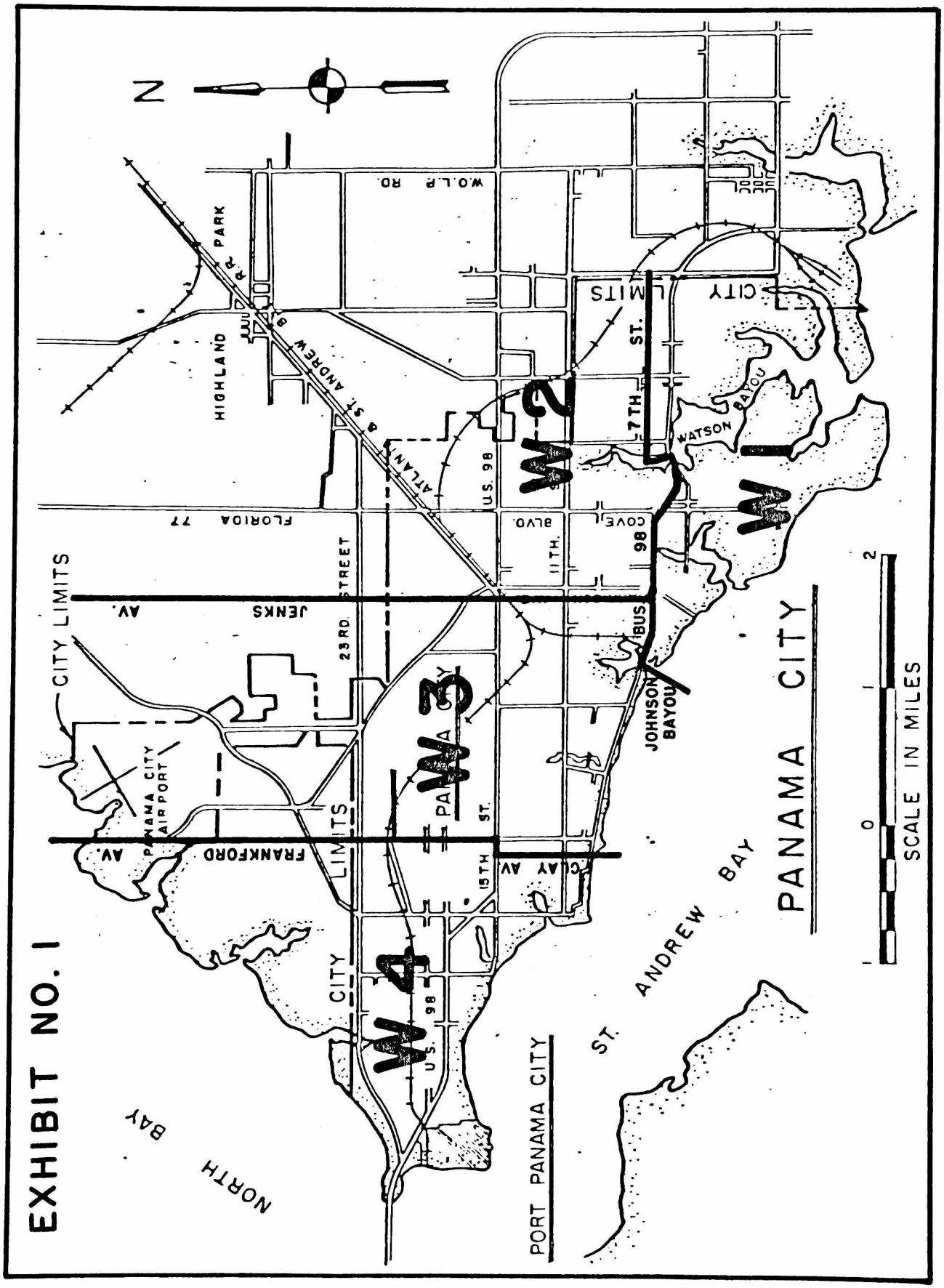
EXHIBIT NO. 1
N
W.O.L.P. RD.
HIGHLAND PARK
ATLANTIC & ST. ANDREW B.R.R.
U.S. 98
FLORIDA 77
CITY LIMITS
JENKS AV.
23RD. STREET
11TH. BLVD.
COVE
98 BUS
7TH ST.
WATSON BAYOU
JOHNSON BAYOU
PANAMA CITY AIR PORT
FRANKFORD AV.
CITY LIMITS
PANAMA CITY
15TH ST.
CAY AV.
W1
W2
W3
W4
PANAMA CITY
ST. ANDREW BAY
PORT PANAMA CITY
NORTH BAY
SCALE IN MILES
0
1
2

APPENDIX 2

DEMOGRAPHIC DATA REFLECTING POPULATION AND VOTER REGISTRATION BY DISTRICT

District	Total Population	White	(%)	Black	(%)
W1	8241	7253	(91.3)	718	(8.7)
W2	7965	2002	(25.1)	5963	(74.9)
W3	8488	7079	(83.4)	1409	(16.6)
W4	8469	7902	(93.3)	567	(6.7)

APPENDIX 3

SCHEDULE FOR NEW ELECTIONS

The qualifications of candidates and the election of commissioners as provided in the Charter of the City for the position of mayor-commissioners and commissioners from Wards 1, 2, 3 and 4 is enjoined, and the qualification of candidates and their election to office shall be conducted in the following manner:

1. All commission candidates for Wards 1, 2, 3 and 4 and mayor-commissioner-at-large shall qualify as candidates for their respective offices with the City Clerk, on the City's regular business days and during its regular business hours within the period commencing forty-five (45) days but not later than thirty (30) days before the nominating primary election. The nominating primary election shall be held on April 30, 1985, and the regular municipal election shall be held on May 7, 1985. For all succeeding election years, the nominating primary election shall be held on the last Tuesday in April and the regular municipal election on the First Tuesday of May.

2. The terms of office of mayor-commissioner and commissioners from Wards 2 and 3 shall end at 12:00 noon on Friday following the first Tuesday of May, 1987. The terms of office of Wards 1 and 4 shall terminate at 12:00 noon on Friday following the first Tuesday of May, 1989.

APPENDIX 4

District W1 - Commencing in the west at the intersection of Johnson Bayou and Beach Drive, east on Beach Drive to 6th Street; east on 6th Street (Business 98) to Watson Bayou; north along Watson Bayou to 7th Street; east on 7th Street to east City limits; south on east City limits to shore line; west along shore line to Johnson Bayou inlet (point of origin).

District W2 - Commencing in the southwest at the intersection of Jenks Avenue and 6th Street (Business 98), north on Jenks Avenue to north City limits; east on north City limits to east City limits; south on east City limits to 7th Street; west on 7th Street to Watson Bayou; south along Watson Bayou to 6th Street (Business 98); west on 6th Street to Jenks Avenue (point of origin).

District W3 - Commencing in the southwest at the intersection of the shore line and Clay Avenue, north on Clay Avenue to 15th Street; east on 15th Street to Frankford Avenue; north on Frankford Avenue to north City limits; along City limits to Jenks Avenue; south on Jenks Avenue to 6th Street (Business 98); west on 6th Street to Beach Drive; west on Beach Drive to Johnson Bayou inlet; south along Johnson Bayou inlet to shore line; west along shore line to Clay Avenue (point of origin).

District W4 - Commencing in the southeast at the intersection of Clay Avenue and the shore line, north on Clay Avenue to 15th Street; east on 15th Street to Frankford Avenue; north on Frankford Avenue to shore line; west, south and east along shore line to Clay Avenue (point of origin).

IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRCIT OF FLORIDA
JACKSONVILLE DIVISION

HAMILTON COUNTY BRANCH OF THE NATIONAL ASSOCIATION FOR THE ADVANCEMENT OF COLORED PEOPLE; LEON DANIELS, MATTHEW HAWKINS, SANDRALENE HAWKINS, ARLENE DANIELS, JAMES SOWELL, LONNIE MILLER, and BILLY SIMON, on behalf of themselves and all others similarly situated,

Plaintiffs,

vs.

CIVIL ACTION NO.
84-644-CIV-J-14

HAMILTON COUNTY, FLORIDA; JOEL SELPH, Chairman Commissioner; WENDELL WYNN, W. J. VINSON, DURWOOD MORGAN and DAVID GOOLSBY, Commissioners of Hamilton County, Florida, their successors and agents, all in their official capacities,

Defendants.

FINAL JUDGMENT

On June 25, 1984, the Hamilton County Branch of the National Association for the Advancement of Colored People and the above named Plaintiffs filed their Complaint against the above named Defendants alleging that at-large county-wide voting for members of the Hamilton County Commission excludes black representation and participation and minimizes and cancels out black voting strength in violation of their rights secured by

the Voting Rights Act of 1965, as amended, Pub. L. No. 97-205, §3, 96 Stat. 134 (1982), amending 42 U. S. C. §1973, et. seq. (hereinafter " Voting Rights Act").

The Court, having reviewed the status of the this action and being aided by the recommendations of the Plaintiffs' and Defendants' counsel, and being of the opinion that the best interest of all the parties and all the citizens of Hamilton County, Florida, would be served by approving the Final Judgment, and the Court having reviewed the Final Judgment tendered by Plaintiffs' and Defendants' counsel, finds that said Judgment was entered into voluntarily by the parties, and that it should be approved.

IT IS THEREFORE, ADJUDGED AND DECREED AS FOLLOWS:

1. This decree extends to all issues set forth in the Complaint in this matter and to the class of Plaintiffs defined as all black residents of Hamilton County, Florida.

2. This Court has jurisdiction over the subject matter of this action and the parites thereto.

3. That pursuant to the Florida Constitution, Art. 8, §5, Hamilton County has provided for the election of all members of the Hamilton County Commission through at-large elections.

4. That due to a series of factors including a history of official racial discrimination within Hamilton County and the State of Florida, certain socio-economic conditions of black citizens in Hamilton County and racially polarized voting in elections within Hamilton County, the at-large election system for the Hamilton County Commission has had the effect of denying black citizens of Hamilton County an equal opportunity to participate in the political process and elect candidates of their own choice in violation of Plaintiffs' rights under the Voting Rights Act.

5. Defendants are enjoined from providing county-wide at-large elections in a manner which violates the Voting Rights Act.

6. The attached "Election Plan," Appendices 1 through 4, sets forth the mechanism and schedule for the Hamilton County Commission, Florida, to conduct future elections for the members of the Commission in accordance with the Voting Rights Act. At the time this Court approves this Final Judgment, an accompanying Order will provide for the schedule of elections for County Commission Seats No. 1, 3 and 5 under the single member district election system described herein consistent with this Court's August 16, 1984 Order.

Therefore, the Court finds that the "Election Plan" as submitted is a proper remedy in this action, and is adopted and incorporated by reference into this Final Judgment as attached. All elections henceforth will proceed on a single

district basis; that is, all candidates in future elections must reside in the single member election District for which they seek election and only voters residing in that particular District shall cast ballots for the particular candidate running in that District.

7. a. As the prevailing party in this action, Plaintiffs are entitled, pursuant to the Voting Rights Act of 1965, as amended, 42 U. S. C. §1973(e), to an award of attorney fees and litigation expense reimbursement.

b. The parties will attempt to resolve the attorney fees and litigation expense reimbursement. In the event the parties have resolved this issue, the Court shall be so informed and all attorney fees and costs for Plaintiffs' counsel shall be payable to Plaintiffs by Defendants within twenty (20) days after the execution of the Final Judgment.

c. In the event the parties have not agreed on the amount of Plaintiffs' attorney fees and litigation expenses, Plaintiffs shall file with the Court within twenty (20) days from issuance of the Court's Final Judgment appropriate fee/expense submissions and accompanying memoranda as to this issue. Defendants shall respond within twenty (20) days from Plaintiffs' filing. The Court shall then enter appropriate Order granting Plaintiffs' attorney fees and litigation expenses consistent with the parties; submissions.

8. Upon this Court entering an Order Awarding Attorney Fees, this litigation is deemed closed and removed from the pending docket of this Court.

ORDERED AND ADJUDGED this 25 day of June, 1985.

UNITED STATES DISTRICT JUDGE

AGREED AND CONSENTED TO:

JOHN H. MC CORMICK
W. ARVEL DRURY

MC CORMICK & DRURY
2nd St. at 2nd Ave., N.E.
Jasper, Florida 32052

ATTORNEYS FOR DEFENDANTS

DATED: JUNE 25, 1985

ROBERT E. WEISBERG, ESQ.
DAVID M. LIPMAN

LIPMAN & WEISBERG
5901 S.W. 74 Street
Suite 304
Miami, Florida 33143-5186
(305) 662-2600

ATTORNEYS FOR PLAINTIFFS

DATED: May 9, 1985

0097P

IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF FLORIDA
JACKSONVILLE DIVISION

HAMILTON COUNTY BRANCH OF THE NATIONAL ASSOCIATION FOR THE ADVANCEMENT OF COLORED PEOPLE; LEON DANIELS, MATTHEW HAWKINS, SANDRALENE HAWKINS, ARLENE DANIELS, JAMES SOWELL, LONNIE MILLER, and BILLY SIMON, on behalf of themselves and all others similarly situated,

Plaintiffs,

vs.

CIVIL ACTION NO.
84-644-CIV-J-14

HAMILTON COUNTY, FLORIDA; JOEL SELPH, Chairman Commissioner; WENDELL WYNN, W. J. VINSON, DURWOOD MORGAN and DAVID GOOLSBY, Commissioners of Hamilton County, Florida, their successors and agents, all in their official capacities,

Defendants.

_____/

APPENDIX

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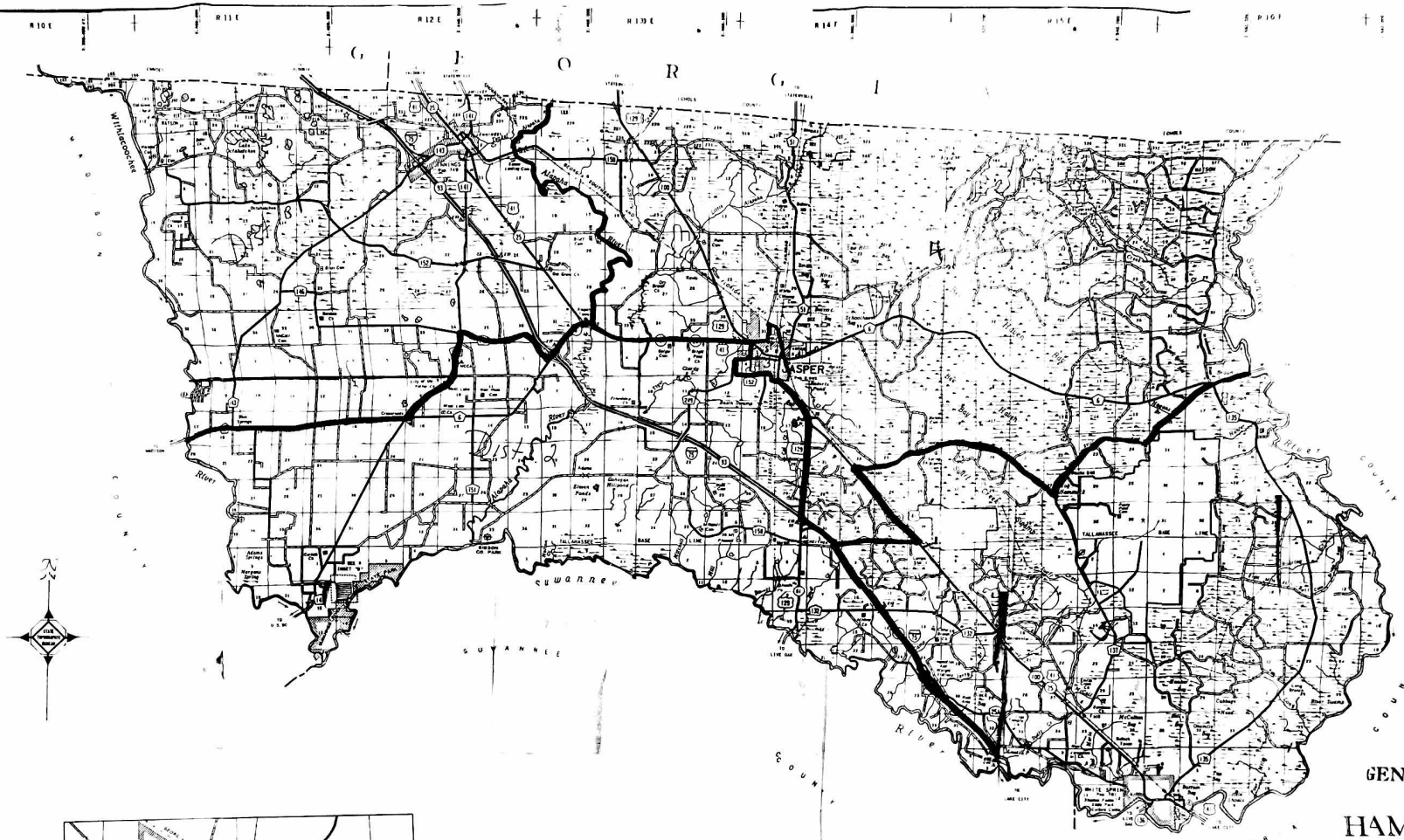
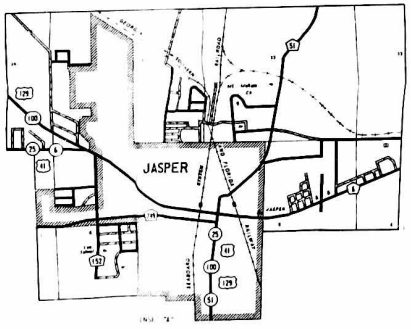
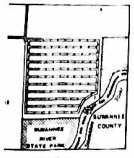
APPENDIX 1

Map of Election Districts







GENERAL LEGEND

GENERAL HIGHWAY MAP

HAMILTON COUNTY

FLORIDA

PREPARED BY THE
STATE TOPOGRAPHIC BUREAU
FOR THE
DIVISION OF TRANSPORTATION PLANNING
STATE OF FLORIDA
DEPARTMENT OF TRANSPORTATION
IN COOPERATION WITH THE
U.S. DEPARTMENT OF TRANSPORTATION
FEDERAL HIGHWAY ADMINISTRATION

SCALE

JUNE, 1978

REVISIONS

REPRINTED OCT 1985

APPENDIX 2

DEMOGRAPHIC DATA REFLECTING POPULATION AND VOTER REGISTRATION BY DISTRICT

Population

	Total Pop.	White	(%)	Black	(%)
District No. 1	1809	1067	(58.98)	742	(41.02)
District No. 2	1669	1249	(74.83)	420	(25.2)
District No. 3	1927	641	(33.26)	1286	(66.7)
District No. 4	1783	1114	(62.47)	669	(37.5)
District No. 5	1752	1456	(83.10)	296	(16.6)
Totals	8940	5527	(61.82)	3413	(38.2)

APPENDIX 3

SCHEDULE AND METHOD OF NEW ELECTIONS

1. The Hamilton County Commission shall consist of five (5) commissioners. In all future elections, each candidate shall reside in the district which they seek to represent. Electors residing in each district may vote for the candidate representing their district.

2. With the exception of the individuals elected to Seats No. 1, 3 and 5, pursuant to the Court's Order accompanying this Final Judgment, all elected commissioners thereafter will be elected for a four (4) year term.

3. The schedule of the elections under the district plan are as follows:

a. District No. 1 - This seat shall be occupied by Joel Selph, one of the current county commission members, until the election is held for this seat as set forth in the Order accompanying this Final Judgment. The individual elected pursuant to the Court Order accompanying this Final Judgment will serve until November 14, 1988.

b. District No. 2 - This seat will be occupied by Wendell Wynn, one of the current county commission members, until November 10, 1986. The newly elected individual who takes office on November 11, 1986, must reside in the district and shall serve a four-year term.

c. District No. 3 - This seat shall be occupied by W. J. Vinson, one of the current county commission members, until the election is held for this seat as set forth in the Order accompanying this Final Judgment. The individual elected pursuant to the Court Order accompanying this Final Judgment will serve until November 14, 1988.

d. District No. 4 - This seat will be held by Durwood Morgan, one of the current county commission members, until November 10, 1986. The newly elected individual who takes office on November 11, 1986, must reside in the district and shall serve a four year term.

e. District No. 5 - This seat will be occupied by David Goolsby, one of the current county commission members, until the election is held for this seat as set forth in the Order accompanying this Final Judgment. The individual elected pursuant to the Court Order accompanying this Final Judgment will serve until November 14, 1988.

APPENDIX 4

Legal Description of Election Plan Districts

District 1 contains all territory located in Hamilton County, Florida within the following boundaries:

1. Begin where Alapaha River intersects with the Florida State line, only those people living West of the river are eligible for inclusion in District 1
2. Proceed South along river to S.R. 6
3. Proceed West along C.R. 6 to intersection with C.R. 146
4. Proceed West along C.R. 146 to intersection with C.R. 141
5. Proceed South along C.R. 141 to intersection with C.R. 6
6. Proceed West along C.R. 6 to Withlacoochee River
7. Proceed North on river to Florida State line
8. Proceed East along state line to point of origin.

District 2 contains all territory located in Hamilton County, Florida within the following boundaries:

1. Begin where I-75 crosses Suwannee River (at county line)
2. Proceed Northwesterly along I-75 to intersection with S.R. 51
3. Proceed North on S.R. 51 to intersection with U.S. 41
4. Proceed North along U.S. 41 to Jasper City Limits.
5. Proceed to the West along the City Limits to Central Avenue Southeast.
6. Proceed North on Central Avenue southeast to 10th Street Southwest.
7. Proceed West on 10th Street Southwest to imaginary line extending South from Robin Avenue.
8. Proceed to the North along latter imaginary line to intersection of Robin Avenue and 1st Street Southwest.

(District 2 continued)

9. Proceed to the East along 1st Street Southwest to intersection with 15th Avenue Southwest.

10. Proceed to the North along 15th Avenue Southwest to Hatley Street

11. Proceed to the East along Hatley Street to intersection with 6th Avenue Northwest

12. Proceed to the North along 6th Avenue Northwest to 4th Street Northwest

13. Proceed along 4th Street Northwest to the West to intersection with U.S. 41

14. Proceed to the West along U.S. 41 to intersection with S.R. 6

15. Proceed to the South and West along the boundaries delimiting District 1 to the intersection of C.R. 6 and the Withlacoochee River

16. Proceed along the Withlacoochee River to the South until it intersects with the Suwannee River

17. Proceed to the East along the Suwannee River to its intersection with I-75, which is the point of origin for these boundaries.

District 3 contains all territory located in Hamilton County, Florida within the following boundaries:

1. Begin at the intersection of 6th Avenue Northwest and 4th Street Northwest

2. Proceed to the East along 4th Street Northwest to intersection 5th Avenue Northwest

3. Proceed North along 5th Avenue Northwest to the railroad tracks

4. Proceed Southeasterly along the railroad tracks to the Jasper City limits

5. Proceed Southeasterly further along the tracks to the Jasper City limits

6. Proceed to the South along the City limits to their Southeastern-most point

(District 3 continued)

7. Proceed to the West along the City limits to Central Avenue Southeast

8. Proceed North on Central Avenue Southeast to 10th Street Southwest

9. Proceed to the West on 10th Street Southwest to imaginary line extending South from Robin Avenue and then to the North along this line to the intersection of Robin Avenue and 1st Street Southwest

10. Proceed to the East on 1st Street Southwest to intersection with 15th Avenue Southwest.

11. Proceed to the North along 15th Avenue Southwest to Hatley Street

12. Proceed to the East along Hatley Street to intersection with 6th Avenue Northwest.

13. Proceed North on 6th Avenue Northwest to 4th Street Northwest which is the point of origin for these boundaries.

District 5 contains all territory located in Hamilton County, Florida within the following boundaries:

1. Begin where Alapaha River crosses Florida state line

2. Proceed South along river until it intersects with State Road 6

3. Proceed East on State Road 6 to intersection West 4th Street Northwest Jasper

4. Proceed East along 4th Street Northwest to its intersection with 5th Avenue Northwest

5. Proceed North along 5th Avenue Northwest to railroad tracks

6. Proceed Southeasterly direction along railroad tracks to Hatley Street.

7. Proceed Southeast along railroad tracks to their intersection with city limits

8. Proceed South along city limits to the Southeastern-most point

9. Proceed West along city limits to U.S. 41.

(District 5 continued)

10. Proceed to Southeast along U.S. 41 to its intersection with State Road 51

11. Proceed to South along State Road 51 to its intersection with I-75

12. Proceed to Southeast along I-75 to the dirt road located on Tallahassee baseline

13. Proceed East along this road to State Road 25

14. Proceed to Northwest along State Road 25 to its intersection with County Road 137

15. Proceed to East along County Road 137 to its intersection with Blacks Still Road

16. Proceed Northeast along this road to County Road 135

17. Proceed North along County Road 135 to County Road 6

18. Proceed East along County Road 6 to intersection of Suwannee River

19. Proceed to North along River to the State Line

20. Proceed West along the State Line to the point of origin.

District 4 contains all territory located in Hamilton County, Florida within the following boundaries:

1. Begin where the Suwanee River intersects with I-75.

2. Proceed to Northwest along I-75 to the dirt road located at the Tallahassee base line

3. Proceed to the East and North along boundaries described for District 5 until County 6 crosses the Suwannee River

4. Proceed along Suwannee River to the South and West to the point of origin located at intersection of Suwannee River and I-75.

FILED

IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF FLORIDA
JACKSONVILLE, FLORIDA

JUN 29 9 41 AM '89
CLERK U.S. DISTRICT COURT
MIDDLE DISTRICT OF FLORIDA
JACKSONVILLE, FLORIDA

MR 115/1517

BRADFORD COUNTY BRANCH OF THE NAACP, ELIZABETH G. WALKER, JIMMIE L. SCOTT, CAROLYN B. SPOONER and MAURICE J. WHITE, on behalf of themselves and all others similarly situated,

Plaintiffs,

vs. CIVIL ACTION: 86-5-CIV-J-12

CITY OF STARKE, FLORIDA, MAYOR CHARLES SCHAFFER, CITY COMMISSIONERS BOBBY BIGGS, FERNON SILCOX, TRAVIS WOODS and JIMMY CROSBY, their successors and agents all in their official capacities,

Defendants.
_____/

FINAL ORDER ON REMEDIAL ELECTION PLAN

THIS COURT has previously entered its Findings of Fact and Conclusions of Law in which the Court concluded that the at-large election system used to elect the City of Starke City Commission operates in a manner which violates Section 2 of the Voting Rights Act, 42 U.S.C. §1973. The Court further instructed the parties to file submissions directed to the remedy aspect of this case.

The parties have now submitted to the Court a Joint Motion to Adopt Final Remedial Election Plan which includes

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the geographical boundaries of the five proposed election districts.

The Court having reviewed the status of this action, and being aided by the recommendations of Plaintiffs' and Defendants' counsel, and being of the opinion that the best interest of the parties and the citizens of the City of Starke, Florida would be served by approving the jointly proposed Final Order on Remedial Election Plan submitted by the parties, the Court finds that the proposed motion shall be granted.

IT IS THEREFORE ORDERED AND ADJUDGED as follows:

1. The Defendants shall conduct future elections for the Starke City Commission under a five single member district election system. All candidates in future elections must reside within the geographical boundaries of their city commission district and only city voters in that particular district may cast ballots for the particular candidate of their choice running in their commission district.

2. The geographical boundaries of the five city commission districts shall be in accordance with the district map attached hereto as Exhibit "A" and incorporated herein by reference. These districts are more particularly described

as follows:

District 1:

All that portion of the Corporate Limits of the City of Starke lying within the following described line: Commence at the intersection of the centerline of County Road 100-A (Edwards Road) with the Easterly boundary of the SW1/4 of SW1/4 of Section 29, Township 6 South, Range 22 East, for the Point of Beginning and run Easterly, along said centerline, to an intersection with the centerline of Orange Street; thence Northerly, along said centerline, to an intersection with the centerline of Weldon Street (County Road 229-A); thence Easterly, along last said centerline, to an intersection with the centerline of State Road 16 (Brownlee Street); thence Southeasterly along last said centerline, to an intersection with the centerline of Walnut Street, thence Southwesterly, along last said centerline, to an intersection with the centerline of Call Street (State Road 230); thence Southeasterly, along last said centerline, to an intersection with a Northerly prolongation of the centerline of Colley Road; thence Southerly, along last said centerline, to an intersection with the centerline of Wilson Road; thence Easterly, along last said centerline, to an intersection with the Easterly boundary of the W1/2 of Section 34; thence Southerly, along last said Easterly boundary and along the Easterly boundary of the N1/4 of SW1/4 of said Section 34 to the Southeast corner thereof; thence Westerly, along the Southerly boundary thereof, along the Southerly boundary of the N1/4 of the S1/2 of Section 33, along the Southerly boundary of the N1/4 of the SE1/4 of Section 32 and along the Southerly boundary of the NE1/4 of NE1/4 of SW1/4 of said Section 32, to the Southwest corner thereof; thence Southerly, along the Westerly boundary of the E1/2 of NE1/4 of SW1/4, to the Southwest corner thereof; thence Westerly, along the Southerly boundary of the NE1/4 of SW1/4, to an intersection with a line 1000 feet Westerly of when measured at right angles to the Westerly boundary of the right of way of State Road 200 (U.S. 301); thence South 33 degrees, 48 minutes and 44 seconds West, along said line, 1001.86 feet; thence North

88 degrees, 40 minutes and 25 seconds East, 1222.85 feet to the aforesaid Westerly boundary of the right of way of State Road 200; thence South 33 degrees, 48 minutes and 44 seconds West, along last aforesaid Westerly boundary, 73.36 feet; thence South 88 degrees, 40 minutes and 25 seconds West, 1222.85 feet to the aforesaid line, being 1000 feet Westerly of the Westerly boundary of the right of way of State Road 200; thence South 33 degrees, 48 minutes and 44 seconds West, along said line and along a Southwesterly prolongation thereof, 3880.00 feet to an intersection with the North line of the South 20 feet of the NE1/4 of said Section 6; thence South 88 degrees, 41 minutes and 08 seconds West, along last aforesaid Northerly line, 1029.51 feet to a concrete monument on the West line of said NE1/4 of Section 6; thence North 1 degree, 27 minutes and 29 seconds West, along said West line, 2585.80 feet to the centerline of Alligator Creek; thence run along the centerline of Alligator Creek the following courses and distances: North 80 degrees, 21 minutes and 22 seconds East, 206.38 feet; South 86 degrees, 50 minutes and 51 seconds East, 136.14 feet; North 38 degrees, 15 minutes and 55 seconds East, 175.83 feet; North 25 degrees, 54 minutes and 10 seconds East, 157.81 feet; North 33 degrees, 27 minutes and 44 seconds East, 1150.34 feet; North 20 degrees, 07 minutes and 42 seconds East, 511.69 feet; North 33 degrees, 07 minutes and 08 seconds East, 1006.64 feet; North 32 degrees, 47 minutes and 19 seconds East, 1000.00 feet; North 31 degrees, 36 minutes and 29 seconds East, 507.20 feet; North 51 degrees, 55 minutes and 36 seconds East, 313.39 feet; thence North 80 degrees, 21 minutes and 02 seconds East, 736.24 feet to the Westerly line of the SE1/4 of NW1/4 of said Section 32; thence Northerly, along the Westerly boundary of the E1/2 of NW1/4, to the Point of Beginning.

District 2:

The district in the northeastern quadrant of the City bounded by the city limits on the north and the east, by the south side of State Road 16 to the South, and bounded by the Seaboard System railroad tracks to the west.

District 3:

All that portion of the Corporate Limits of the City of Starke lying within the following described lines: Commence at the intersection of the Northerly boundary of said Corporate Limits with the centerline of the CSX Transportation Railroad for the Point of Beginning and run Southerly, along said centerline, to an intersection with the centerline of Brownlee Street (State Road 16); thence Northwesterly, along last said centerline, to an intersection with the centerline of Weldon Street (County Road 229); thence Westerly, along last said centerline, to an intersection with the centerline of Orange Street; thence Southerly, along last said centerline, to an intersection with the centerline of Pratt Street; thence Westerly and Southerly along last said centerline, to an intersection with the centerline of State Road 100; thence Westerly, along last said centerline, to an intersection with the Easterly boundary of the NW1/4 of SW1/4 of Section 29, Township 6 South, Range 22 East; thence Northerly, along last said Easterly boundary and along the Easterly boundary of the W1/2 of NW1/4 of said Section 29, to the Northerly boundary of said Section 29; thence Easterly, along last said Northerly boundary, to the Westerly boundary of the E1/2 of Section 20; thence Northerly, along last said Westerly boundary, to the Northerly boundary of said Section 20, being the Northerly boundary of said Corporate Limits; thence Easterly, along the Northerly boundary of said Corporate Limits, to the Point of Beginning.

District 4:

All that portion of the Corporate Limits of the City of Starke lying within the following described lines: Commence at the intersection of the Easterly boundary of said Corporate Limits with the centerline of Brownlee Street (State Road 16) for Point of Beginning and run Westerly, along said centerline to an intersection with the centerline of Walnut Street; thence Southwesterly, along last said centerline, to an intersection with the centerline of Call Street (State Road 230); thence

Southeasterly, along last said centerline, to an intersection with a Northerly prolongation of the centerline of Colley Road; thence Southerly, along last said centerline, to an intersection with the centerline of Wilson Road; thence Easterly, along last said centerline to an intersection with the aforesaid Easterly boundary of the Corporate Limits; thence Northerly, along said Easterly boundary, to the Point of Beginning.

District 5:

All that portion of the Corporate Limits of the City of Starke lying within the following described lines: Commence at the intersection of the centerline of Orange Street with the centerline of Edwards Road for the Point of Beginning and run Westerly, along last said centerline, to the Westerly boundary of the E1/2 of SW1/4 of said Section 29; thence Northerly, along said Westerly boundary, to an intersection with the centerline of State Road 100; thence Easterly, along said centerline, to an intersection with a Southerly prolongation of the centerline of Pratt Street; thence Northerly and Easterly, along said centerline, to an intersection with the centerline of Orange Street; thence Southerly, along last said centerline, to the Point of Beginning.

Together with the following described parcels: A parcel of land lying partly in the NW1/4 of SW1/4 of Section 29 and partly in the NE1/4 of SE1/4 of Section 30, all in Township 6 South, Range 22 East, Bradford County, Florida, and being more particularly described as follows: Commence at the Southeast corner of said NW1/4 of SW1/4 and run North 02 degrees, 10 minutes West, along the Easterly boundary thereof, 897.6 feet to the centerline of State Road 100; thence South 89 degrees, 08 minutes West, along said centerline, 71.9 feet; thence South 01 degree, 04 minutes East, 50.2 feet to the Southerly boundary of the right of way of State Road 100 for the Point of Beginning. From Point of Beginning thus described, continue South 01 degree, 04 minutes East, 400.8 feet; thence South 89 degrees, 37 minutes West, 904.6 feet; thence North 74 degrees, 13 minutes West, 472.6

feet; thence North 07 degrees, 19 minutes West, 293.7 feet to said Southerly boundary; thence in an Easterly direction, along said Southerly boundary, 1390 feet, more or less, to the Point of Beginning. All being and lying in Sections 29 and 30, Township 6 South, Range 22 East, Bradford County, Florida. Also described as: A part of the NW1/4 of SW1/4 of Section 29 and the NE1/4 of SE1/4 of Section 30, Township 6 South, Range 22 East, Bradford County, Florida, being more particularly described as follows: Commence at the intersection of the East boundary of said NW1/4 of SW1/4 and the South right of way line of State Road No. 100 (100' R/W) and run thence South 87 degrees, 58 minutes and 39 seconds West, along said right of way line, 99.86 feet to the Point of Beginning; thence continue South 87 degrees, 58 minutes and 39 seconds West, along said right of way line, 768.17 feet to the beginning of a curve concave Northerly and having a radius of 5779.60 feet; thence Westerly, along the arc of said curve through a central angle of 06 degrees, 10 minutes and 10 seconds, an arc distance of 622.33 feet; thence South 08 degrees, 34 minutes and 03 seconds East, 294.48 feet; thence South 75 degrees, 28 minutes and 03 seconds East, 472.77 feet; thence North 88 degrees, 24 minutes and 41 seconds East, 904.76 feet; thence North 02 degrees, 20 minutes and 02 seconds West, 400.66 feet to the point of beginning.

Lakewood, as per plat recorded in Plat Book 3, Pages 57 and 58 of the public records of Bradford County, Florida (See recorded plat for metes and bounds description.)

A parcel of land lying in the NW1/4 of SW1/4 of Section 29, Township 6 South, Range 22 East, Bradford County, Florida; said parcel being more particularly described as follows: Commence at an intersection of the Eastely boundary of said NW1/4 of SW1/4 with the Southerly boundary of the right of way of State Road 100 (100' R/W) for Point of Beginning and run South 87 degrees, 58 minutes and 39 seconds West, along said Southerly boundary, 99.86 feet; thence South 02 degrees, 20 minutes and 02 seconds East, 100.00 feet; thence North 87 degrees, 58 minutes and 39 seconds East, parallel with said Southerly boundary, 99.03 feet to the aforesaid Easterly boundary; thence North 01

degree, 51 minutes and 21 seconds East, along said Easterly boundary, 100.0 feet to the Point of Beginning.

A parcel of land lying in the NE1/4 of SE1/4 of Section 30, Township 6 South, Range 22 East, Bradford County, Florida; said parcel being more particularly described as follows: A parcel of land being 100 feet in width, bounded on the North by the Southerly boundary of the right of way of State Road 100 (100' R/W), bounded on the East by Westerly boundary of a parcel owned by Pine Forest Limited and recorded in O.R.B. 169, P. 402 & 403 of the public records of said County, bounded on the West by the Westerly boundary of said NE1/4 of SE1/4 and bounded on the South by a line 100 feet Southerly of, when measured at right angles to, and parallel with the aforesaid Southerly boundary of the right of way of State Road 100.

A parcel of land lying in the NW1/4 of SE1/4 of Section 30, Township 6 South, Range 22 East, Bradford County, Florida; said parcel being more particulary described as follows: Commence at an intersection of the Easterly boundary of said NW1/4 of SE1/4 with the Southerly boundary of the right of way of State Road 100 (100' R/W) for Point of Beginning and run South, along said Easterly boundary, 595.52 feet; thence West, 15.0 feet; thence South 7 degrees, 23 minutes and 14 seconds West, 329.05 feet to the Northerly boundary of the right of way of Butler Road (66' R/W) (said point being 65 feet Northwesterly of an intersection of said Easterly boundary with said Northerly boundary); thence Northwesterly, along said Northerly boundary, to an intersection with the Easterly boundary of the right of way of County Road 100A (Edwards Road) (formerly S.R. S.-100A); thence Northeasterly, along last aforesaid Easterly boundary, to an intersection with aforesaid Southerly boundary of the R/W of State Road 100; thence Southeasterly, along said Southerly boundary, to the Point of Beginning.

3. Elections for the Districts 2 and 4 city commission seats shall be held on the second Tuesday in September of

1989. Elections for the Districts 1, 3 and 5 city commission seats shall be held on the second Tuesday in September of 1990.

4. The Starke City Commission shall continue to be elected for a two year term of office.

5. All other terms and conditions of this Court's Order on Remedial Election Plan dated April 26, 1989 shall remain in full force and effect.

6. This civil suit is hereby closed as all issues have now been resolved by the parties and by Court order.

DONE AND ORDERED this 29th day of June, 1989.

WILLIAM TERRELL HODGES
CHIEF JUDGE
U.S. DISTRICT COURT

AGREED AND CONSENTED TO BY:

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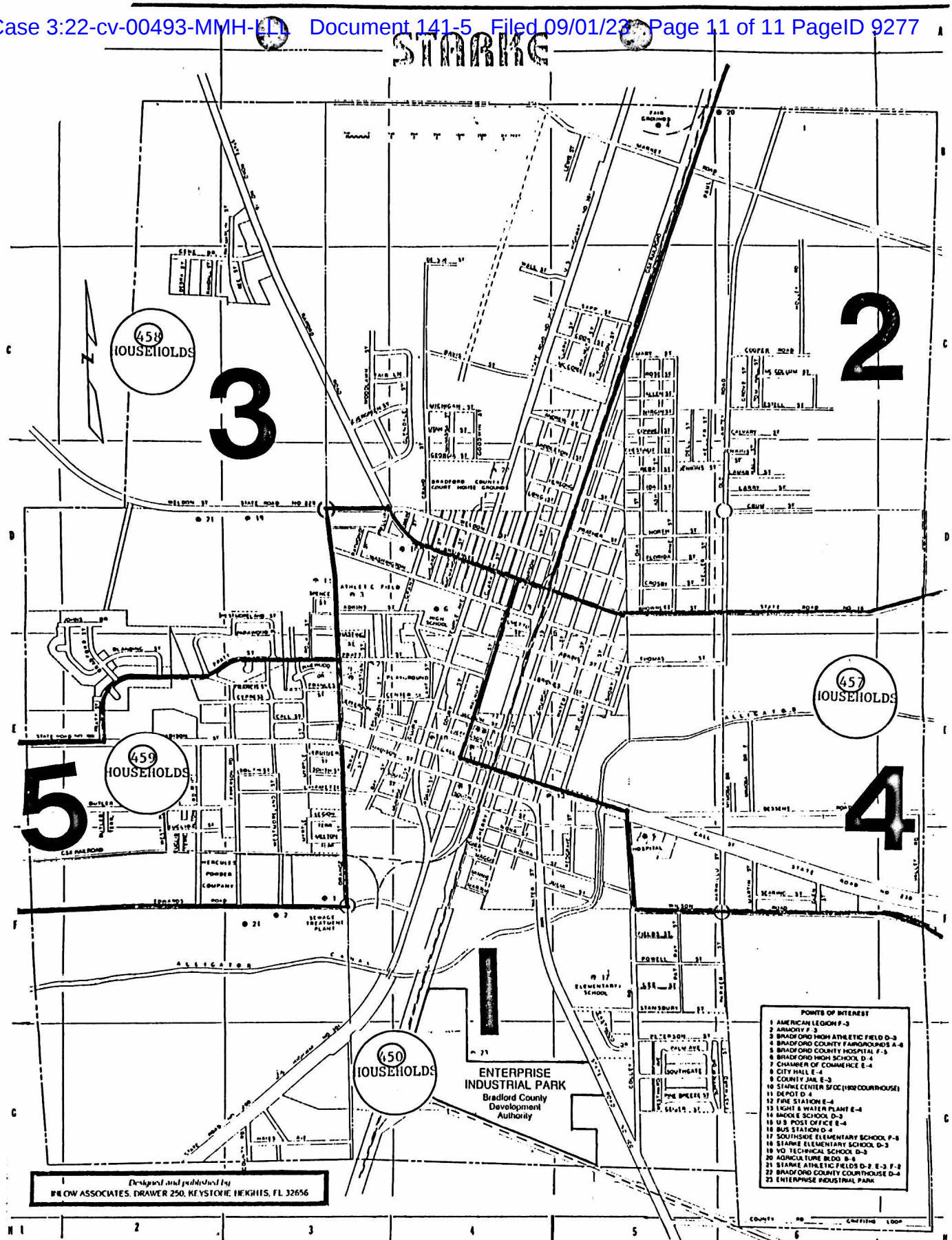

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