

# East Hillsborough Tribune

Brandon  
Plant City  
South County

Tuesday, August 5, 1986

AN EDITION OF THE TAMPA TRIBUNE

## State cites Lake Grady district for using fill without permit

An earthen dam being filled along Shadow Run Boulevard is creating lakefront property south and west of Boyette Road near Riverview. But the state has ordered all work stopped.

By J.D. CALLAWAY  
Tribune Staff Writer

The state has cited the Lake Grady Road and Bridge District for filling portions of the lake and Bell Creek without the proper permit.

The district manages special taxes assessed to area property owners and is in the midst of reconstructing an earthen dam along Shadow Run Boulevard. The dam creates lakefront property for homeowners in the Shadow Run subdivision south and west of Boyette Road.

The road and bridge district was cited last week by the state Department of Environmental Regulation for the unauthorized fill.

According to DER records, the district's March application for a state permit to scoop out 200 cubic yards of dirt still is pending.

Dredging or filling waters and lands within state jurisdiction without a permit is a violation.

The July 29 citation orders the district to "cease all activity contributing to this violation. You are further advised that work already complete may be subject to restoration orders."

Richard Arens, a district com-

missioner, said he was not aware of the citation and was "shocked" to learn of it.

"I understood we had all the permits we needed and we were ready to go," Arens said Monday.

The five-member district in April voted to spend nearly \$450,000 to repair the decaying dam, which was built to restrict the flow of Bell Creek and create a 160-acre lake.

The district's contractor in June began replacing corroded metal culverts and relocating drainage pipes on the dam, which collapsed in 1983.

Representatives of C.P. Ward Inc., the contracting company, were not available for comment.

District officials say they anticipate completion of the dam work and refilling the 38-foot-deep lake by mid-October.

Shadow Run residents have waited for the dam's reconstruction for nearly three years, contending with an arid hole in their back yards and a closed road across the dam that has restricted travel through the subdivision.

The road and bridge district has until Aug. 10 to tell DER how it intends to comply with state statutes and regulations.



# East Hillsborough Tribune

Brandon  
Plant City  
South County

Saturday, August 2, 1986

AN EDITION OF THE TAMPA TRIBUNE

## Lake Grady commissioners assess tax, despite advice

By CHERYL MICHAELS  
Tribune Staff Writer

The Lake Grady Road and Bridge District went against its attorney's advice Thursday night when it tentatively decided to levy a \$250-per-acre special assessment tax next fiscal year.

The action came despite an appellate court ruling two months ago which declared invalid the special assessment tax levied against the district's major landholder — Sylvan Properties Inc. — for 1980 through 1984.

A hearing on the proposed budget is scheduled Sept. 4, 5:30 p.m., at the county courthouse.

The district has been levying special assessment taxes since 1979.

Robin Trupp, the district's attorney, advised commissioners Thursday to impose an ad valorem tax rather than a special assessment.

"It seems like I'm speaking on deaf ears," Trupp said, reminding them he's been advising against the special assessment the last few years.

The ad valorem tax is based on a property's value while a special assessment is a flat tax per acre.

While commissioners acknowledged the likelihood of a legal challenge, Chairman David Leneberg said the assessment tax was the only way the district could raise enough money to do business.

In a separate vote Thursday, commissioners also tentatively agreed to levy a retroactive ad valorem tax of 100 mills against Sylvan in an attempt to recoup more than \$500,000 lost under the appellate court ruling.

A final decision on both tax rates is expected after public comment is taken at a 5:30 p.m. hearing Sept. 4, at the county courthouse's third floor auditorium. Comment also will be accepted at that time on a proposed \$80,500 budget.

During a 6 p.m. special meeting called to consider budgetary matters, commissioners voted 4-0 to tentatively levy the special assessment tax recommended by road and bridge district Commissioner Peter Ware.

At the maximum rate, 10 mills, the district could raise about the same money as with the \$250 assessment. But it would amount to a \$1,500 tax against many homeowners, with Sylvan's undeveloped land taxed at a considerably lower rate, commissioners said.

Commissioners tentatively approved the 100-mill tax, on a motion by Ware, with the understanding it could be lowered.

Commissioners were unsure exactly how much the 100-mill tax would raise, but Ware estimated it would be roughly \$300,000.

Sylvan's attorney, John Blakely of Clearwater, agreed Friday. In a telephone interview, he said he expected Sylvan would be contesting both the special assessment and retroactive taxes.

"Let's look at the broad picture, gentlemen," said Ware. "We would never be able to make the bond payments."

Ware was referring to the \$2.3 million in bonds sold in 1974 to build 15 miles of roads and sidewalks in the subdivision southeast of Riverview.

The proposed budget for next year does not include money for bond payments. Commissioners still don't know how they will be repaid.

Commissioner Dick Arens said he didn't think he could face homeowners if they levied the maximum property, or ad valorem tax, because the rate would be so high.

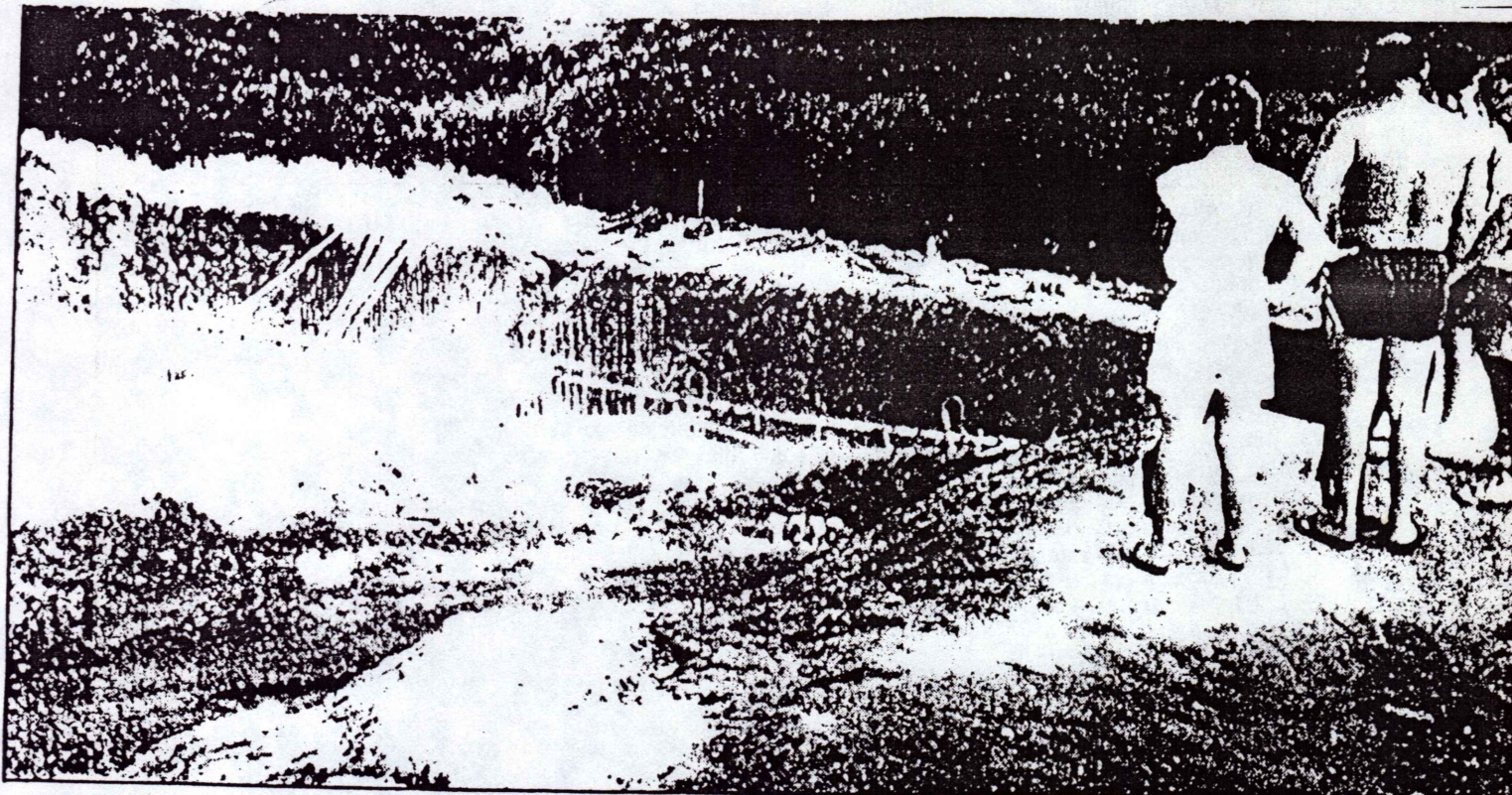


# East Hillsborough Tribune

Brandon  
Plant City  
South County

Friday, August 1, 1986

AN EDITION OF THE TAMPA TRIBUNE



Residents of Shadow Run subdivision get together regularly to inspect the progress of a construction project at the Lake Grady dam.

Tribune photos by RON

## Dam repair work reuniting residents near Lake Grady

Problems with the dam have separated the east and west sections of Shadow Run subdivision, forcing some residents to take a circuitous path through the community.

By CHERYL MICHAELS  
Tribune Staff Writer

RIVERVIEW — Lake Grady dam has physically divided the east and west sections of Shadow Run subdivision since it broke 2½ years ago.

But now that it is being rebuilt, it

is reuniting the neighborhood southeast of Riverview — in more than one way.

On many evenings, residents say they and their neighbors visit the site to see what's been accomplished during the day.

"It's been quite a meeting place," says Peter Ware, a Lake Grady Road and Bridge District

commissioner overseeing construction.

"Every day, we're grinning more and more," says resident Frank Leone, after inspecting the progress made Wednesday.

"It's done a lot for our spirits," says Susan Mountain, president of the Shadow Run Homeowners' Association. "We've all worked together on it."

Matt Koerner, executive vice president of C.P. Ward Inc., the contractor, said the \$450,000 project, which began in late June, will be finished in mid-October. Residents then will have a concrete, instead of steel, drainage structure.

"It's been a hard two to three years," says homeowners' association board member Clovis Pitts. "It felt like the whole county let us down."

Problems began when a fisherman from out of town saw the first signs of a failed dam during the Thanksgiving holiday, Ware said. Concerned that school buses were riding over it, he reported the matter to a Lake Grady Road and Bridge District commissioner.



Then the road was closed and the lake was drained, physically separating the subdivision and leaving the 180-acre lake to be filled only with vegetation.

Residents were forced to drive an extra five to eight miles around the subdivision to get through it.

At first it was unclear who would fix the dam.

Residents approached Grady Sweat, who originally built it about 10 years ago but who later sold the property, Ware said. They went to the land's owners, C. Thomas Peterson and Peter Lenhardt, partners in the now defunct company that developed Shadow Run, Ware said. And they went to the county, he said.

Nobody took it over.

The Southwest Florida Water Management District, was interested in the dam, but only from a regulatory standpoint. The reason: It wasn't used for water management purposes, a spokeswoman said.

So the expense fell on homeowners, some of whom signed a 1978 agreement with the district establishing a flat \$975 assessment fee or \$86 annual fee for 20 years, Ware said. Others had paid a flat rate at the time they bought their home, he said.

There was grumbling.

But the district in October 1984 levied a special assessment of \$1,423 per acre to raise \$1.37 million, \$1 million to pay overdue district bonds and the remainder to rebuild the dam.

Ware said the agreement, which had been made with prior commissioners, was considered illegal and unequitable.

After obtaining the money, commissioners hired an engineer who failed to complete the contract under its terms, Ware said. They had to replace him, meaning construction was delayed nearly a year, he said.

Today discontented about the dam lingers, but it is mixed with acceptance.

Earl Williams, a resident who

works with the Tampa Police Department, said homeowners shouldn't have had to pay for the dam.

"It looks like they're doing a quality job," he added.

"What else can you do," asked Steve Mortellaro. "You don't have a choice. It was either pay now or pay later."

For some, anyway, things seem to be changing for the better. Residents are talking about fishing and boating in the lake. And they're already thinking about holding a party at the completed dam.

But for Hugh Waldron, who has lived by the dam since the late 1970s, the dam and district's financial problems have been a nightmare. When the lake is filled and property values are up, he said, he will sell.

"I think it's a cotton pickin' shame that the cotton pickin' government let it get that far."



# East Hillsborough Tribune

Brandon  
Plant City  
South County

Friday, July 4, 1986

AN EDITION OF THE TAMPA TRIBUNE

## Court refuses to rehear road district tax case

By CHERYL MICHAELS  
Tribune Staff Writer

An appellate court has denied a request to reconsider its decision entitling a Riverview area landowner to a \$578,657 bridge and road tax refund, court officials said Thursday.

The 2nd District Court of Appeal, in an order issued Wednesday, rejected a rehearing request from the Lake Grady Road and Bridge District, officials said.

The ruling was in favor of Sylvan Properties Inc., a subsidiary of Southeast Bank, that owned 575 acres within the road and bridge district.

Since the court denied the rehearing request, there will be no ruling on a second petition for a written explanation of the May 23 decision authorizing the refund, court officials said.

Neither Robin Trupp, the district's attorney, commission chairman Dave Leneberg, nor the land-

owner's attorney, John Blakely, could be reached.

The refund was for 1980-84 taxes paid to build 15 miles of roads and sidewalks in the district encompassing the Shadow Run Subdivision.

Attorneys for the road and bridge district have said lack of a written explanation by the court made an appeal almost impossible.

Road district commissioners are considering switching their taxing mechanism from special assessments, the form struck down by the court, to property taxes.

The district in 1974 sold some \$2.3 million in bonds for the subdivision improvements.

The Circuit Court a year ago found Sylvan was entitled to the refund of the tax money. That court found the district had no authority to levy the special assessments in 1980-84 and noted the district made no attempt to levy property taxes, which they did have the right to levy.



# Road and bridge district options considered

By CHERYL MICHAELS  
Tribune Staff Writer

Commissioners of the Lake Grady Road and Bridge District have reviewed their options, but made no decision, about how to make up the \$578,657 in taxes an appellate court has ordered returned.

One of the possibilities is levying a property tax, instead of a special assessment for road and bridge construction, against the affected property owner and others in the future.

That's what the district's attorney, Robin Trupp, told commissioners at a meeting last week in Tampa.

But Trupp said further research

into the options is necessary.

The road and bridge district was created in the Riverview area in 1973 by Shadow Run subdivision's developer, Highland Corp. of Clearwater.

The court ruling, handed down by the 2nd District Court of Appeal May 23, entitled Sylvan Properties to the \$578,657 tax refund.

However, the district is awaiting word on its requests that the court rehear the issue and issue a written explanation of its decision.

The appellate court, in its May 23 ruling, provided no explanation of its decision to uphold the circuit court's decision, leaving no possible appeal to the state Supreme Court, attorneys have said.

Trupp told commissioners they had three years to reassess Sylvan for the taxes under a different means, conceivably an ad valorem tax.

Among other options are declaring a financial emergency, doing nothing and waiting for action from the district's bondholders or asking a court to intervene in its debt matters.

He told commissioners he could not provide details on each option at this time, but believed he could have more information on some of them in two weeks.

The commission is tentatively scheduled to meet again at that time.

The district sold \$2.3 million in

bonds in 1974 to build 15 miles of roads and sidewalks in the district. It began levying special assessments in 1979.

When all the bond proceeds were spent, half of the roads and none of the sidewalks were built, the circuit court found.

The circuit court, in a ruling issued last July in the Sylvan Properties dispute, found the district had no authority to levy special assessments in 1980-1984. The ruling notes the district made no attempt to levy a property tax to repay its bonds.

Sylvan had complained the district had authorization to levy property taxes but not special assessments.



# East Hillsborough Tribune

Brandon  
Plant City  
South County

Tuesday, June 10, 1986

AN EDITION OF THE TAMPA TRIBUNE

## District asking appeal court for reconsideration

By CHERYL MICHAELS  
Tribune Staff Writer

The quasi-governmental Lake Grady Road and Bridge District has asked an appellate court to reconsider a decision entitling a Riverview area landowner to a \$578,657 tax refund.

In a separate petition, the district also sought a written explanation of that appellate ruling.

The 2nd District Court of Appeal on May 30 found Sylvan Properties, a subsidiary of Southeast Bank, was entitled to the refund in taxes levied for roads and sidewalks in the district encompassing Shadow Run subdivision.

But the panel, in an unanimous written opinion, gave no reason for upholding last July's decision by Hillsborough Circuit Judge J.C. Cheatwood.

Attorneys say lack of a written explanation of the appellate decision makes it impossible for the district to appeal it to the Florida Supreme Court.

The district was created in 1973 by Shadow Run developer Suncoast Highland Corp. of Clearwater. In 1974, it sold \$2.3 million in bonds to build 15 miles of roads and sidewalks in the district and in 1979 it began levying special assessments.

Some property owners balked. And in 1983, Sylvan filed suit questioning the assessments' validity.

In appellate documents, Sylvan complained the district's commissioners agreed to levy property taxes when it decided to sell bonds.

Then, although the property tax was approved by district voters through a referendum, the district commissioners decided to levy an assessment without legal authorization, Sylvan asserted.

On Friday, the district called for a rehearing on the grounds that Sylvan benefited from the assessment and that a bond validation order did not indicate whether bonds would be repaid with ad valorem or assessment revenues.

The district "could have been willing to concede" the later assessments were void, if an agreement were reached regarding the earlier years, it asserted.

In the petition seeking a written explanation, the district complained it was being denied the court's "guidance."

"The taxpayers of the district would find it useful to know the reasons why their prior acts were considered unlawful," it states.

In his circuit court ruling, Judge Cheatwood found half of the roads and none of the sidewalks were built, although all the funds were spent by the district.

Court documents show some 100 feet of the 7.63 miles of roads constructed abuts Sylvan's land.

Cheatwood found the district had no authority to levy special assessments and ordered Hillsborough County Tax Collector Melvin Smith to return assessments collected from Sylvan for 1980 through 1984. Noting some of Sylvan's land was submerged in water, he found the tax against the company "unfair" and "unreasonable."



# East Hillsborough Tribune

Brandon  
Plant City  
South County

Friday, May 30, 1986

AN EDITION OF THE TAMPA TRIBUNE

## Appellate court rules landowner entitled to tax refund

By CHERYL MICHAELS  
Tribune Staff Writer

A Riverview area landowner who paid \$578,657 in road and bridge taxes for improvements to the property is entitled to a refund, an appellate court ruled.

The 2nd District Court of Appeal, in an order handed down Friday, found the quasi-governmental Lake Grady Road and Bridge District had no authority to levy the taxes in 1980-84.

The order becomes final June 7 if a petition for rehearing is not filed, court officials said.

The tax was levied to repay some \$2.3 million in bonds sold to build 15 miles of roads and sidewalks in the district, which includes the Shadow Run subdivision.

When the money was gone, the court found, half the roads and none of the sidewalks were built. All of the roads that had been built were in Shadow Run subdivision, rather than on nearby property owned by Sylvan Properties, a subsidiary of Southeast Bank.

Some of Sylvan's 575 acres is under water, court records show

The appellate decision affirms a ruling last July by Hillsborough Circuit Judge J.C. Cheatwood, who found Sylvan was "unfairly" and "unreasonably" taxed.

Robin Trupp, the district's attorney, said Thursday he "had no statement" regarding the possibility of seeking a rehearing on the appellate opinion.

The opinion was unanimous and cannot be appealed to the Florida Supreme Court, attorneys said.

However, Trupp said the district's commissioners were tentatively planning to meet June 19 — after the ruling becomes final — to discuss its ramifications.

In the meantime, Trupp said he could not say if Hillsborough taxpayers would wind up paying out of their own pockets.

"I'm not sure what the commissioners will ask for," he said.

Hillsborough County Tax Collector Melvin Smith said Thursday the taxes paid by Sylvan Properties were placed in escrow so they never were spent by the district to repay the bonds. Some \$30,000 already has been refunded to Sylvan, he said.

Of the bonds, he said: "I don't know how they're going to be repaid. It's a most difficult situation."

The lawsuit, filed in 1983, questioned the validity of special assessment taxes levied in the 1970s. It complained the district, created by developer Suncoast Highland Corp. of Clearwater, had mismanaged the money, in part by spending the money for Suncoast's bills.

In 1980, an auditor general's report questioned expenditures made by the district and criticized it for inadequate records and lack of financial control.



# East Hillsborough Tribune

Saturday, April 5, 1986

AN EDITION OF THE TAMPA TRIBUNE

Brandon  
Plant City  
South County

## Road, bridge district decides to refill empty Lake Grady

By J.D. CALLAWAY  
Tribune Staff Writer

Lake Grady, nothing more than an arid depression in the ground for nearly three years, may again become a real lake by September.

The Lake Grady Road and Bridge District voted Thursday to budget nearly \$400,000 to repair the dam. The lake is created by restricting the flow of Bell Creek in the Shadow Run subdivision south of Bloomingdale.

The district's four commissioners, who oversee special tax assessments in the subdivision, agreed to let bids for a contract on the repair work later this month.

The district anticipates repairs on the dam to begin in June. Replacing the dam's culverts, rerouting drain pipes for storm water and grassing the dam's walls is expected to take four months.

Once the dam is repaired, the 160-acre lake will rise to its normal 38-foot level in about a week. Docks that once extended into the water now stand in the scrub and grass

Repairs to the dam that forms the lake will take about four months. After that it will take about one week to fill the 160-acre lake.

that covers the lake bed.

The Southwest Florida Water Management District ordered the artificial lake drained in late 1983 when it discovered corroded culverts under the dam was eroding the structure. The dam partially collapsed in 1983.

The road and bridge district has wrangled over the last few years with repairing the dam. The district already has paid for engineering studies and soil surveys at the site.

Permits from the state and the water management district to repair and reconstruct the dam are pending.

"Let's do it right this time," said Peter Ware, a commissioner on the road and bridge district.

The road and bridge district was authorized by the Hillsborough County Commission in 1973 to sell

the dam.

State and county agencies have refused to accept responsibility for the dam, saying the subdivision developer never relinquished control of the dam or the stretch of Shadow Run Boulevard that crosses the structure.

Complaints about waterfront property drying up and declining real estate values prompted the road and bridge district in 1984 to assess property owners more than \$1,400 per acre in special taxes to cover repairs to the dam and repay bonds. Complaints about waterfront property drying up and declining real estate values prompted the road and bridge district in 1984 to assess property owners more than \$1,400 per acre in special taxes to cover repairs to the dam and repay bonds. The road and bridge district over

acres Shadow Run subdivision. The road and bridge district over the years has been saddled with bond payment deficits and legal tangles over property tax assessments and the encumbrance of repairing



## Shadow Run property owners to pay special assessment

The Lake Grady Road and Bridge District board will assess property owners \$1,423 an acre to repair the subdivision's dam and repay bonds sold to build roads.

By LAURIE CHAMLIN  
Tribune Staff Writer

Shadow Run property owners will be charged a special assessment of \$1,423 per acre next year, with the money going to repair the subdivision's dam and repay bonds sold to build roads.

After a two-hour public hearing Monday night, commissioners on the board of the Lake Grady Road and Bridge District voted unanimously for the special tax.

If everyone pays the tax, the district will raise \$1.37 million. About \$1 million of that will be used to repay overdue bonds and bonds due next year.

Repairing and maintaining the Lake Grady dam, which collapsed last year, will cost nearly \$300,000.

More than 100 property owners turned up at the hearing at the county courthouse. Some of the property owners there questioned why they should repay overdue bonds when they've been paying taxes to the district every year.

"I've been paying since '77," said property owner Larry Pacheco, who has been planning to build a house on his land. "Where is that money? We just don't understand where that money went."

Property owners were assessed anywhere from \$86 to \$19,000 per year, depending on the agreement they reached with the developer, the commissioners said. The money was supposed to be used to repay bonds sold by former commissioners on the road and bridge district board.

However, the bonds haven't been repaid since 1980 and the district now owes about \$831,000 in overdue bonds.

Commissioners on the current district board say they want to know how the money that was supposed to repay the bonds was spent.

At the meeting, the five commissioners voted to sue the former commissioners and their bank for access to records. From these records, they hope to determine where the money went.

The former commission was composed of the subdivision's developer, C. Thomas Petersen, and two of his employees. Petersen could not be reached for comment Tuesday.

Last year, Gov. Bob Graham appointed five Shadow Run residents to the district after the terms of the original commissioners expired.

Shadow Run property owners will probably have to pay the special assessment for 20 more years, when the bond payments are scheduled to expire. The district must make payments of about \$265,000 per year.

If everyone pays the tax, the commission predicted that the amount charged per acre would drop to about \$250 to \$275 next year.

However, the commissioners said they didn't expect all property owners to pay. When the taxes aren't paid, Hillsborough County sells a tax certificate on the property. If the certificate isn't repaid within a certain amount of time, the county can

sell the property and recoup the taxes.

Shadow Run, which is located south of Brandon, consists of 963 acres, most of which is still vacant. Sylvan Properties, which has been paying the special assessment under protest, owns 567 acres of vacant land.



# Restoring lake depends on whether dam is fixed

Water management district officials say damage to the Lake Grady dam is so extensive it will cost about \$250,000 for repairs. No one claims responsibility for the damage.

By DONNA S. STROM  
Tribune Staff Writer

Unless someone steps forward and takes responsibility for the repair of the Lake Grady dam, Southwest Florida Water Management District officials say the lake must remain low and dry permanently.

Water management officials say the lake must not be permitted to fill back up because the dam is so badly damaged that it could possibly give way if there were enough pressure placed on the earthen structure.

"It's very serious," said Bill Courser, director of the resource regulatory department for the water management district.

"We don't want the dam washing away when a school bus is crossing it and that could happen. We don't

want anybody to be hurt."

The 160-acre lake, which is contained by a small earthen dam, was drained in September because one of the seven culverts used to maintain the water level in the lake had collapsed.

At the time, water management officials say they thought the damage was limited to a collapsed 72-inch culvert.

But after draining the lake in the center of the Shadow Run subdivision and inspecting all seven culverts and the dam itself, officials found the dam's damage to be so extensive that water should not be permitted back in the lake until expensive repairs are made.

In a report presented to the Alafia River Basin Board Thursday afternoon, the problems with the dam

were outlined.

The report cited such things as heavy erosion, animal burrows and unstable areas along the sides of the dam, heavily corroded culverts that are sagging and permitting water to seep through, and a barely operable discharge gate, which must be opened before water can be drained out of the lake, as reasons for lake to remain drained and the road that goes over the dam closed to traffic.

The damage, the experts said, was the result of little or no dam maintenance.

"To maintain an earthen dam you must keep all wood bushes and trees from growing into the bank and back fill any erosion that might occur," said Oliver DeWitt, who is in charge of permitting dams for the water management district.

"The (culverts) should be inspected about once a year and the pipes recoated with asphalt if needed. It would be the responsibility of the owners to see that this is done."

However, no one is sure who owns the dam. The developer of the

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## Lake

• From Page 1EH

subdivision, Suncoast Highlands Inc., is now defunct. Shadow Run residents at one time contended the dam and road over the dam were deeded over to the county along with the other roads in the subdivision and that the county should fix the dam.

However, Ed Copeland, director of public works for the county said preliminary investigations show the county never accepted the dam or the road.

"The initial work indicates to me that the property was never deeded to the county and that the county never wanted the facility," said Copeland. "The dam creates a body of water for aesthetic purposes and the county didn't want anything to

do with a facility that had no other uses."

Courser said that whoever is responsible for the repair of the dam, which he estimated would cost around \$250,000, should hire a dam safety expert to do the work.

"The owner needs to employ an engineering consultant who has a background in hydraulics, structure analysis and dam design, operation and maintenance," Courser stressed.

"But if nobody steps forward, because we cannot allow this situation to last through the rainy season, we will cut the risers (culverts) off and keep the lake permanently leveled."

The residents of Shadow Run say they don't want that to happen even if it means they have to come up with the money to fix the dam.

Steve Jorgensen, a spokesman for the residents, said either the Lake Grady Road and Taxing District or the residents themselves

might take on the repair to the dam.

"This is fixable," said Jorgensen optimistically. "It will never happen that the lake will be permanently drained.

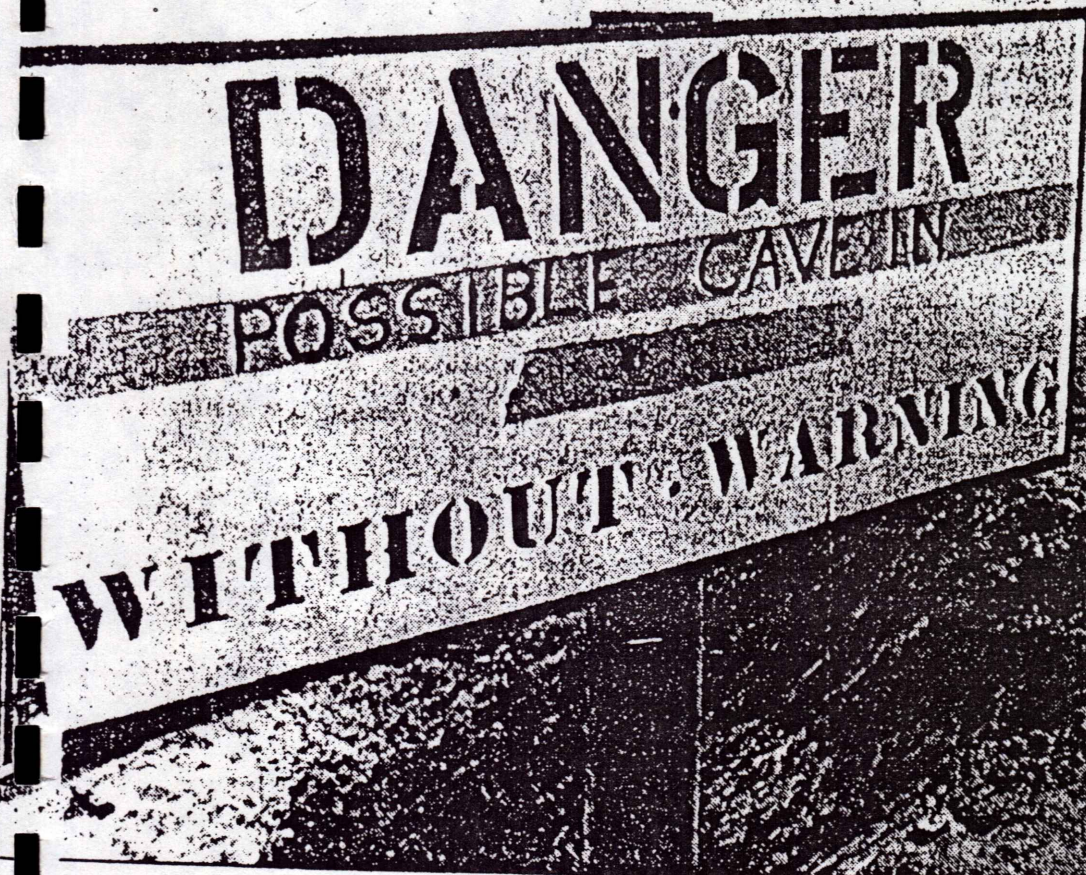
"I guarantee that the lake will be beautiful and stocked with bass by next Christmas."

Jorgensen admitted that many of the other residents living in the subdivision of about 100 houses are not nearly as optimistic about the situation as he.

"Everyone else out here is totally disgusted," admitted the resident. "But I keep telling them not to give up."

A meeting between the residents, representatives from the Southwest Florida Water Management District and Hillsborough County is tentatively scheduled for sometime in January to discuss the problem further.





The dam that made Lake Grady a lake now carries a warning that it may cave in. The lake had to be drained recently to prevent further damage to a collapsing culvert that may have undermined a road.

Tribune photo by DAVE GEIGER

## County to seek Lake Grady's owners

By LAURIE CHAMLIN  
Tribune Staff Writer

Shadow Run residents may get some answers in the next few weeks about who is responsible for repairing a broken drain in Lake Grady.

The Hillsborough County Commission Wednesday instructed the county's legal department and the administrator's office to find out who owns the lake and the temporarily closed road that stretches across the lake's earthen dam.

The Southwest Florida Water Management District has been draining water from the lake to expose the broken drain or culvert. On Friday, the lake's water level was 8 feet below normal.

But neither the county, the water management district nor the subdivision's developer have offered to repair the culvert. Water district officials believe a broken culvert

caused a portion of the earthen dam to collapse in early September.

To prevent further failure, the section of Shadow Run Boulevard that stretches over the dam has been closed.

"We're getting a little upset," commented Shadow Run resident Steve Jorgensen, who said he has been inconvenienced by the detour around the dam. "There's no reason for this."

On Sept. 6 the county told the water management district that part of the dam had collapsed. District officials surmised that the collapse was caused by a broken culvert that was sucking in water and soil.

The road crossing over the dam was then closed to prevent the dam from weakening further. And a valve on another culvert was opened so that the level of the lake would decrease. With less water, the dam would be safer and the broken culvert would eventually be ex-

posed, said Bruce Wirth, a water management engineer.

But since the lake's level has been dropping, someone has closed the valve twice on the culvert that was draining the lake.

"We're going out there with a chain they can't cut," Wirth said Friday. "It's difficult to get things accomplished when people have it in their minds to do something else."

Even if the water district manages to bring down the level of the lake, the district will not repair the culvert, Wirth said.

To date, the county has also declined to take responsibility. County Engineer James Hatch said the subdivision's developer never deeded the dam or the road over the dam to the county.

The developer, Tom Petersen, could not be reached for comment Friday.