

20: Land Scam, Hunters

Who owned Forever Florida before the Allen Broussard Conservancy?

Consolidated Naval Stores, Inc. purchased a large area from an individual who had bought it from the State of Florida in the late 19th Century. At that time, that property was the largest stand of virgin timber east of the Mississippi River. The Naval stores were the lumber and turpentine used originally in the manufacture of naval vessels, later in building construction on land and manufacture of paint products. The company employed many workers in the collection of pine resin for the turpentine, the cutting of timber, the transportation of these raw materials to the big sawmill in Holopaw, where the lumber was cut from the timber, and in the sawmill itself.

A V-shaped cut through the bark to the cambium of the pine trees brought the sap to the surface, where it dripped and was scraped into clay pots that hung on a hook at the point of the V. Workers went from tree to tree emptying the resin into barrels on high-wheeled, mule-drawn carts. (Take a good look at the old framed postcard photos in the back of the Owl Room.) The carts were pulled to a loading station where they were loaded on flatcars of a narrow-gauge railway system for transportation to Holopaw. The fence line along Laura's Way on the Crescent J is on one old RR line. It crosses into Forever Florida and can be seen from the site of the old loading station. The pit that was dug for the high-wheeled carts to go down into, to bring their decks level with the low flatcars, is still there, along with some railroad-tie posts that were part of the mule corral. It is east of the "crows-foot" intersection of Laura's Way and Margaret's Way maybe 100 yards or so. (Not measured! This is done by memory only!) The pitcher pump and well used to water the mules are still there, too.

After the timber was cut, Consolidated Naval Stores sold their land to a family that used it for cattle grazing, but didn't plow it or plant foreign grasses. Eventually the part of that land that is now Forever Florida ended up in the hands of a Miami lawyer with ties to that family. That lawyer divided that land on paper by drawing lines on a plat drawing of the property and giving legal descriptions. No regard was given to natural systems such as sloughs, and the land was never surveyed. It was sold all over the country in the 60's and 70's to unsuspecting buyers who thought they were buying retirement or investment property in "Canaveral Park South." The "easements" drawn on paper were never accepted by the county, and were never valid. The buyers were simply scammed. The practice was common, but finally made illegal in the early eighties, leaving the lawyer with about a third of the property unsold, in a checkerboard of 1¼ -, 2½ - and a few 5 - acre lots, scattered among the lots of those sizes that he had sold.

Occasionally, people would stop by the ranch house on the Crescent J (which we had bought in 1969) showing a slick brochure with pictures of rockets launching, bathing beauties on a beach and Cinderella's castle at Disney World, along with the legal description of their lots, asking where their property was.

As you know, after Allen's death in 1990, we set up the non-profit Allen Broussard Conservancy to try to purchase the land in his name, and began negotiations with the lawyer. Those dragged on until some time in 1994, when he finally sold us his part of the property. There was little point in buying any of the other lots until we knew we would have his major part. Then, however, we made first contact with the other owners and began purchasing the lots one at a time at the unimproved ranchland price of the time. Purchasing continues as funds become available. Some owners, having become suspicious, were understandably afraid they were about to be scammed again. Some of them quit paying their taxes, and we get their lots through tax sales.

Only one owner had ever even tried to live on the property, Mr. William Jansen. He had come down from Michigan or somewhere to find that the lot he had bought was inaccessible. He determined that he was going to get his money's worth, plus, out of the place. So he moved a trailer onto the corner across from our employee houses, built a little sawmill and began cutting timber. Neither the property he was squatting on nor the timber were his, but he spread the word around that he had bought the entire property, and many people believed him. He even ran for sheriff once, but received only about 280 votes in the whole county. He started a chop shop and had a lot of junked cars and other vehicles in the yard there.

He mailed letters to other owners of property in the tract, inviting them to join the "Homeowners Association," for \$25.00 a year. He enclosed a ballot listing prospective "officers" of this fictitious organization: himself as candidate for President, his son-in-law and other family members (not identified as such) as candidates for the other offices. He kindly offered to serve as proxy voter for anyone who couldn't make the meeting, which was to be somewhere on "Canaveral Park South." Surprise! He was elected!

He also sold hunting "rights" for the entire property, and a colony of hunters who paid him formed a little town of mobile homes/campers on the west side of Bull Creek. Somehow, they got power and wells, even street signs, but no real septic systems. A few trailers still are there, occupied now by our employees, who help keep trespassers and poachers out.

Getting rid of Jansen and the hunters.

Don't worry, you're not going to be quizzed on this long and involved story. It's mostly for your entertainment, but also for you to keep so that if you ever want to tell anyone about it, you will have the details as nearly as we can recount them.

This man Jansen had nothing but scorn for the law and for good citizens who obey it. He was far too smart for any laws. The only time he called our home to speak with "Bill," I asked his name. He answered, "God." I laughed politely and asked again. Again he said he was God. I told him I would deliver his message if he would give me his name, and a third time he said he was God. Disgusted and irritated, I hung up. Later, of course, I thought of smart things to say like, "Why do you need a phone, then?" Or, "She never calls on Thursdays." Too late. I'll never get another chance like that!

Sometime in 1986, one of our neighbors and Mr. Jansen made a deal to start cutting trees for lumber and mulch on “the Bull Creek Property,” as we then called what is now Forever Florida. The neighbor (who is no longer in the area) told us that he had made a deal with “the lawyer who owned the property,” but we learned later that he probably had dealt only with Jansen, and that they were actually stealing the trees from whoever happened to be the owners of the lots they were cutting on.

We started buying lots in the Bull Creek property in December of 1991, so by the next time they started cutting, in Sawgrass Slough, we knew who owned those lots. Our foreman at the time, Billy Davis, heard the machinery and investigated the site. They were making a terrible mess. The mud was at least four feet deep. (We have pictures of that mess.) We notified the Sheriff’s Department and they suggested that the St. Johns River Water Management District could act more quickly to stop them. One of the SJRWMD officers, who had law enforcement authority, came out and stopped them under the authority of Dredge and Fill Permitting, because it was such a very bad mess. Of course they didn’t have any permit. Then the State Department of Forestry investigating officer took over and did a thorough job. He was sure the state could make a felony grand theft case against them, which would surely stop the destruction of the land and trees and send them to jail! As a part of his investigation, we had the area surveyed, because the state didn’t have the money for the surveying.

We contacted one of the owners, a physician who owned 10 acres in there, who was willing to bring suit against them, if we paid the legal fees. Also, the Miami lawyer, a Mr. Genet (pronounced “Jenay”), agreed to let us use his name, so long as we assumed all costs and liability. The Department of Forestry completed the investigation and submitted the evidence to the State Attorney, who filed a criminal suit but kept postponing the case until the judge finally dismissed it for lack of prosecution (by the State Attorney). The very next day, the thieves were back in there cutting again, so Doc got the Deputy Sheriff to go back to the site. The Deputy told the owner of the equipment that when the civil lawsuit would be filed the next business day (by us), the judge would order the equipment to be held until the situation was resolved in civil court, however long that would take, so they removed their equipment and didn’t come back.

Now, the hunter story.

For years, Jansen had been leasing hunting rights on the entire property. That also was stealing – stealing the rights to the land and the wildlife on it. So we took him to court and got a judgment against him for about \$95,000, for hunting and timber cutting. Then Jansen skipped the country, going down to Belize, where he started cutting timber – illegally, no doubt. The Osceola County judge ordered a sale of the 12.5 acres he owned on the courthouse steps, and we got it for \$100. (Jansen’s son had bid \$95,000, expecting that we would bid more, but Doc had expected that move and instructed our attorney not to bid again, so Jansen “won,” but he never came back with the money, so our \$100 bid stood.) That’s the 12.5 acres on Broussard Road near 441 that might become an RV camp and/or a youth and family campground. It needed a lot of cleaning up – sawmill,

chop shop, junked vehicles and junky mobile home. A junk man came and took away everything he wanted (free) and Doc and Billy Davis burned and hauled away the rest.

In 1993, we had a lease on the property from the Miami lawyer, Mr. Genet, while still trying to close on the purchase of the approximately 1/3 of the total land that he still owned. Doc told the hunters that that winter would be their last season. When the season ended in mid-January, '94, Doc and Billy Davis started pulling down their hunting stands. Doc waited until just a few days before Gobbler season began in March before pulling out their bridge across Bull Creek so they wouldn't know about it. The bridge and the causeway they built across the flood plain to it were illegal, so he had gotten the St. Johns River WMD to order it to be removed. (Better than just a permit.) Then he put a chain and padlock on the gate in from 441 and "Posted" signs all along the fence.

He hired 2 private security guards to stand with him at the gate before dawn when the hunters started arriving. Needless to say, they were not very happy to see that. He reminded them that he had told them ahead of time that the previous winter season was going to be their last. He told them that the bridge was gone and since Bull Creek was flooded (unusual so early in the year), there was no other way to get across. They didn't believe him, so he said, "OK, I'll tell you what I'll do. I'll let one of you go in to look and come back and tell you if the bridge is there or not. Choose someone." While that man was gone, the rest got so rowdy that Doc called a deputy sheriff to come and restore order. The deputy told the crowd that if they crossed the posted fence, he'd have to arrest them. The scout came back and said, "Yes, it's true. The bridge is gone." The crowd backed down. Doc told them that they could go in for one thing only, that was to get their campers and other stuff and take it away. Those who were there that morning, did.

One small group (two brothers, their sons and two other men) who had been hunting the property for years even before Jansen arrived were not a part of the above group and weren't there that morning. They came later and told Doc it was their right to hunt there because they owned some little lot somewhere which hadn't been surveyed so since they didn't know exactly where it was, they could go all over the place. Doc said if they would help with the burning, help clear out all the trash and millions of beer cans all over the whole area and keep the other poachers out, they could hunt there another year. They stretched it out for two years, then figuring they had won, they got confrontational. Doc compromised, giving them still another year in exchange for their paying us a lease (this was to establish our legal right over the area) and continuing to police the area, but then that would be the end. By the next summer, 1997, they hadn't taken their campers out, and when we returned from a five-week trip (to Africa), we discovered that they had cleared along what they thought was an easement from the highway East, filling in a cypress dome. They had missed the line, but it didn't matter because we had gotten a declaration from the county that those easements had never been accepted and so they were never valid, anyway.

They had managed to buy 5 acres where their hunting camp was and applied to the county for a permit for their camp. As neighbors, we had the right to oppose the application. We did, and the permit failed to pass. They still had right of access to their

5 acres even though they couldn't build a camp, so Doc had a fence built along both sides of the trail in to it and all around it, like a keyhole, with "Posted" signs every 10 feet. Knowing they would cross it, he had left one hunting stand with a blind outside the fence, but nearby, as bait. He hid in the palmettos before dawn the first day of season to watch, and sure enough, one of them crossed the fence (armed trespass) and went up into the blind. Doc planned to go up into it the next morning before light and be ready with his cell phone to call the game warden, but when he told the warden, John Jacobs, Mella's husband, of his plan, John said, "No, let me do that." The next morning, the hunter climbed up to his blind only to find the game warden there. "I'll just take that," said John, taking the rifle, "You're under arrest." "When will I get my gun back?" "You're never going to see that gun again, and you can just be glad you weren't in your truck."

Another little detail. The hunters had made a new crossing of Bull Creek, the ford where we take trail riders across now. Once when Bull Creek was in full flood, the hunters tried to cross it there. Their truck went in so deep it ruined their engine and transmission. They decided to sue us over that. Big mistake.

A hearing in the judge's chambers was scheduled. John Jacobs and our well-prepared lawyer accompanied us. The man John had arrested and his brother and their lawyer were there, but as the whole story came out under the judge's questions, their lawyer began to frown and put down his pen. He obviously hadn't been told the straight story, and was embarrassed into silence. The judge dismissed their case as spurious. The hunters gave up, conceded, and came to us with an offer to sell. We bought. No one else ever tried to fight us because they could see they wouldn't win.

End of that story.

We then could begin our plan to take visitors in to see and learn the importance of what we were then calling "Allen's Dream." That name was meaningful to us, but we could see that it wouldn't mean anything to strangers. While trying to think of a better name, "Forever Florida" came to mind, probably inspired partly by the title of Patrick Smith's book, *Forever Island*, a story about Seminoles in the Everglades. I gave that book to Allen for Christmas when he was about 12. It's a quicker read even than *A Land Remembered*, which you all should read, if you haven't already!

One of the first tour guides we worked with, Mike Kelly, liked the name "Forever Florida" so much he convinced us to use it instead of "Florida Eco-Safaris," the name we had registered when we first decided to take visitors to see the land. Mike said, "Forever Florida" says it all. Well, it doesn't say what you can do there. So a few years later, we resurrected "Florida Eco-Safaris" and started promoting it as the business concessionaire. We kept the name "Forever Florida," which by that time was becoming known, for the native wilderness. We didn't want to lose the momentum it had built by dropping it.

In review, Florida Eco-Safaris takes visitors on safaris (not tours; not horseback trail rides) on Forever Florida and the Crescent J Ranch. We don't have any swamp buggies! We have Safari Coaches for the Eco-Safaris and horses for Horseback Safaris.