



26 Fellsmere Drainage District issued on April 8, 1919, by the  
 27 Circuit Court of the Fifteenth Judicial Circuit, in and for St.  
 28 Lucie County, so that the Fellsmere Water Control District shall  
 29 continue in existence and authority as provided in this act; and  
 30 amend the boundaries of the district to reflect lands that are  
 31 no longer located within the district. It is the intent of the  
 32 Legislature in enacting this act to provide a single,  
 33 comprehensive special act charter for the district, including  
 34 all current legislative authority granted to the district by its  
 35 several legislative enactments and any additional authority  
 36 granted by this act. It is the further intent of the Legislature  
 37 that this act preserve all district authority in addition to any  
 38 authority contained in chapter 298, Florida Statutes.

39 Section 2. Chapters 8877 (1921), 11555 (1925), 12023  
 40 (1927), 14719 (1931), 16998 (1935), 28418 (1953), 61-1414, and  
 41 69-1161, Laws of Florida, are amended, codified, reenacted, and  
 42 repealed as herein provided.

43 Section 3. The Fellsmere Water Control District, formerly  
 44 known as the Fellsmere Drainage District, is re-created, and the  
 45 charter for such district is re-created and reenacted to read:

46 Section 1. Status and boundaries of Fellsmere Water  
 47 Control District.—The Fellsmere Water Control District is  
 48 declared to be an independent water control district and a  
 49 public corporation of the state pursuant to chapters 189 and  
 50 298, Florida Statutes, and the lands lying within the area

51 described as follows in Indian River County shall constitute the  
52 Fellsmere Water Control District:

53  
54 All lands situated and being in part of the unsurveyed  
55 township 31 south, range 36 east; unsurveyed township  
56 32 south, range 36 east; unsurveyed township 31 south,  
57 range 37 east; and unsurveyed township 32 south, range  
58 37 east; Indian River County, Florida, embraced within  
59 the following boundary lines:

60 Beginning at a point on the east boundary line of  
61 tract 1122 of the "Plat of Fellsmere Farms Company's  
62 subdivision of unsurveyed township 32 south, range 36  
63 east, in St. Lucie County, State of Florida" as  
64 recorded in plat book 2, page 18 of the public records  
65 of St. Lucie County, now Indian River County, Florida,  
66 said line also being the west right of way line of  
67 lateral "S" canal (225' wide right of way), said point  
68 being distant 200 feet southerly from the northeast  
69 corner of said tract 1122;

70 Thence run westerly along the line being 200 feet  
71 south of, normal to, and parallel with the north  
72 boundary line of said tract 1122 to the intersection  
73 with a line being 680 feet west of, normal to, and  
74 parallel with the east boundary lines of tracts 1122,  
75 1022, 922, 822, 722 and 622 of said "Plat of Fellsmere

76 Farms Company's subdivision of unsurveyed township 32  
77 south, range 36 east";  
78 Thence run northerly along said parallel line,  
79 approximately 1.18 miles, across said tracts 1122,  
80 1022, 922, 822, 722, 622, "ditch and road 34", "ditch  
81 and road 33", "ditch and road 32", "ditch and road  
82 31", and "ditch and road 30" of said "Plat of  
83 Fellsmere Farms Company's subdivision of unsurveyed  
84 township 32 south, range 36 east" to the intersection  
85 with a line being 640 feet south of, normal to, and  
86 parallel with the north boundary line of said tract  
87 622;  
88 Thence run westerly along said parallel line,  
89 approximately 0.58 miles, across tracts 622, 621 and  
90 620 of said "Plat of Fellsmere Farms Company's  
91 subdivision of unsurveyed township 32 south, range 36  
92 east" to the intersection with a line being 1,021 feet  
93 west of, normal to, and parallel with the east  
94 boundary line of said tract 620;  
95 Thence run northerly along said parallel line,  
96 approximately 0.25 miles, across said tract 620, tract  
97 520 and "ditch and road 29" of said "Plat of Fellsmere  
98 Farms Company's subdivision of unsurveyed township 32  
99 south, range 36 east" to the intersection with a line

100 being 640 feet south of, normal to, and parallel with  
101 the north boundary line of said tract 520;  
102 Thence run westerly along said parallel line,  
103 approximately 0.46 miles, across said tract 520, tract  
104 519, 50 feet wide road right of way and tract 518 of  
105 said "Plat of Fellsmere Farms Company's subdivision of  
106 unsurveyed township 32 south, range 36 east" to the  
107 intersection with a line being 680 feet west of,  
108 normal to, and parallel with the east boundary of said  
109 tract 518;  
110 Thence run northerly along said parallel line,  
111 approximately 0.38 miles, across said tract 518, tract  
112 418, "ditch and road 28" and "ditch and road 27" of  
113 said "Plat of Fellsmere Farms Company's subdivision of  
114 unsurveyed township 32 south, range 36 east" to the  
115 north right of way line of said "ditch and road 27",  
116 said north right of way line also being the south  
117 boundary line of tract 318 of said "Plat of Fellsmere  
118 Farms Company's subdivision of unsurveyed township 32  
119 south, range 36 east";  
120 Thence run westerly along said south boundary line of  
121 tract 318, approximately 0.06 miles to the  
122 intersection with a line being 1,021 feet west of,  
123 normal to, and parallel with the east boundary line of  
124 said tract 318;

125 Thence run northerly along said parallel line,  
126 approximately 0.25 miles, across said tract 318 and  
127 "ditch and road 26" to the north right of way line of  
128 said "ditch and road 26", said north right of way line  
129 also being the south boundary line of tract 218 of  
130 said "Plat of Fellsmere Farms Company's subdivision of  
131 unsurveyed township 32 south, range 36 east";  
132 Thence run westerly along said south boundary line of  
133 tract 218 and tract 217 of said "Plat of Fellsmere  
134 Farms Company's subdivision of unsurveyed township 32  
135 south, range 36 east", approximately 0.19 miles to the  
136 intersection with a line being 680 feet west of,  
137 normal to, and parallel with the east boundary line of  
138 said tract 217;  
139 Thence run northerly along said parallel line,  
140 approximately 0.25 miles, across said tract 217 and  
141 "ditch and road 25" to the north right of way line of  
142 said "ditch and road 25", said north right of way line  
143 also being the south boundary line of tract 117 of  
144 said "Plat of Fellsmere Farms Company's subdivision of  
145 unsurveyed township 32 south, range 36 east";  
146 Thence run westerly along said south boundary line of  
147 tract 117 of said "Plat of Fellsmere Farms Company's  
148 subdivision of unsurveyed township 32 south, range 36  
149 east", approximately 0.06 miles to the intersection

150 with a line being 1,021 feet west of, normal to, and  
151 parallel with the east boundary line of said tract  
152 117;  
153 Thence run northerly along said parallel line,  
154 approximately 0.25 miles, across said tract 117 and  
155 the south one-half right of way of "ditch and road 24"  
156 (60' wide R.O.W.) to the north boundary limits of the  
157 "Plat of Fellsmere Farms Company's subdivision of  
158 unsurveyed township 32 south, range 36 east, in St.  
159 Lucie County, State of Florida" as recorded in plat  
160 book 2, page 18 of the public records of St. Lucie  
161 County, now Indian River County, Florida, said north  
162 boundary limits also being the south boundary limits  
163 of the "Plat of Fellsmere Farms Company's subdivision  
164 of unsurveyed township 31 south, range 36 east, in St.  
165 Lucie County, State of Florida" as recorded in plat  
166 book 2, page 9 of the public records of St. Lucie  
167 County, now Indian River County, Florida;  
168 Thence continue northerly along the parallel line  
169 being 1,021 feet west of, normal to, and parallel with  
170 the east boundary lines of tracts 2417, 2317, 2217,  
171 2117, 2017 of said "Plat of Fellsmere Farms Company's  
172 subdivision of unsurveyed township 31 south, range 36  
173 east, in St. Lucie County, State of Florida",  
174 approximately 1.22 miles, across said tracts 2417,

175 2317, 2217, 2117, 2017, the north one-half right of  
176 way of "ditch and road 24" (60' wide R.O.W.), "ditch  
177 and road 23", "ditch and road 22", "ditch and road 21"  
178 and "ditch and road 20" to the north boundary line of  
179 said tract 2017, said line also being the south right  
180 of way line of "ditch and road 19", all of said "Plat  
181 of Fellsmere Farms Company's subdivision of unsurveyed  
182 township 31 south, range 36 east";  
183 Thence run easterly along said north boundary line of  
184 tract 2017 and tract 2018 of said "Plat of Fellsmere  
185 Farms Company's subdivision of unsurveyed township 31  
186 south, range 36 east", approximately 0.32 miles to the  
187 intersection with a line being 680 feet west of,  
188 normal to, and parallel with the east boundary line of  
189 said tract 2018;  
190 Thence run northerly along the line being 680 feet  
191 west of, normal to, and parallel with the east  
192 boundary lines of tracts 1918, 1818, 1718 and 1618,  
193 approximately 0.89 miles, across said tracts 1918,  
194 1818, 1718, 1618, "ditch and road 19", "ditch and road  
195 18", "ditch and road 17", and "ditch and road 16" of  
196 said "Plat of Fellsmere Farms Company's subdivision of  
197 unsurveyed township 31 south, range 36 east" to the  
198 intersection with a line being 640 feet north of,



199 normal to and parallel with the south boundary line of  
200 said tract 1618, tracts 1619, 1620, 1621 and 1622;  
201 Thence run easterly along said parallel line,  
202 approximately 1.17 miles, across said tract 1618, a 50  
203 feet wide road right of way, said tract 1619, 1620,  
204 1621 and 1622 to the west right of way line of lateral  
205 "S" canal (225' wide right of way) of said "Plat of  
206 Fellsmere Farms Company's subdivision of unsurveyed  
207 township 31 south, range 36 east";  
208 Thence run northerly along said west right of way line  
209 of lateral "S" canal, approximately 0.02 miles to the  
210 intersection with the westerly projection of the north  
211 boundary lines of tracts 1692, 1691, 1690, 1689, 1688  
212 and 1687 of the "Plat of Fellsmere Farms Company's  
213 subdivision of unsurveyed township 31 south, range 37  
214 east, in St. Lucie County, State of Florida" as  
215 recorded in plat book 2, pages 1 and 2 of the public  
216 records of St. Lucie County, now Indian River County,  
217 Florida;  
218 Thence run easterly along said westerly projection and  
219 north boundary lines, approximately 0.83 miles, across  
220 said lateral "S" canal (225' wide right of way), tract  
221 1600 and along said north boundary lines of tract  
222 1692, 1691, 1690, 1689, 1688 and 1687 to the  
223 intersection with a line being 170 feet west of,

224 normal to and parallel with the east boundary lines of  
 225 tracts 1606, 1587, 1506, 1487, 1406, 1387, 1306, 1287,  
 226 1206, 1187, 1106, 1087, 1006, 987, 906, 887, 806, 787,  
 227 706, 687, 606, 587, 506, 487 and 406 of said "Plat of  
 228 Fellsmere Farms Company's subdivision of unsurveyed  
 229 township 31 south, range 37 east";  
 230 Thence run northerly along said parallel line,  
 231 approximately 3.13 miles, across said tracts 1606,  
 232 1587, 1506, 1487, 1406, 1387, 1306, 1287, 1206, 1187,  
 233 1106, 1087, 1006, 987, 906, 887, 806, 787, 706, 687,  
 234 606, 587, 506, 487, 406, "ditch and road 15", "ditch  
 235 and road 14", north and south "ditch and road 13",  
 236 Fellsmere Railroad (100' wide right of way), "ditch  
 237 and road 12", "ditch and road 11", "ditch and road  
 238 10", "ditch and road 9", "ditch and road 8", "ditch  
 239 and road 7", "ditch and road 6", "ditch and road 5",  
 240 "ditch and road 4" and "ditch and road 3" to the north  
 241 right of way line of said "ditch and road 3", said  
 242 north right of way line also being the south boundary  
 243 line of tract 384 of said "Plat of Fellsmere Farms  
 244 Company's subdivision of unsurveyed township 31 south,  
 245 range 37 east";  
 246 Thence run westerly along said south boundary line,  
 247 approximately 0.06 miles to a line being 510 feet west

248 of, normal to and parallel with the east boundary line  
249 of said tract 384;  
250 Thence run northerly along said parallel line,  
251 approximately 0.12 miles to the north boundary line of  
252 said tract 384;  
253 Thence run westerly along said north boundary line,  
254 approximately 0.03 miles to the northwest corner of  
255 said tract 384, also being the southwest corner of  
256 tract 306 of said "Plat of Fellsmere Farms Company's  
257 subdivision of unsurveyed township 31 south, range 37  
258 east";  
259 Thence run northerly on the west boundary line of said  
260 tract 306, approximately 0.03 miles to the  
261 intersection with a line being 480 feet south of,  
262 normal to and parallel with the north boundary lines  
263 of tracts 305, 304, 303, 302 and 301 of said "Plat of  
264 Fellsmere Farms Company's subdivision of unsurveyed  
265 township 31 south, range 37 east";  
266 Thence run westerly along said parallel line,  
267 approximately 0.71 miles, across said tracts 305, 304,  
268 303, 302, 301, 300 and a portion of the lateral "S"  
269 canal (225' wide right of way) to the west boundary  
270 limits of said "Plat of Fellsmere Farms Company's  
271 subdivision of unsurveyed township 31 south, range 37  
272 east";

273 Thence continue westerly along said parallel line,  
274 approximately 0.09 miles, across remaining said  
275 lateral "S" canal (225' wide right of way) and to the  
276 intersection with a line being 340 feet west of,  
277 normal to and parallel with the east boundary line of  
278 tracts 322, and 222 of the "Plat of Fellsmere Farms  
279 Company's subdivision of unsurveyed township 31 south,  
280 range 36 east, in St. Lucie County, State of Florida"  
281 as recorded in plat book 2, page 9 of the public  
282 records of St. Lucie County, now Indian River County,  
283 Florida;  
284 Thence run northerly along said parallel line,  
285 approximately 0.39 miles, across said tracts 322, 222,  
286 "ditch and road 2", "ditch and road 1" to the north  
287 right of way line of said "ditch and road 1", said  
288 right of way line also being the south boundary line  
289 of tract 122 of said "Plat of Fellsmere Farms  
290 Company's subdivision of unsurveyed township 31 south,  
291 range 36 east";  
292 Thence run westerly along said south boundary line of  
293 tract 122, approximately 0.06 miles to the  
294 intersection with a line being 680 feet west of,  
295 normal to and parallel with the east boundary line of  
296 said tract 122;

297 Thence run northerly along said parallel line,  
298 approximately 0.16 miles, across said tract 122 and  
299 the "main canal" right of way to the north limits of  
300 said "Plat of Fellsmere Farms Company's subdivision of  
301 unsurveyed township 31 south, range 36 east", said  
302 limits also being the common township line of township  
303 30 and 31 south and the north limits of Indian River  
304 County, Florida;  
305 Thence run easterly along said common township line  
306 and north county line, approximately 5.29 miles to the  
307 intersection with the southwesterly line of Fleming  
308 Grant;  
309 Thence run southeasterly along said southwesterly line  
310 of Fleming Grant, approximately 1.21 miles to the  
311 intersection with the east line of township 31 south,  
312 range 37 east, also being the common range line of  
313 range 37 and 38 east;  
314 Thence run southerly along said east line of township  
315 31 south, range 37 east and the east line of township  
316 32 south, range 37 east, approximately 7.71 miles to  
317 the intersection with the east boundary line of tract  
318 1123 of the "Plat of Fellsmere Farms Company's  
319 subdivision of unsurveyed township 32 south, range 37  
320 east, in St. Lucie County, State of Florida" as  
321 recorded in plat book 2, page 8 of the public records

322 of St. Lucie County, now Indian River County, Florida,  
323 and a line being 200 feet south of, normal to and  
324 parallel with the north boundary line of said tract  
325 1123;  
326 Thence run westerly along said parallel line  
327 approximately 6.00 miles, across said tract 1123,  
328 tracts 1122, 1121, 1120, a 30 feet wide road right of  
329 way, tracts 1119, 1118, 1117, 1116, a 60 feet wide  
330 road right of way; tract 1115, park lateral canal  
331 (92.25' wide right of way), tracts 1114, 1113, 1112, a  
332 30 feet wide road right of way, tracts 1111, 1110,  
333 1109, 1108, lateral "U" canal (156' wide right of  
334 way), tracts 1107, 1106, 1105, 1104, a 30 feet wide  
335 road right of way, tracts 1103, 1102, 1101, 1100 and a  
336 portion of lateral "S" canal (225' wide right of way)  
337 of said "Plat of Fellsmere Farms Company's subdivision  
338 of unsurveyed township 32 south, range 37 east" to the  
339 west limits of said plat;  
340 Thence continue westerly along said parallel line,  
341 approximately 0.02 miles, across remaining said  
342 lateral "S" canal (225' wide right of way) to the  
343 intersection with the west right of way line of said  
344 lateral "S" canal, also being the east line of  
345 aforesaid tract 1122 of the "Plat of Fellsmere Farms  
346 Company's subdivision of unsurveyed township 32 south,

347 range 36 east, in St. Lucie County, State of Florida"  
348 as recorded in plat book 2, page 18 of the public  
349 records of St. Lucie County, now Indian River County,  
350 Florida, and thence to the point of beginning.

351  
352 Section 2. Minimum charter requirements.—In accordance  
353 with s. 189.031(3), Florida Statutes, the following are the  
354 minimum requirements for the charter of the Fellsmere Water  
355 Control District:

356 (1) The district is organized and exists for all purposes  
357 set forth in this act and chapter 298, Florida Statutes, as may  
358 be amended from time to time.

359 (2) The district's charter may be amended only by special  
360 act of the Legislature.

361 (3) In accordance with chapter 189, Florida Statutes, this  
362 act, and ss. 298.11 and 298.12, Florida Statutes, as may be  
363 amended from time to time, the governing board of the district  
364 shall be designated the "Board of Supervisors of the Fellsmere  
365 Water Control District" and shall be composed of three persons,  
366 who shall be qualified to hold such office if they are  
367 landowners within the district, residents of the state, and  
368 citizens of the United States, elected on a 1-acre, one-vote  
369 basis by the landowners in the district; however, landowners  
370 owning less than 1 acre in the aggregate shall be entitled to  
371 one vote. Landowners with more than 1 acre shall be entitled to

372 one additional vote for any fraction of an acre greater than 1/2  
373 acre owned when a landowner's acreage has been aggregated for  
374 purposes of voting. The membership and organization of the  
375 governing board shall be as set forth in this charter and  
376 chapter 298, Florida Statutes, as may be amended from time to  
377 time, provided this charter controls with respect to any  
378 inconsistency.

379 (4) The compensation of the governing board members shall  
380 be governed by this act and chapter 298, Florida Statutes, as  
381 may be amended from time to time.

382 (5) The administrative duties of the governing board shall  
383 be as set forth in this act and chapters 189 and 298, Florida  
384 Statutes, as may be amended from time to time.

385 (6) Requirements for financial disclosure, meeting  
386 notices, reporting, public records maintenance, and per diem  
387 expenses for district officers and employees shall be as set  
388 forth in chapters 112, 189, 190, 286, and 298, Florida Statutes,  
389 and all other applicable general laws of the state, as may be  
390 amended from time to time.

391 (7) The procedures and requirements governing the issuance  
392 of bonds, notes, and other evidence of indebtedness by the  
393 district shall be as set forth in chapters 189 and 298, Florida  
394 Statutes, and applicable general laws, as may be amended from  
395 time to time.



396       (8) The procedures for conducting district elections or  
397 referenda and for qualification of electors shall be pursuant to  
398 chapters 189 and 298, Florida Statutes, as may be amended from  
399 time to time; however, a quorum for purposes of holding the  
400 annual meeting or any special meetings shall consist of those  
401 landowners present in person or represented by proxy at said  
402 meeting.

403       (9) The district may be financed by any method established  
404 in this act, chapter 298, Florida Statutes, and other applicable  
405 general laws of the state, as may be amended from time to time.

406       (10) The methods for collecting non-ad valorem  
407 assessments, fees, or service charges shall be as set forth in  
408 chapters 197 and 298, Florida Statutes, and other applicable  
409 general laws of the state, as may be amended from time to time.

410       (11) The district's planning requirements shall be as set  
411 forth in chapters 189 and 298, Florida Statutes, as may be  
412 amended from time to time.

413       (12) The district's geographic boundary shall be as set  
414 forth in this act.

415       Section 3. Provisions of chapter 298, Florida Statutes,  
416 made applicable.—The Fellsmere Water Control District is an  
417 independent water control district and a public corporation of  
418 this state. The provisions of state law applicable to water  
419 control districts or subdistricts which are embodied in chapter  
420 298, Florida Statutes, as may be amended from time to time, so

421 far as not inconsistent with this act, are declared to be  
422 applicable to the Fellsmere Water Control District. The  
423 Fellsmere Water Control District shall have all of the powers  
424 and authority conferred in this act and chapter 298, Florida  
425 Statutes, as may be amended from time to time.

426 Section 4. Severability.—If any provision of this act or  
427 the application thereof to any person or circumstance is held  
428 invalid, the invalidity shall not affect other provisions or  
429 applications of the act which can be given effect without the  
430 invalid provision or application, and to this end the provisions  
431 of this act are declared severable.

432 Section 5. Construction.—This act shall be construed as a  
433 remedial act and shall be liberally construed to promote the  
434 purpose for which it is intended.

435 Section 4. Chapters 8877 (1921), 11555 (1925), 12023  
436 (1927), 14719 (1931), 16998 (1935), 28418 (1953), 61-1414, and  
437 69-1161, Laws of Florida, are repealed.

438 Section 5. This act shall take effect upon becoming a law.