

By Senator Campbell

33-1891-98

See HB

1 A bill to be entitled
2 An act relating to the South Broward Drainage
3 District, Broward County; codifying the
4 district's charter, chapter 67-904, Laws of
5 Florida, as amended; providing that South
6 Broward Drainage District is an independent
7 special district; providing that all officers
8 and employees of the district on the effective
9 date of this act shall continue to hold their
10 respective offices until their successors are
11 elected or appointed; changing name of district
12 manager to district director; revising obsolete
13 agency and department references; providing for
14 the district's plan for the drainage and
15 reclamation of lands within the district to
16 remain in full force and effect; deleting
17 interest rate provisions which conflict with
18 section 31 of district's charter; deleting
19 provision authorizing assessment of a tax on
20 lands within the district which belong to the
21 county, school district, or other political
22 subdivisions; providing for deletion of
23 obsolete or no longer required proceedings;
24 revising inconsistent provisions; adding a
25 brief description of sections of district
26 charter which are not described; repealing all
27 prior special acts of the Legislature relating
28 to the South Broward Drainage District except
29 as stated; providing that this act shall take
30 precedence over any conflicting law to the
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1 extent of such conflict; providing
2 severability; providing an effective date.

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4 Be It Enacted by the Legislature of the State of Florida:

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6 Section 1. Chapter 67-904, Laws of Florida, as
7 amended, is codified, reenacted, amended, and repealed as
8 provided herein.

9 Section 2. The South Broward Drainage District is
10 recreated and reenacted to read:

11 Section 1. South Broward Drainage District shall
12 continue to be a public corporation and an independent special
13 district. The Hollywood Reclamation District created and
14 established by chapter 67-904, Laws of Florida, and renamed
15 the "South Broward Drainage District" shall continue to be a
16 public corporation of the State of Florida, an independent
17 special district, and have perpetual existence. All lawful
18 debts, bonds, obligations, contracts, franchises, promissory
19 notes, audits, minutes, resolutions, and other takings of the
20 Hollywood Reclamation District and South Broward Drainage
21 District are hereby validated and shall continue to be valid
22 and binding on the South Broward Drainage District in
23 accordance with their respective terms, conditions, covenants,
24 and tenor. Any procedure heretofore done by the Hollywood
25 Reclamation District or South Broward Drainage District under
26 the Florida Statutes or any other law for the construction of
27 any improvements, works, or facilities, for the assessment of
28 benefits and damages, or for the borrowing of money shall not
29 be impaired or avoided by this act; but shall be continued and
30 completed in the name of South Broward Drainage District.

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1 Section 2. Title to property reserved.--The title,
2 rights, and ownership of all property, both real and personal,
3 uncollected taxes, assessments, claims, judgments, decrees,
4 choses in action, and all property and property rights held or
5 owned by the drainage district named "Hollywood Reclamation
6 District" abolished by chapter 67-904, Laws of Florida, shall
7 pass to and be vested in the drainage district organized under
8 this charter to succeed the drainage district abolished.

9 Section 3. Obligations unimpaired.--No obligations or
10 contracts of Hollywood Reclamation District abolished by
11 chapter 67-904, Laws of Florida, or of the South Broward
12 Drainage District, including financial obligations heretofore
13 made or any proceeding heretofore begun for any improvement,
14 or for the borrowing of money, or issuing of bonds, shall be
15 impaired or avoided by this charter, but such debts,
16 obligations, and contracts shall pass to and be binding upon
17 the new drainage district created and organized, and all such
18 proceedings heretofore begun for the construction of any
19 improvements or for the borrowing of money or issuing of bonds
20 may be continued and completed and binding upon the said new
21 drainage district; and, likewise, all debts of and claims
22 against the drainage district abolished by chapter 67-904,
23 Laws of Florida, and the South Broward Drainage District,
24 shall be valid against the South Broward Drainage District.

25 Section 4. Name of drainage district.--The South
26 Broward Drainage District, as its boundaries are hereinafter
27 designated and established, is a body politic and corporate,
28 to be known and designated as "South Broward Drainage
29 District."

30 Section 5. Officers; hold over.--All officers and
31 employees of the South Broward Drainage District heretofore

1 elected or appointed and holding office on the effective date
2 of this act shall continue to hold their respective offices
3 and discharge their respective duties thereof until their
4 successors are elected or appointed and qualified under the
5 provisions of this charter.

6 Section 6. Rules, resolutions, and regulations not
7 impaired.--All existing rules, resolutions, and regulations of
8 the Hollywood Reclamation District abolished by chapter
9 67-904, Laws of Florida, and the South Broward Drainage
10 District not in conflict with the provisions of this charter
11 shall continue in effect unless repealed, amended, or modified
12 by the drainage district which is hereby organized and
13 created.

14 Section 7. Charter and amendments to charter.--This
15 act shall hereafter be referred to as the Charter of South
16 Broward Drainage District, and may from time to time be
17 amended by duly enacted acts of the Legislature of the State
18 of Florida.

19 Section 8. Boundaries.--The following boundaries shall
20 be the territory known as "South Broward Drainage District"
21 over which the district shall exercise its general
22 jurisdiction and powers, as provided in this act, to wit:

23 Begin at the Northeast corner of Section 9,
24 Township 51 South, Range 41 East, Broward
25 County, Florida; Thence South along the East
26 line of the said Section 9 to the Northwest
27 corner of the S 1/2 of Section 10, Township 51
28 South, Range 41 East; Thence East along the
29 North line of the S 1/2 of the said Section 10
30 and along the North line of the SW 1/4 of
31 Section 11, Township 51 South, Range 41 East to

1 the Northeast corner of the SW 1/4 of the said
2 Section 11; Thence South along the East line of
3 the SW 1/4 of the said Section 11 and along the
4 East line of the NW 1/4 of Section 14, Township
5 51 South, Range 41 East to the Southeast Corner
6 of the NW 1/4 of the said Section 14; Thence
7 West along the South line of the NW 1/4 of the
8 said Section 14 to the Northeast Corner of the
9 S 1/2 of Section 15, Township 51 South, Range
10 41 East; Thence South along the East line of
11 the S 1/2 of the said Section 15 and along the
12 East line of the N 1/2 of Section 22, Township
13 51 South, Range 41 East to the Southeast corner
14 of the N 1/2 of the said Section 22; Thence
15 West along the South line of the N 1/2 of the
16 said Section 22 to the Northeast corner of the
17 S 1/2 of Section 21, Township 51 South, Range
18 41 East; Thence South along the East line of
19 Sections 21 and 28, Township 51 South, Range 41
20 East to the Southeast corner of the said
21 Section 28; Thence West along the South line of
22 Sections 28, 29 and 30, Township 51 South,
23 Range 41 East to the Southwest corner of said
24 Section 30; Thence South along the West line of
25 Section 31, Township 51 South, Range 41 East,
26 to the Southeast corner of Section 36, Township
27 51 South, Range 40 East; Thence West along the
28 South line of Sections 36, 35, 34, 33, 32 and
29 31, Township 51 South, Range 40 East and along
30 the south line of Sections 36, 35 and 34,
31 Township 51 South, Range 39 East, to the

1 Southwest corner of Section 34, Township 51
2 South, Range 39 East; Thence North along the
3 West line of Sections 34, 27, 22, 15, 10 and 3,
4 Township 51 South, Range 39 East and along the
5 West line of Sections 34 and 27, Township 50
6 South, Range 39 East to the intersection
7 thereof with the South right-of-way line of the
8 South Florida Water Management District Canal
9 C-11 (South New River Canal); Thence Easterly
10 along the South right-of-way line of said South
11 Florida Water Management District Canal C-11
12 through Sections 27, 26 and 25, Township 50
13 South, Range 39 East; and through Sections 30,
14 29 and 28, Township 50 South, Range 40 East to
15 its intersection with the East line of Section
16 28, Township 50 South, Range 40 East; Thence
17 Southerly along the East line of Sections 28
18 and 33, Township 50 South, Range 40 East and
19 along the East line of Section 4, Township 51
20 South, Range 40 East to the Southeast corner of
21 Section 4, Township 51 South, Range 40 East;
22 Thence East along the North line of Sections
23 10, 11 and 12, Township 51 South, Range 40 East
24 and along the North line of Sections 7, 8 and
25 9, Township 51 South, Range 41 East to the
26 point of beginning.

27 Section 9. Definitions.--Unless the context shall
28 indicate otherwise, the following words as used in this act
29 shall have the following meanings:

30 (1) "Assessable improvements" includes, without
31 limitation, any and all drainage and land reclamation works

1 and facilities, sewer systems, storm sewers and drains, water
2 systems, streets, roads, or other projects of the district, or
3 that portion or portions thereof, local in nature and of
4 special benefit to the premises or lands served thereby, and
5 any and all modifications, improvements, and enlargements
6 thereof.

7 (2) "Bond" includes "certificate," and provisions
8 applicable to bonds shall be equally applicable to
9 certificates. "Bond" includes assessment bonds, refunding
10 bonds, and such other obligations in the nature of bonds as
11 are provided for in this act, as the case may be.

12 (3) "Board" means the board of supervisors of the
13 South Broward Drainage District, or, if such district shall be
14 abolished, the board, body, or commission succeeding to the
15 principal functions thereof or to whom the powers given by
16 this act to the board of supervisors shall be given by law.

17 (4) "Cost," when used with reference to any project,
18 includes, but is not limited to, the expenses of determining
19 the feasibility or practicability of acquisition,
20 construction, or reconstruction; the cost of surveys,
21 estimates, plans, and specifications; the cost of acquisition,
22 construction, or reconstruction; the cost of improvements;
23 engineering, fiscal, and legal expenses and charges; the cost
24 of all labor, materials, machinery, and equipment; the cost of
25 all lands, properties, rights, easements, and franchises
26 acquired; federal, state, and local taxes and assessments;
27 financing charges; the creation of initial reserve and debt
28 service funds; working capital and interest charges incurred
29 or estimated to be incurred on money borrowed prior to and
30 during construction and acquisition and for such period of
31 time after completion of construction or acquisition as the

1 board may determine; the cost of issuance of bonds pursuant to
2 this act, including advertisements and printing, the cost of
3 any election held pursuant to this act, and all other expenses
4 of issuance of bonds; administrative expense; such other
5 expenses as may be necessary or incidental to the acquisition,
6 construction, or reconstruction of any project or to the
7 financing thereof, or the development of any lands within the
8 district; all fees and collection charges imposed on the
9 district by the Broward County Property Appraiser and Revenue
10 Collector; and reimbursement of any public or private body,
11 person, firm, or corporation for any moneys advanced in
12 connection with any of the foregoing items of cost. Any
13 obligation or expense incurred prior to the issuance of bonds
14 in connection with the acquisition, construction, or
15 reconstruction of any project or improvements thereon, or in
16 connection with any other development of land that the board
17 shall determine to be necessary or desirable in carrying out
18 the purposes of this act, may be treated as a part of such
19 cost.

20 (5) "District" means the South Broward Drainage
21 District.

22 (6) "Landowner" means the owner of the freehold
23 estate, as appears by the deed record, including private
24 corporations having such an ownership interest, and shall not
25 include reversioners, remaindermen, or trustees, other than
26 persons owning the freehold estate in any proceeding under
27 this act or under chapter 298, Florida Statutes.

28 (7) "Plat" means a map or drawing, depicting the
29 division of lands into lots, blocks, parcels, tracts, sites,
30 or other divisions; however, the same may be designated.

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1 (8) "Project" means any development, improvement,
2 property, utility, facility, works, road, enterprise, service,
3 or convenience, now existing or hereafter undertaken or
4 established, that under the provisions of this act or under
5 chapter 298, Florida Statutes, the district is authorized to
6 construct, acquire, undertake, and furnish for its own use or
7 for the use of any other person, firm, or corporation, owning,
8 leasing, or otherwise using the same, for any purpose or
9 activity, and shall include, without limitation, such repairs,
10 replacements, additions, extensions, and betterments to any
11 project as may be deemed necessary or desirable by the board
12 of supervisors to place or to maintain such project in proper
13 condition for the same, efficient, and economic operation
14 thereof.

15 (9) "Subdivision" means the division of a parcel of
16 land, whether improved or unimproved, into two or more lots or
17 parcels of land for the purpose, whether immediate or future,
18 of transfer of ownership or building development where the
19 subdivider proposes to create a street, right-of-way, or
20 easement that joins or connects to an existing public street
21 for ingress and egress, or to change an existing public
22 street.

23 (10) "Drainage and reclamation facilities" means any
24 canals, ditches, or other drainage facilities, reservoirs,
25 dams, levees, sluiceways, dredging, holding basins, floodways,
26 pumping stations, or any other works, structures, or
27 facilities for the conservation, control, development,
28 utilization, and disposal of water, and any purposes
29 appurtenant, necessary, or incidental thereto, and includes
30 all real and personal property and any interest therein,
31 rights, easements, and franchises of any nature relating to

1 any such drainage and reclamation facilities or necessary or
2 convenient for the acquisition, construction, reconstruction,
3 operation, or maintenance thereof.

4 (11) References in this act to the boundaries of the
5 district mean such boundaries as the same may from time to
6 time be expanded, contracted, or otherwise revised by law or
7 in any proceedings taken under this act, and any actions that
8 may be taken by or on behalf of the district under this act
9 within the limits or boundaries of the district may be taken
10 within such limits or boundaries as expanded, contracted, or
11 otherwise revised.

12 (12) The term "and" also means "or," and the word "or"
13 also means "and," wherever the context shall so require.

14 (13) The term "District Director" means the director
15 of the South Broward Drainage District.

16 Section 10. Board of supervisors; election;
17 organization; terms of office; quorum; report and minutes.--

18 (1) The board of supervisors of the district shall be
19 the governing body of the district and shall exercise the
20 powers granted to the district under this act and under
21 chapter 298, Florida Statutes. The board shall consist of six
22 members, and, except as otherwise provided herein, each member
23 shall hold office for a term of 4 years and until his or her
24 successor shall be chosen and shall qualify. A majority of the
25 members of the board shall be residents of Broward County. All
26 of the members of the board shall be residents of the State of
27 Florida and shall own land lying within the boundaries of the
28 district.

29 (2) The persons who are members of the board of
30 supervisors of the district in office when this act takes
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1 effect shall constitute the members of the board until the
2 next election for their seats.

3 (3) In the month of June of 2000, there shall be held
4 a meeting of the landowners of South Broward Drainage District
5 at the office of the district in Broward County, for the
6 purpose of holding an election to fill the seats of the three
7 supervisors whose terms expire in June of 2000; and, in the
8 month of June of each fourth year thereafter, there shall be
9 held such a meeting to fill the same three seats. In the month
10 of June of 2002, there shall be held a meeting of the
11 landowners of South Broward Drainage District at the office of
12 the district in Broward County for the purpose of holding an
13 election to fill the seats of the three supervisors whose
14 terms expire in June of 2002; and, in the month of June of
15 each fourth year thereafter, there shall be held such a
16 meeting to fill the same three seats. Notice of said
17 landowners' meeting shall be published as provided by section
18 20. The president of the board of supervisors shall conduct
19 the meeting. At such meeting, each landowner shall be entitled
20 to cast one vote for each person to be elected. A landowner
21 may vote in person or by proxy in writing. Each landowner
22 shall be entitled to cast one vote for each acre of land owned
23 by him and located within the district boundaries. Fractions
24 of an acre shall be treated as one acre, entitling the
25 landowner to one vote with respect thereto. The three persons
26 at the respective elections who receive the highest number of
27 votes for the office of supervisor shall be declared elected.

28 (4) Each supervisor, before entering upon his or her
29 official duties, shall take and subscribe to an oath of office
30 as prescribed in s. 298.13, Florida Statutes.

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1 (5) All supervisors shall hold office for the terms
2 for which they are elected or appointed and until their
3 successors shall be chosen and qualify. In case of a vacancy
4 in the office of any supervisor, the remaining supervisor or
5 supervisors, even though less than a quorum, may fill such
6 vacancy for the unexpired term of the supervisor who vacated
7 his or her office.

8 (6) As soon as practicable after each election, the
9 board shall organize by choosing one of their number president
10 of the board and by electing a secretary, who need not be a
11 member of the board.

12 (7) A majority of the members of the board shall
13 constitute a quorum.

14 (8) The board shall keep a permanent record book
15 entitled "Record of Proceedings of South Broward Drainage
16 District," in which shall be recorded minutes of all meetings,
17 resolutions, proceedings, certificates, bonds given by all
18 employees, and any and all corporate acts, which book shall at
19 reasonable times be opened to the inspection of any landowner,
20 taxpayer, resident, or bondholder of the district, and such
21 other persons as the board may determine to have a proper
22 interest in the proceedings of the board. Such record book
23 shall be kept at any office or other regular place of business
24 maintained by the board in Broward County.

25 (9) Whenever any election shall be authorized or
26 required by this act to be held by the landowners at any
27 particular or stated time or day, and if for any reason such
28 election is not held at such time or on such day, then in such
29 event the power or duty to hold such election shall not cease
30 or lapse, but such election shall be held thereafter when
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1 practicable, and in accordance with the procedures provided by
2 this act.

3 Section 11. Appointment and duties of district
4 director.--For the purpose of preserving any ditch, road,
5 drain, dike, levee, or other work constructed or erected under
6 the provisions of this act or under the provisions of chapter
7 298, Florida Statutes, and for the taking care and the
8 operation of the equipment owned by the district and the
9 maintenance of the canals and other works of the district,
10 including the removal of obstructions from the same, and such
11 other duties as may be prescribed by the board, the board may
12 employ a district director who shall have charge and
13 supervision of the works of the district.

14 Section 12. Compensation of board.--Each supervisor
15 shall be entitled to receive for his or her services an amount
16 approved by resolution of the board not to exceed \$400 per
17 month. In addition, each supervisor shall receive reasonable
18 travel expenses for attending the place of meeting from his or
19 her residence. Unless the board by resolution otherwise
20 provides, such travel expenses shall not be in excess of the
21 amounts provided by law for state and county officials.

22 Section 13. Powers.--The district shall have, and the
23 board may exercise, any or all the following powers:

24 (1) To contract and be contracted with; to sue and be
25 sued in the name of the district; to adopt and use a seal; to
26 acquire, by purchase, gift, devise, condemnation, eminent
27 domain, or otherwise, property, real or personal, or any
28 estate therein, within or without the district, to be used for
29 any purpose necessary or to meet the needs of any of the
30 purposes of this act.

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1 (2) To establish, construct, operate, and maintain a
2 system of main and lateral canals, drains, ditches, levees,
3 dikes, dams, sluices, locks, revetments, reservoirs, holding
4 basins, floodways, pumping stations, syphons, culverts, and
5 storm sewers, and to connect some or any of them as within the
6 judgment of the board is deemed advisable to drain and reclaim
7 the lands within the district.

8 (3) To acquire and maintain appropriate sites for
9 storage and maintenance of the equipment of the district; and
10 to acquire and maintain and construct a suitable building to
11 house the office and records of the district.

12 (4) To clean out, straighten, widen, open up, or
13 change the course and flow, alter, or deepen any canal, ditch,
14 drain, river, water course, or natural stream as within the
15 judgment of the board is deemed advisable to drain and reclaim
16 the lands within the district; to acquire, purchase, operate,
17 and maintain pumps, plants, and pumping systems for drainage
18 purposes; and to construct, operate, and maintain irrigation
19 works and machinery in connection with the purposes herein set
20 forth.

21 (5) To regulate and set forth by appropriate
22 resolution the drainage requirements and conditions to be met
23 for plats to be entitled to record on any land within the
24 district, including authority to require as a condition
25 precedent for any platting, that good and sufficient bond be
26 posted to assure proper drainage for the area to be platted.

27 (6) To borrow money and issue bonds, certificates,
28 warrants, notes, or other evidences of indebtedness of the
29 district as hereinafter provided.

30 (7) To build and construct any other works and
31 improvements deemed necessary to preserve and maintain the

1 works in or out of the district; to acquire, construct,
2 operate, maintain, use, sell, convey, transfer, or otherwise
3 provide for machines and equipment for drainage and
4 reclamation purposes; and to contract for the purchase,
5 construction, operation, maintenance, use, sale, conveyance,
6 and transfer of the said machinery and equipment.

7 (8) To construct or enlarge, or cause to be
8 constructed or enlarged, any and all bridges or culverts that
9 may be needed in or out of the district, across any drain,
10 ditch, canal, floodway, holding basin, excavation, public
11 highway, railroad right-of-way, tract, grade, fill, or cut; to
12 construct roadways over levees and embankments; to construct
13 any and all of said works and improvements across, through, or
14 over any public highway, railroad right-of-way, track, grade,
15 fill, or cut in or out of the district; and to remove any
16 fence, building, or other improvements, in or out of the
17 district for purposes of drainage and reclamation.

18 (9) To hold, control, and acquire by donation,
19 purchase, or condemnation, any easement, reservation, or
20 dedication in or out of the district, for any of the purposes
21 herein provided. To condemn or acquire, by purchase or grant
22 or by exercise of the right of eminent domain, for use in the
23 district, any land or property within or without the district
24 and acquire or condemn any other property within or without
25 the district. To exercise the right of eminent domain as
26 provided by chapters 73 and 74, Florida Statutes.

27 (10) To assess and impose upon all of the lands in the
28 district an annual drainage tax, an administrative tax, and a
29 maintenance tax as hereinafter provided.

30 (11) To impose and foreclose special assessment liens
31 as hereinafter provided.

1 (12) To prohibit, regulate, and restrict by
2 appropriate resolution all structures, materials, and things,
3 whether solid, liquid, or gas, whether permanent or temporary
4 in nature, which come upon, come into, connect to, or be a
5 part of any of the main or lateral drains, ditches, canals,
6 levees, dikes, dams, sluices, revetments, reservoirs, holding
7 basins, floodways, pumping stations, and syphons which may
8 have been heretofore created or may hereafter be created or
9 hereafter constructed.

10 (13) To administer and provide for the enforcement of
11 all of the provisions herein, including the making, adopting,
12 promulgating, amending, and repealing of all rules and
13 regulations necessary or convenient for the carrying out of
14 the duties, obligations, and powers conferred on the district
15 created herein.

16 (14) To cooperate with or contract with other drainage
17 districts or other governmental agencies as may be necessary,
18 convenient, incidental, or proper in connection with any of
19 the powers, duties, or purposes of the district as stated in
20 this act.

21 (15) To employ engineers, attorneys, agents,
22 employees, and representatives as the board of supervisors may
23 from time to time determine necessary and to fix their
24 compensation and duties.

25 (16) To exercise all of the powers necessary,
26 convenient, incidental, or proper in connection with any of
27 the powers, duties, or purposes of said district as stated in
28 this act.

29 (17) To construct, improve, and maintain roadways and
30 roads necessary and convenient to provide access to and
31 efficient development of areas made suitable and available for

1 cultivation, settlement, urban subdivision, homesites, and
2 other beneficial developments as a result of the drainage
3 operations of the district.

4 (18) To make use of any dedication to public use or
5 platted reservations within the boundaries of the district.

6 (19) To exercise any and all other powers conferred
7 upon drainage districts by chapter 298, Florida Statutes,
8 including, but not limited to, the power to acquire and
9 construct drainage improvements, to issue bonds to pay the
10 cost thereof, and to levy and collect drainage taxes upon
11 lands benefited by the improvements.

12 Section 14. Treasurer; depositories; fiscal agent.--

13 (1) The board shall designate a person who is a
14 resident of the state, or a bank or trust company organized
15 under the laws of the state, as treasurer of the district, who
16 shall have charge of the funds of the district. Such funds
17 shall be disbursed only upon the order of or pursuant to the
18 resolution of the board by warrant or check signed by the
19 treasurer, or by such other person as may be authorized by the
20 board. The treasurer may hold any other office provided for in
21 this act, except that the same person may not be president and
22 treasurer. The board may give the treasurer such other or
23 additional powers and duties as the board may deem
24 appropriate, and fix his or her compensation; and may require
25 the treasurer to give a bond in such amount, on such terms,
26 and with such sureties as may be deemed satisfactory to the
27 board to secure the performance by the treasurer of his or her
28 powers and duties. The board shall audit or have audited the
29 books of the treasurer at least once a year.

30 (2) The board is authorized to select as depositories
31 in which the funds of the board and of the district shall be

1 deposited any banking corporation organized under the laws of
2 the state or under the national banking act, doing business in
3 the state, upon such terms and conditions as to the payment of
4 interest by such depository upon the funds so deposited as the
5 board may deem just and reasonable.

6 (3) The board may employ a fiscal agent, who shall be
7 either a resident of the state or a corporation organized
8 under the laws of this or any other state and authorized by
9 such laws to act as such fiscal agent for municipal
10 corporations in the state and who shall assist in the keeping
11 of the tax books, the collection of taxes, and the remitting
12 of funds to pay maturing bonds and coupons, and perform such
13 other or additional services and duties as fiscal agent and
14 receive such compensation as the board may determine.

15 Section 15. Authority for the establishment of
16 district projects.--The board shall have exclusive
17 jurisdiction and control over all of the district, including,
18 but not limited to, all drainage and reclamation facilities,
19 except to the extent otherwise provided in this act and except
20 to the extent that the board may by agreement with any other
21 public or private body authorize the same to exercise
22 jurisdiction or control over any of the projects of the
23 district. It shall not be necessary for the district to obtain
24 any license, permit, or other authorization from any board,
25 commission, or like instrumentality of Broward County or any
26 political subdivision therein in order to construct,
27 reconstruct, acquire, extend, repair, improve, maintain, or
28 operate any project.

29 Section 16. Exercise by district of its powers within
30 municipalities.--Except as otherwise provided in this act, the
31 district shall have the power to exercise any of its rights,

1 powers, privileges, and authorities in any and all portions of
2 the district lying within the boundaries of the City of
3 Hollywood, the City of Pembroke Pines, the City of Miramar,
4 and any other municipal corporation or other political
5 subdivision, heretofore or hereafter created or organized,
6 whose boundaries lie wholly or partly within the geographical
7 limits of the district, to the same extent and in the same
8 manner as in areas of the district now incorporated as part of
9 a municipality.

10 Section 17. Seal.--The official seal of the South
11 Broward Drainage District hereby established shall bear the
12 legend "South Broward Drainage District, Broward County,
13 Florida, Seal, Established 1967."

14 Section 18. Fiscal year.--The board of supervisors, by
15 resolution, shall establish the fiscal year for the district.

16 Section 19. Annual budget.--Prior to the end of each
17 fiscal year after this act is effective, the secretary or
18 director of the district shall prepare a proposed budget to be
19 submitted to the board for approval. The proposed budget shall
20 include an estimate of all necessary expenditures of the
21 district for the next ensuing fiscal year and an estimate of
22 income to the district from the taxes and assessments provided
23 in this act. The board shall consider the proposed budget item
24 by item and may either approve the budget as proposed by the
25 secretary or director or modify the same in part or in whole.
26 The board shall indicate their approval of the budget by
27 resolution, which resolution shall provide for a hearing on
28 the budget as approved. Notice of the hearing on the budget
29 shall be published in a newspaper of general circulation in
30 Broward County once a week for 2 consecutive weeks, provided
31 that the second publication shall not be less than 7 days

1 after the first publication. The notice shall be directed to
2 all landowners in the district and shall state the purpose of
3 the meeting. The notice shall further contain a designation of
4 the date, time, and place of the public hearing, which shall
5 be not less than 7 days after the second publication. At the
6 time and place designated in the notice, the board shall hear
7 all objections to the budget as proposed, and make such
8 changes as the board deems necessary. At the conclusion of the
9 budget hearing the board shall, by resolution, adopt the
10 budget as finally approved by the board.

11 Section 20. Notice and call of meetings of landowners;
12 quorum; adjournments; representation at meetings; taking
13 action without meeting.--

14 (1) The board shall publish notice of all meetings of
15 landowners once a week for 2 consecutive weeks prior to such
16 meeting in a newspaper of general circulation in Broward
17 County. Meetings of landowners shall be held in a public
18 place, or any other place made available for the purpose of
19 such meeting, in Broward County, and the place, date, and hour
20 of holding such meeting and the purpose thereof shall be
21 stated in the notice. Those landowners present in person or by
22 proxy shall constitute a quorum at any meeting of the
23 landowners.

24 (2) The board may call special meetings of the
25 landowners at any time to receive reports of the board or for
26 such other purpose as the board may determine. A special
27 meeting of the landowners may also be called at any time upon
28 notice as provided in this section at the written request of
29 the owners of not less than 25 percent in acreage of the land
30 within the district for the purpose of taking any lawful
31 action by the landowners of the district. Such special meeting

1 shall be called by any court of competent jurisdiction in the
2 event that the board fails to do so upon request as provided
3 in this section. Except as otherwise provided in section 10
4 with respect to the election of supervisors, action taken at a
5 meeting of the landowners shall be by affirmative vote of the
6 owners of a majority of the acreage represented at such
7 meeting.

8 (3) At any meeting of the landowners, guardians may
9 represent their wards; executors and administrators may
10 represent the estate of deceased persons; trustees may
11 represent lands held by them in trust; and private
12 corporations may be represented by their duly authorized
13 proxy. All landowners, including guardians, executors,
14 administrators, trustees, and corporations, may be represented
15 and vote by proxy.

16 (4) Any action required or that may be taken at a
17 meeting of the landowners may be taken without a meeting or
18 notice of meeting being given upon the written consent of all
19 of the landowners.

20 Section 21. Plan of reclamation; proceedings
21 thereon.--The district's plan for the drainage and reclamation
22 of lands which is in effect prior to the effective date of
23 this act shall remain in full force and effect after the
24 effective date of this act.

25 Section 22. Adoption, revision, and revocation of plan
26 of reclamation.--In addition to and not in limitation of its
27 power to provide for and adopt a plan of reclamation provided
28 in section 21 and under chapter 298, Florida Statutes, and
29 amendments thereto, the board may at any time and from time to
30 time adopt, revoke, or modify in whole or in part, any plan of
31 reclamation or any plan providing for the drainage of lands

1 within the district, and may provide for such new and
2 additional drainage facilities, canals, ditches, levees, and
3 other works as the board may determine. In connection with the
4 revision of any plan of reclamation or the providing of any
5 new or additional drainage facilities, canals, ditches,
6 levees, or other works, or in the event that the total taxes
7 and assessments theretofore levied or the funds derived from
8 the sale of bonds are insufficient to pay the cost of any
9 drainage works, benefits may be reassessed, additional
10 assessments made, and taxes levied in accordance with the
11 procedures provided in this act or in chapter 298, Florida
12 Statutes. The board may at any time approve and make effective
13 technical changes or modifications in any plan of reclamation
14 or drainage not affecting assessed benefits, levy of taxes, or
15 the security of bondholders.

16 Section 23. Assessing land for reclamation;
17 apportionment of tax; drainage tax record.--The board shall,
18 without any unnecessary delay, levy a tax of such portion of
19 benefits of the district's plan of reclamation on all lands in
20 the district to which benefits have been assessed, as may be
21 found necessary by the board of supervisors to pay the costs
22 of the completion of the proposed works and improvements, as
23 shown in said plan of reclamation and in carrying out the
24 objects of said district; and, in addition thereto, 10 percent
25 of said total amount for emergencies. The said tax shall be
26 apportioned to, and levied on, each tract of land in said
27 district in proportion to the benefits assessed, and not in
28 excess thereof; and, in case bonds are issued, as provided in
29 this act, a tax shall be levied in a sum not less than an
30 amount 90 percent of which shall be equal to the principal of
31 said bonds. The amount of bonds to be issued for paying the

1 cost of the works as set forth in the plan of reclamation
2 shall be ascertained and determined by the board; however, the
3 total amount of all bonds to be issued by the district shall
4 in no case exceed 90 percent of the benefits assessed upon the
5 lands of the district. The amount of the interest, as
6 estimated by said board, which will accrue on such bonds,
7 shall be included and added to the said tax, but the interest
8 to accrue on account of the issuing of said bonds shall not be
9 construed as a part of the costs of construction in
10 determining whether or not the expenses and costs of making
11 said improvements are equal to, or in excess of, the benefits
12 assessed. The secretary of the board of supervisors or the
13 director, as soon as said total tax is levied, shall, at the
14 expense of the district, prepare a list of all taxes levied,
15 in the form of a well bound book, which book shall be endorsed
16 and named "DRAINAGE TAX RECORD OF SOUTH BROWARD DRAINAGE
17 DISTRICT, BROWARD COUNTY, FLORIDA," which endorsement shall be
18 printed or written at the top of each page in said book, and
19 shall be signed and certified by the president and secretary
20 of the board, attested by the seal of the district, and the
21 same shall thereafter become a permanent record in the office
22 of said secretary or director. In the alternative, so long as
23 the Broward County property appraiser or revenue collector
24 assesses and collects the taxes and assessments authorized by
25 this section, the records of the Broward County property
26 appraiser shall satisfy the requirements of the drainage tax
27 record of the district.

28 Section 24. Prepayment of taxes or assessments.--The
29 board may provide that any tax or assessment may be paid at
30 any time before due, together with interest accrued thereon to
31 the date of prepayment and any prepayment premiums or

1 penalties, if such prior payment shall be permitted by the
2 proceedings authorizing any bonds or other obligations for the
3 payment of which special assessments have been pledged or
4 taxes levied.

5 Section 25. Tax liens.--All taxes of the district
6 provided for in this act or chapter 298, Florida Statutes,
7 together with all penalties for default in the payment of the
8 same and all costs in collecting the same including a
9 reasonable attorney's fee fixed by the court and taxed as cost
10 in the action brought to enforce payment, shall, from January
11 1 for each year the property is liable to assessment and until
12 paid, constitute a lien of equal dignity with the liens for
13 state and county taxes and other taxes of equal dignity with
14 state and county taxes upon all the lands against which such
15 taxes shall be levied. A sale of any of the real property
16 within the district for state and county or other taxes shall
17 not operate to relieve or release the property so sold from
18 the lien for subsequent district taxes or installments of
19 district taxes which lien may be enforced against such
20 property as though no such sale thereof had been made. The
21 provisions of s. 194.171, Florida Statutes, and amendments
22 thereto, shall be applicable to district taxes with the same
23 force and effect as if said provisions were expressly set
24 forth in this act.

25 Section 26. Issuance of bond anticipation notes.--In
26 addition to the other powers provided for in this act and not
27 in limitation thereof, the district shall have the power, at
28 any time and from time to time after the issuance of any bonds
29 of the district shall have been authorized, to borrow money
30 for the purposes for which such bonds are to be issued in
31 anticipation of the receipt of the proceeds of the sale of

1 such bonds and to issue bond anticipation notes in a principal
2 sum not in excess of the authorized maximum amount of such
3 bond issue. Such notes shall be in denomination or
4 denominations, bear interest as provided by section 31, mature
5 at such time or times not later than 5 years from the date of
6 issuance, be renewable for an additional term or terms in the
7 aggregate not in excess of 5 years from the date of first
8 renewal, and be in such form and executed in such manner as
9 the board shall prescribe. Such notes may be sold at either
10 public or private sale, or, if such notes shall be renewal
11 notes, may be exchanged for notes then outstanding on such
12 terms as the board shall determine. Such notes shall be paid
13 from the proceeds of such bonds when issued. The board may in
14 its discretion, in lieu of retiring the notes by means of
15 bonds, retire them by means of current revenues or from any
16 taxes or assessments levied for the payment of such bonds, but
17 in such event a like amount of the bonds authorized shall not
18 be issued.

19 Section 27. Short term borrowing.--The district, at
20 any time, may obtain loans, in such amount and on such terms
21 and conditions as the board may approve, for the purpose of
22 paying any of the expenses of the district or any costs
23 incurred or that may be incurred in connection with any of the
24 projects of the district, which loans shall have a term not
25 exceeding 2 years from the date of issuance thereof, and may
26 be renewable for a like term or terms, shall bear interest as
27 provided by section 31, and may be payable from and secured by
28 a pledge of such funds, revenues, taxes, and assessments as
29 the board may determine. For the purpose of defraying such
30 costs and expenses, the district may issue negotiable notes,
31 warrants, or other evidences of debt signed on behalf of the

1 district by any member of the board duly authorized by the
2 board, such notes or other evidences of indebtedness to be
3 payable at such times, to bear interest as provided by section
4 31, and to be sold or discounted at such price or prices and
5 on such terms as the board may deem advisable. The board shall
6 have the right to provide for the payment thereof by pledging
7 the whole or any part of the funds, revenues, taxes, and
8 assessments of the district. The approval of the qualified
9 electors who are freeholders residing in the district shall
10 not be necessary except where required by the constitution.

11 Section 28. Trust agreements.--In the discretion of
12 the board, any issue of bonds may be secured by a trust
13 agreement by and between the district and a corporate trustee
14 or trustees, which may be any trust company or bank having the
15 powers of a trust company within or without the state. The
16 resolution authorizing the issuance of the bonds or such trust
17 agreement may pledge the revenues to be received from any
18 projects of the district and may contain such provisions for
19 protecting and enforcing the rights and remedies of the
20 bondholders as the board may approve, including, without
21 limitation, covenants setting forth the duties of the district
22 in relation to the acquisition, construction, reconstruction,
23 improvement, maintenance, repair, operation, and insurance of
24 any projects, the fixing and revising of the rates, fees,
25 tolls, fares, and charges, and the custody, safeguarding, and
26 application of all moneys, and for the employment of
27 consulting engineers in connection with such acquisition,
28 construction, reconstruction, improvement, maintenance,
29 repair, or operation. It shall be lawful for any bank or trust
30 company incorporated under the laws of the state which may act
31 as a depository of the proceeds of bonds or of revenues to

1 furnish such indemnifying bonds or to pledge such securities
2 as may be required by the district. Such resolution or trust
3 agreement may set forth the rights and remedies of the
4 bondholders and of the trustee, if any, and may restrict the
5 individual right of action by bondholders. The board may
6 provide for the payment of the proceeds of the sale of the
7 bonds and the revenues of any project to such officer, board,
8 or depository as it may designate for the custody thereof, and
9 for the method of disbursement thereof with such safeguards
10 and restrictions as it may determine. All expenses incurred in
11 carrying out the provisions of such resolution or trust
12 agreement may be treated as part of the cost of operation of
13 the project to which such trust agreement pertains.

14 Section 29. Sale of bonds.--Bonds may be sold in
15 blocks or installments at different times, or an entire issue
16 or series may be sold at one time. Bonds may be sold at public
17 or private sale after such advertisement, if any, as the board
18 may deem advisable but not in any event at less than 95
19 percent of the par value thereof, together with accrued
20 interest thereon. Bonds may be sold or exchanged for refunding
21 bonds. Special assessment and revenue bonds may be delivered
22 as payment by the district of the purchase price or lease of
23 any project or part thereof, or a combination of projects or
24 parts thereof, or as the purchase price or exchanged for any
25 property, real, personal, or mixed, including franchises, or
26 services rendered by any contractor, engineer, or other
27 person, all at one time or in blocks from time to time, in
28 such manner and upon such terms as the board in its discretion
29 shall determine. The price or prices for any bonds sold,
30 exchanged, or delivered may be:

31 (1) The money paid for the bonds;

1 (2) The principal amount, plus accrued interest to the
2 date of redemption or exchange, of outstanding obligations
3 exchanged for refunding bonds;

4 (3) In the case of special assessment or revenue
5 bonds, the amount of any indebtedness to contractors or other
6 persons paid with such bonds; or

7 (4) The fair value of any properties exchanged for the
8 bonds, as determined by the board.

9 Section 30. Authorization and form of bonds.--Bonds
10 may be authorized by resolution or resolutions of the board
11 which shall be adopted by a majority of all of the members
12 thereof then in office. Such resolution or resolutions may be
13 adopted at the same meeting at which they are introduced, and
14 need not be published or posted. The board may by resolution
15 authorize the issuance of bonds and fix the aggregate amount
16 of bonds to be issued, the purpose or purposes for which the
17 moneys derived therefrom shall be expended, the rate or rates
18 of interest as provided by section 31, the denomination of the
19 bonds, whether or not the bonds are to be issued in one or
20 more series, the date or dates of maturity, which shall not
21 exceed 40 years from their respective dates of issuance, the
22 medium of payment, the place or places within or without the
23 state where payment shall be made, registration privileges,
24 redemption terms and privileges (whether with or without
25 premium), the manner of execution, the form of the bonds
26 including any interest coupons to be attached thereto, the
27 manner of execution of bonds and coupons, and any and all
28 other terms, covenants, and conditions, thereof, and the
29 establishment of revenue or other funds. Such authorizing
30 resolution may further provide that such bonds may be executed
31 manually or by engraved, lithographed, or facsimile signature,

1 provided that where signatures are engraved, lithographed, or
2 reproduced in facsimile no bond shall be valid unless
3 countersigned by a registrar or other officer designated by
4 appropriate resolution of the board. The seal of the district
5 may be affixed, lithographed, engraved, or otherwise
6 reproduced in facsimile on such bonds. In case any officer
7 whose signature or a facsimile of whose signature shall appear
8 on any bonds or coupons shall cease to be such officer before
9 the delivery of such bonds, such signature or facsimile shall
10 nevertheless be valid and sufficient for all purposes the same
11 as if he or she had remained in office until such delivery.

12 Section 31. Maximum allowable interest on district
13 bonds, assessments, and obligations.--Anything in this act or
14 the laws of the state to the contrary notwithstanding, the
15 maximum allowable interest rate on any bonds, assessments, or
16 obligations of the district that may be issued by or to the
17 district shall be 18 percent or the maximum amount or rate
18 permitted under such general law, whichever is lower.

19 Section 32. Interim certificates; replacement
20 certificates.--Pending the preparation of definitive bonds,
21 the board may issue interim certificates or receipts or
22 temporary bonds, in such form and with such provisions as the
23 board may determine, exchangeable for definitive bonds when
24 such bonds shall have been executed and are available for
25 delivery. The board may also provide for the replacement of
26 any bonds which shall become mutilated or be lost or
27 destroyed.

28 Section 33. Negotiability of bonds.--Any bond issued
29 under this act and any interim certificate, receipt, or
30 temporary bond shall, in the absence of an express recital on
31 the face thereof that it is nonnegotiable, be fully negotiable

1 and shall be and constitute negotiable instruments within the
2 meaning and for all purposes of the law merchant and the laws
3 of the state.

4 Section 34. Defeasance.--The board may make such
5 provision with respect to the defeasance of the right, title,
6 and interest of the holders of any of the bonds and
7 obligations of the district in any revenues, funds, or other
8 properties by which such bonds are secured as the board deems
9 appropriate and, without limitation on the foregoing, may
10 provide that when such bonds or obligations become due and
11 payable or shall have been called for redemption, and the
12 whole amount of the principal and the interest and premium, if
13 any, due and payable upon the bonds or obligations then
14 outstanding shall be paid, or sufficient moneys or direct
15 obligations of the United States Government the principal of
16 and the interest on which when due will provide sufficient
17 moneys, shall be held or deposited in trust for such purpose,
18 and provision shall also be made for paying all other sums
19 payable in connection with such bonds or other obligations,
20 then and in such event the right, title, and interest of the
21 holders of the bonds in any revenues, funds, or other
22 properties by which such bonds are secured shall thereupon
23 cease and become void, and the board may apply any surplus in
24 any sinking fund established in connection with such bonds or
25 obligations and all balances remaining in all other funds or
26 accounts other than money held for the redemption or payment
27 of the bonds or other obligations to any lawful purpose of the
28 district as the board shall determine.

29 Section 35. Bonds as legal investment or
30 security.--Notwithstanding any provisions of any other law to
31 the contrary, all bonds issued under the provisions of this

1 act shall constitute legal investments for savings banks,
2 banks, trust companies, insurance companies, executors,
3 administrators, trustees, guardians, and other fiduciaries,
4 and for any board, body, agency, instrumentality, county,
5 municipality, or other political subdivision of the state, and
6 shall be and constitute securities which may be deposited by
7 banks or trust companies as security for deposits of state,
8 county, municipal, or other public funds, or by insurance
9 companies as required or voluntary statutory deposits.

10 Section 36. Covenants.--Any resolution authorizing the
11 issuance of bonds may contain such covenants as the board may
12 deem advisable and all such covenants shall constitute valid
13 and legally binding and enforceable contracts between the
14 district and the bondholders, regardless of the time of
15 issuance thereof. Such covenants may include, without
16 limitation, covenants concerning the disposition of the bond
17 proceeds, the use and disposition of project revenues, the
18 pledging of revenues, taxes, and assessments, the obligations
19 of the district with respect to the operation of the project
20 and the maintenance of adequate project revenues, the issuance
21 of additional bonds, the appointment, powers, and duties of
22 trustees and receivers, the acquisition of outstanding bonds
23 and obligations, restrictions on the establishing of competing
24 projects or facilities, restrictions on the sale or disposal
25 of the assets and property of the district, the priority of
26 assessment liens, the priority of claims by bondholders on the
27 taxing power of the district, the maintenance of deposits to
28 assure the payment of revenues by users of district facilities
29 and services, the discontinuance of district services by
30 reason of delinquent payments, acceleration upon default, the
31 execution of necessary instruments, the procedure for amending

1 or abrogating covenants with the bondholders, and such other
2 covenants as may be deemed necessary or desirable for the
3 security of the bondholders.

4 Section 37. Validity of bonds; validation
5 proceedings.--

6 (1) Any bonds issued by the district shall be
7 incontestable in the hands of bona fide purchasers or holders
8 for value and shall not be invalid because of any irregularity
9 or defects in the proceedings for the issue and sale thereof.
10 Prior to the issuance of any bonds, the district may, but is
11 not required to, publish a notice at least once in a newspaper
12 or newspapers published and of general circulation in Broward
13 County, stating the date of adoption of the resolution
14 authorizing such obligations, the amount, the maximum rate of
15 interest, and maturity of such obligations, and the purpose in
16 general terms for which such obligations are to be issued, and
17 further stating that any action or proceeding questioning the
18 validity of such obligations or of the proceedings authorizing
19 the issuance thereof, or of any covenants made therein, must
20 be instituted within 20 days after the first publication of
21 such notice, or the validity of such obligations, proceedings,
22 and covenants shall not be thereafter questioned in any court
23 whatsoever. If no such action or proceeding is so instituted
24 within such 20-day period, then the validity of such
25 obligations, proceedings, and covenants shall be conclusive,
26 and all persons or parties whatsoever shall be forever barred
27 from questioning the validity of such obligations,
28 proceedings, or covenants in any court whatsoever.

29 (2) The power of the district to issue bonds under the
30 provisions of this act may be determined and any of the bonds
31 of the district may be validated and confirmed by circuit

1 court decree, under the provisions of chapter 75, Florida
2 Statutes, and laws amendatory thereof or supplementary
3 thereto.

4 Section 38. Authority for issuance of bonds.--This act
5 constitutes full and complete authority for the issuance of
6 bonds and the exercise of the powers of the district provided
7 herein. No procedures or proceedings, publications, notices,
8 consents, approvals, orders, acts, or things by the board, or
9 any board, officers, commission, department, agency, or
10 instrumentality of the district, other than those required by
11 this act, shall be required to issue any bonds or to do any
12 act or perform anything under this act, and the issuance or
13 sale of bonds pursuant to the provisions of this act need not
14 comply with the requirements of any other law applicable to
15 the issuance or sale of bonds, except as otherwise provided in
16 this act, and shall not require the consent or approval of any
17 board, officers, commission, department, agency, or
18 instrumentality of the state or any political subdivision
19 thereof. Except as otherwise provided herein, no proceedings
20 or procedures of any character whatever shall be necessary or
21 required for the issuance of bonds other than the adoption of
22 an appropriate resolution by the board as provided in this act
23 with respect to the issuance of the same. The powers conferred
24 by this act on the district with respect to the issuance and
25 sale of bonds shall be in addition and supplemental to the
26 powers conferred by any other law.

27 Section 39. Pledge by the state to the bondholders of
28 the district and to the Federal Government.--The state pledges
29 to the holders of any bonds issued under this act that it will
30 not limit or alter the rights of the district to own, acquire,
31 construct, reconstruct, improve, maintain, operate, or furnish

1 the projects or to levy and collect the taxes, assessments,
2 rentals, rates, fees, tolls, fares, and other charges provided
3 for herein and to fulfill the terms of any agreement made with
4 the holders of such bonds or other obligations, that it will
5 not in any way impair the rights or remedies of the holders,
6 and that it will not modify in any way the exemption from
7 taxation provided in the act, until all such bonds together
8 with interest thereon, and all costs and expenses in
9 connection with any action or proceeding by or on behalf of
10 such holders, are fully met and discharged. The state pledges
11 to and agrees with the Federal Government that in the event
12 the Federal Government or any agency or authority thereof
13 shall construct or contribute any funds, materials, or
14 property for the construction, acquisition, extension,
15 improvement, enlargement, maintenance, operation, or
16 furnishing of any of the projects of the district, or any part
17 thereof, the state will not alter or limit the rights and
18 powers of the district in any manner which would be
19 inconsistent with the continued maintenance and operation of
20 such project, or any part thereof, or the improvement thereof,
21 or which would be inconsistent with the due performance of any
22 agreements between the district and the Federal Government,
23 and the district shall continue to have and may exercise all
24 powers herein granted so long as the board of supervisors may
25 deem the same necessary or desirable for the carrying out of
26 the purposes of this act and the purposes of the Federal
27 Government in the construction, acquisition, extension,
28 improvement, enlargement, maintenance, operation, or
29 furnishing of any of the projects of the district, or any part
30 thereof.

31 Section 40. Annual installment taxes.--

1 (1) The board shall annually determine, order, and
2 levy the annual installment of the total taxes which are
3 levied under section 23 or under s. 298.36, Florida Statutes,
4 which shall be due and be collected during each year that
5 county taxes are due and collected and said annual installment
6 and levy shall be evidenced to and certified by the board of
7 supervisors each year to the Broward County Property
8 Appraiser. Said tax shall be entered by the county property
9 appraiser on the county tax rolls and shall be collected by
10 the Broward County revenue collector in the same manner and
11 same time as county taxes and the proceeds thereof paid to the
12 district. The tax shall be a lien until paid on the property
13 against which assessed and enforceable in like manner as
14 county taxes.

15 (2) In the alternative, the board may by resolution
16 determine the amount of taxes as provided by s. 298.365,
17 Florida Statutes, and thereafter the annual installments shall
18 be levied, collected, and enforced as provided in chapter 298,
19 Florida Statutes.

20 Section 41. Operation and administrative tax.--To
21 carry on the business of the district and to pay the
22 administrative and operational costs thereof and in addition
23 to any other tax or assessment authorized to be levied, the
24 district is authorized to levy a tax on all the lands within
25 the district as determined by the board for said purpose.

26 Section 42. Maintenance tax.--To maintain and preserve
27 the drainage improvements of the district, a maintenance tax
28 shall be evidenced to and certified by the board of
29 supervisors each year to the property appraiser and shall be
30 entered by the property appraiser on the county tax rolls and
31 shall be collected by the revenue collector in the same manner

1 and time as county taxes and the proceeds therefrom paid to
2 the district. The tax shall be a lien until paid on the
3 property against which assessed and enforceable in like manner
4 as county taxes. The amount of said maintenance tax shall be
5 determined by the board based upon a report of the chief
6 engineer or director and assessed by the board upon such
7 lands, which may be all of the lands within the district,
8 benefited by the maintenance thereof.

9 Section 43. Enforcement of taxes.--

10 (1) The collection and enforcement of all taxes levied
11 by the district shall be at the same time and in like manner
12 as county taxes and the provisions of the Florida Statutes
13 relating to the sale of lands for unpaid and delinquent county
14 taxes, the issuance, sale, and delivery of tax certificates
15 for such unpaid and delinquent county taxes, the redemption
16 thereof, the issuance to individuals of tax deeds based
17 thereon, and all other procedures in connection therewith
18 shall be applicable to the district to the same extent as if
19 said statutory provisions were expressly set forth herein. All
20 taxes shall be subject to the same discounts as county taxes.

21 (2) The provisions of subsection (1) shall not be
22 applicable if the board has determined to levy and collect
23 taxes under section 40(2).

24 Section 44. When unpaid tax is delinquent; penalty.--

25 (1) All taxes provided for in this act shall become
26 delinquent and bear penalties on the amount of said taxes in
27 the same manner as county taxes.

28 (2) The provisions of subsection (1) shall not be
29 applicable if the board has determined to levy and collect
30 taxes under section 40(2).

31

1 Section 45. Special assessments.--The board may
2 provide for the construction or reconstruction of assessable
3 improvements as defined in section 9, and for the levying of
4 special assessments upon benefited property for the payment
5 thereof, under provisions of this section. Such special
6 assessments may be levied and assessed in either of the
7 alternate methods provided in subsections (2) and (3), and
8 except for such procedure, all the other provisions of this
9 section and this act shall apply to levy of such special
10 assessments under either subsection (2) or subsection (3).

11 (1) The initial proceeding under subsection (2) or
12 subsection (3) shall be the passage by the board of a
13 resolution ordering the construction or reconstruction of such
14 assessable improvements, indicating the location by terminal
15 points and routes and either giving a description of the
16 improvements by its material, nature, character, and size or
17 giving two or more descriptions with the directions that the
18 material, nature, character, and size shall be subsequently
19 determined in conformity with one of such descriptions.
20 Drainage improvements need not be continuous and may be in
21 more than one locality. The resolution ordering any such
22 improvement may give any short and convenient designation to
23 each improvement ordered thereby, and the property against
24 which assessments are to be made for the cost of such
25 improvement may give any short and convenient designation to
26 each improvement ordered thereby, and the property against
27 which assessments are to be made for the cost of such
28 improvement may be designated as an assessment district,
29 followed by a letter or number or name to distinguish it from
30 other assessment districts, after which it shall be sufficient
31 to refer to such improvement and property by such designation

1 in all proceedings and assessments, except in the notices
2 required by this section. As soon as possible after the
3 passage of such resolution, the engineer for the district
4 shall prepare, in duplicate, plans and specifications for each
5 improvement ordered thereby and an estimate of the cost
6 thereof. Such cost shall include, in addition to the items of
7 cost as defined in this act, the cost of relaying streets and
8 sidewalks necessarily torn up or damaged and the following
9 items of incidental expenses:

10 (a) Printing and publishing notices and proceedings.

11 (b) Costs of abstracts of title.

12 (c) Any other expense necessary or proper in
13 conducting the proceedings and work provided for in this
14 section, including the estimated amount of discount, if any,
15 financial expenses upon the sale of assessment bonds or any
16 other obligations issued hereunder for which such special
17 assessment bonds or any other obligations issued hereunder for
18 which such special assessments are to be pledged, and interest
19 prior to and until not more than 2 years after the completion
20 of said assessable improvements. If the resolution shall
21 provide alternative descriptions of material, nature,
22 character, and size, such estimate shall include an estimate
23 of the cost of the improvement of each such description.

24
25 The district engineer shall next prepare, in duplicate, a
26 tentative apportionment of the estimated total cost of the
27 improvement as between the district and each lot or parcel of
28 land subject to special assessment under the resolution, such
29 apportionment to be made in accordance with the provisions of
30 the resolution and in relation to apportionment of cost
31 provided herein for the preliminary assessment roll. Such

1 tentative apportionment of total estimated cost shall not be
2 held to limit or restrict the duties of the engineer in the
3 preparation of such preliminary assessment roll under
4 subsection (2). One of the duplicates of such plans,
5 specifications, and estimates and such tentative apportionment
6 shall be filed with the secretary of the board and the other
7 duplicate shall be retained by the engineer in his or her
8 files, all thereof to remain open to public inspection.

9 (2)(a) If the special assessments are to be levied
10 under this subsection, the secretary of the board, upon the
11 filing with the secretary of such plans, specifications,
12 estimates, and tentative apportionment of cost, shall publish
13 once in a newspaper published in the county where the
14 benefited land is located and of general circulation in the
15 county, a notice stating that at a meeting of the board on a
16 certain day and hour, not earlier than 15 days from such
17 publication, the board will hear objections of all interested
18 persons to the confirmation of such resolution, which notice
19 shall state in brief and general terms a description of the
20 proposed assessable improvements with the location thereof,
21 and shall also state that plans, specifications, estimates,
22 and tentative apportionment of cost thereof are on file with
23 the secretary of the board. A copy of the notice shall be
24 mailed to the landowners of the land to be benefited by
25 construction of the assessable improvement. The landowners
26 shall be determined by reference to the last available tax
27 roll of Broward County. The secretary of the board shall keep
28 a record in which shall be inscribed, at the request of any
29 person, firm, or corporation having or claiming to have any
30 interest in any lot or parcel of land, the name and post
31 office address of such person, firm, or corporation, together

1 with a brief description or designation of such lot or parcel,
2 and it shall be the duty of the secretary of the board to mail
3 a copy of such notice to such person, firm, or corporation at
4 such address at least 10 days before the time for the hearing
5 as stated in such notice, but the failure of the secretary of
6 the board to keep such record or so to inscribe any name or
7 address or to mail any such notice shall not constitute a
8 valid objection to holding the hearing as provided in this
9 section or to any other action taken under the authority of
10 this section.

11 (b) At the time named in such notice, or to which an
12 adjournment may be taken by the board, the board shall receive
13 any objections of interested persons and may then or
14 thereafter repeal or confirm such resolution with such
15 amendments, if any, as may be desired by the board and which
16 do not cause any additional property to be specially assessed.

17 (c) All objections to any such resolution on the
18 ground that it contains items which cannot be properly
19 assessed against property, or that it is, for any default or
20 defect in the passage or character of the resolution or the
21 plans or specifications or estimate, void or voidable in whole
22 or in part, or that it exceeds the power of the board, shall
23 be made in writing, in person or by attorney, and filed with
24 the secretary of the board at or before the time or adjourned
25 time of such hearing. Any objections against the making of any
26 assessable improvements not so made shall be considered as
27 waived, and, if any objections shall be made and overruled or
28 shall not be sustained, the confirmation of the resolution
29 shall be the final adjudication of the issue presented unless
30 proper steps shall be taken in a court of competent
31 jurisdiction to secure relief within 20 days.

1 (d) Whenever any resolution providing for the
2 construction or reconstruction of assessable improvements and
3 for the levying of special assessments upon benefited property
4 for the payment thereof has been confirmed, and the special
5 assessments are levied under this subsection, or at any time
6 thereafter, the board may issue assessment bonds payable out
7 of such assessments when collected. Such bonds shall mature
8 not later than 2 years after the maturity of the last annual
9 installment in which the special assessments may be paid, as
10 provided in subsection (4), and shall bear interest as
11 provided by section 31. Such assessment bonds shall be
12 executed, shall have such provisions for redemption prior to
13 maturity, and shall be sold in the manner and be subject to
14 all of the applicable provisions contained in this act
15 applicable to other bonds, except as the same are inconsistent
16 with the provisions of this section. The amount of such
17 assessment bonds for any assessable improvement, prior to the
18 confirmation of the preliminary assessment roll provided for
19 in this subsection shall not exceed the estimated amount of
20 the cost of such assessable improvements which are to be
21 specially assessed against the lands and real estate referred
22 to in this section.

23 (e) After the passage of the resolution authorizing
24 the construction or reconstruction of assessable improvements
25 has been confirmed where special assessments are levied under
26 this subsection or after the final confirmation of the
27 assessment roll where such assessments are levied under
28 subsection (3), the board may publish at least once in a
29 newspaper published and of general circulation in the county
30 where the benefited land is located, a notice calling for
31 sealed bids to be received by the board on a date not earlier

1 than 15 days after the first publication for the construction
2 of the work, unless in the initial resolution the board has
3 declared its intention to have the work done by district
4 forces without contract. The notice shall refer in general
5 terms to the extent and nature of the improvements and may
6 identify the same by the short designation indicated in the
7 initial resolution and by reference to the plans and
8 specifications on file. If the initial resolution has given
9 two or more alternative descriptions of the assessable
10 improvements as to its material, nature, character, and size,
11 and, if the board has not theretofore determined upon a
12 definite description, the notice shall call for bids upon each
13 of such descriptions. Bids may be requested for the work as a
14 whole or for any part thereof separately and bids may be asked
15 for any one or more of such assessable improvements authorized
16 by the same or different resolutions, but any bid covering
17 work upon more than one improvement shall be in such form as
18 to permit a separation of cost as to each improvement. The
19 notice shall require bidders to file with their bids either a
20 certified check drawn upon an incorporated bank or trust
21 company in such amount or percentage of their respective bids,
22 as the board deems advisable, or a bid bond in like amount
23 with corporate surety satisfactory to the board to ensure the
24 execution of a contract to carry out the work in accordance
25 with such plans and specifications and ensure the filing, at
26 the making of such contract, of a bond in the amount of the
27 contract price with corporate surety satisfactory to the board
28 conditioned for the performance of the work in accordance with
29 such contract. The board shall have the right to reject any or
30 all bids, and, if all bids are rejected, the board may
31

1 readvertise or may determine to do the work by the district
2 forces without contract.

3 (f) Promptly after the completion of the work, in the
4 case of special assessments levied under this subsection, the
5 engineer for the district, who is hereby designated as the
6 official of the district to make the preliminary assessment of
7 benefits from assessable improvements, shall prepare a
8 preliminary assessment roll and file the same with the
9 secretary of the board which roll shall contain the following:

10 1. A description of abutting lots and parcels of land
11 or lands which will benefit from such assessable improvements
12 and the amount of such benefits to each such lot or parcel of
13 land. There shall also be given the name of the owner of
14 record of each lot or parcel, where practicable, and, in all
15 cases, there shall be given a statement of the method of
16 assessment used by the engineer for determining the benefits.

17 2. The total cost of the improvements and the amount
18 of incidental expense.

19 (g) The preliminary roll shall be advisory only and
20 shall be subject to the action of the board as hereafter
21 provided. Upon the filing with the secretary of the board of
22 the preliminary assessment roll, the secretary of the board
23 shall publish at least once in a newspaper published and of
24 general circulation in the county where the benefited land is
25 located, a notice stating that at a meeting of the board to be
26 held on a certain day and hour, not less than 15 days after
27 the date of such publication, which meeting may be a regular,
28 adjourned, or special meeting, all interested persons may
29 appear and file written objections to the confirmation of such
30 roll. Such notice shall state the class of the assessable

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1 improvements and the location thereof by terminal points and
2 route.
3 (h) At the time and place stated in such notice the
4 board shall meet and receive the objections in writing of all
5 interested persons as stated in such notice. The board may
6 adjourn the hearing from time to time. After the completion
7 thereof the board shall either annul or sustain or modify in
8 whole or in part the prima facie assessment as indicated on
9 such roll, either by confirming the prima facie assessment
10 against any or all lots or parcels described therein or by
11 canceling, increasing, or reducing the same, according to the
12 special benefits which the board decides each lot or parcel
13 has received or will receive on account of such improvement.
14 If any property which may be chargeable under this section has
15 been omitted from the preliminary roll or if the prima facie
16 assessment has not been made against it, the board may place
17 on such roll an apportionment to such property. The board
18 shall not confirm any assessment in excess of the special
19 benefits to the property assessed, and the assessments so
20 confirmed shall be in proportion to the special benefits.
21 Forthwith after such confirmation such assessment roll shall
22 be delivered to the secretary of the board. The assessment so
23 made shall be final and conclusive as to each lot or parcel
24 assessed unless proper steps be taken within 30 days in a
25 court of competent jurisdiction to secure relief. If the
26 assessment against any property shall be sustained or reduced
27 or abated by the court, the secretary of the board shall note
28 that fact on the assessment roll opposite the description of
29 the property affected thereby. The amount of the special
30 assessment against any lot or parcel which may be abated by
31 the court, unless the assessment upon all benefited property

1 be abated, or the amount by which such assessment is so
2 reduced, may, by resolution of the board, be made chargeable
3 against the district at large; or, at the discretion of the
4 board, a new assessment roll may be prepared and confirmed in
5 the manner herein provided for the preparation and
6 confirmation of the original assessment roll.

7 (i) Pending the final confirmation of such special
8 assessments in the manner provided in this subsection, the
9 district shall have a lien on all such lands and real estate
10 after the passage of the initial resolution, subject, however,
11 to the final confirmation thereof in the manner provided in
12 this subsection.

13 (3)(a) The district engineer, under the procedure
14 provided for in this subsection shall next, after passage of
15 the initial resolution and filing of the plans and estimates
16 of cost by the district engineer, prepare an assessment roll
17 for the district in duplicate, which assessment roll shall
18 contain an apportionment of the estimated total cost of the
19 improvement as between the district and each lot or parcel of
20 land subject to the special assessment under the initial
21 resolution, such apportionment to be made in accordance with
22 the provisions of the initial resolution. One of the
23 duplicates of said assessment roll shall be filed with the
24 secretary of the board and the other duplicate shall be
25 retained by the district engineer in his or her files, all
26 thereof to remain open to public inspection.

27 (b) Upon the completion and filing of said assessment
28 roll the secretary to the board shall cause a copy thereof to
29 be published once in a newspaper published in the county where
30 the benefited land is located and of general circulation in
31 the county, together with a notice directed to all property

1 owners interested in the special assessments stating that at a
2 meeting of the board on a certain day and hour, not earlier
3 than 15 days after such publication, the board sitting as an
4 equalizing board, will hear objections of all interested
5 persons to the final confirmation of such assessment roll, and
6 will finally confirm such assessment roll or take such action
7 relative thereto as it deems necessary and advisable. A copy
8 of the notice shall be mailed to the landowners of the land to
9 be benefited by construction of the assessable improvement.
10 The landowners shall be determined by reference to the last
11 available tax roll of Broward County. The secretary of the
12 board shall keep a record in which shall be inscribed, at the
13 request of any person, firm, or corporation having or claiming
14 to have any interest in any lot or parcel of land, the name
15 and post office address of each person, firm, or corporation,
16 together with a brief description or designation of such lot
17 or parcel, and it shall be the duty of the secretary of the
18 board to mail a copy of such notice to such person, firm, or
19 corporation at such address at least 10 days before the time
20 for the hearing as stated in such notice, but the failure of
21 the secretary of the board to keep such record or so to
22 inscribe any name or address or to mail such notice shall not
23 constitute a valid objection to holding the hearing as
24 provided in this section or to any other action taken under
25 the authority of this section.

26 (c) At the time and place named in the notice provided
27 for in paragraph (b), the board shall meet as an equalizing
28 board to hear and consider any and all complaints as to the
29 special assessments, and shall adjust and equalize the special
30 assessments on a basis of justice and right, and, when so
31 equalized and approved, such special assessment shall stand

1 confirmed and remain legal, valid, and binding liens upon the
2 properties upon which such special assessments are made, until
3 paid in accordance with the provisions of this act. However,
4 upon the completion of the improvements, if the actual cost of
5 the assessable improvements is less than the amount of such
6 special assessments levied, the district shall rebate to the
7 owners of any properties which shall have been specially
8 assessed for the assessable improvements the difference in the
9 special assessments as originally made, levied, and confirmed,
10 and the proportionate part of the actual cost of said
11 assessable improvements as finally determined upon the
12 completion of said assessable improvements. In the event that
13 the actual cost of said assessable improvements shall be more
14 than the amount of the special assessments confirmed, levied,
15 and as finally determined upon the completion of said
16 assessable improvements, the proportionate part of such excess
17 cost of such assessable improvements may be levied against all
18 of the lands and properties against which such special
19 assessments were originally levied, or, in the alternative,
20 the board may, in its discretion, pay such excess cost from
21 any legally available funds.

22 (d) All objections to any such assessment roll on the
23 ground that it contains items which cannot be properly
24 assessed against property, or that it is, for any default or
25 defect in the passage or character of the assessment roll or
26 the plans or specifications or estimate, void or voidable in
27 whole or in part, or that it exceeds the power of the board,
28 shall be made in writing, in person or by attorney, and filed
29 with the secretary of the board at or before the time or
30 adjourned time of such hearing on the assessment roll. Any
31 objections against the making of any assessable improvements

1 not so made shall be considered as waived, and, if any
2 objections shall be made and overruled or shall not be
3 sustained, the confirmation of the assessment roll shall be
4 the final adjudication of the issue presented unless proper
5 steps are taken in a court of competent jurisdiction to secure
6 relief within 20 days.

7 (e) All the provisions of subsection (2) not
8 inconsistent with this subsection shall apply to the levy of
9 special assessments under this subsection.

10 (4)(a) Any assessment may be paid at the office of the
11 secretary of the board within 60 days after the confirmation
12 thereof, without interest. Thereafter all assessments shall be
13 payable in equal installments, with interest as provided by
14 section 31 from the expiration of the 60 days in each of the
15 succeeding number of years which the board shall determine by
16 resolution, not exceeding 20. However, the board may provide
17 that any assessment may be paid at any time before due,
18 together with interest accrued thereon to the date of payment,
19 if such prior payment shall be permitted by the proceedings
20 authorizing any assessment bonds or other obligations for the
21 payment of which such special assessments have been pledged.

22 (b) All such special assessments levied pursuant to
23 this act may, in the discretion of the board, be collected by
24 the revenue collector of the county at the same time as the
25 general county taxes are collected by the revenue collector of
26 the county, and the board shall in such event certify to the
27 county revenue collector in each year a list of all such
28 special assessments and a description of, and names of the
29 owners of, the properties against which such special
30 assessments have been levied and the amounts due thereon in
31 such year, and interest thereon for any deficiencies for prior

1 years. The amount to be so certified by the board to the
2 county revenue collector to be collected in such year may
3 include, in the discretion of the board, the principal
4 installment of such special assessments which will become due
5 at any time in the next succeeding fiscal year, and all or any
6 part of the interest which will become due on such special
7 assessments during such next fiscal year, together with any
8 deficiencies for prior years.

9 (c) The board may, in lieu of providing for the
10 collection of the special assessments by the revenue collector
11 of the county, provide for the collection of said special
12 assessments by the district under such terms and conditions as
13 the board shall determine. In such event, the bills or
14 statements for the amounts due in any fiscal year shall be
15 mailed to the owners of all properties affected by such
16 special assessments at such time or times as the board shall
17 determine and such bills or statements may include all or any
18 part of the principal and interest which will mature and
19 become due on the annual installments of such special
20 assessments during the fiscal year in which installments of
21 such assessments are payable.

22 (d) All charges of the county revenue collector or of
23 the district, and the fees, costs, and expenses of any paying
24 agents, trustees, or other fiduciaries for assessment bonds
25 issued under this act, are deemed to be costs of the operation
26 and maintenance of any drainage improvements in connection
27 with which such special assessments were levied and the board
28 shall be authorized and directed to provide for the payment
29 each year of such costs of collection, fees, and other
30 expenses from the maintenance tax as provided in this act as
31 shall be mutually agreed upon between the board and the county

1 revenue collector as additional compensation for his or her
2 services for each such assessment district in which the
3 special assessments are collected by him or her.

4 (e) All assessments shall constitute a lien upon the
5 property so assessed, from the date of final confirmation
6 thereof, of the same nature and to the same extent as the lien
7 for general county taxes falling due in the same year or years
8 in which such assessments or installments thereof fall due,
9 and any assessment or installment not paid when due shall be
10 collectible with such interest and with a reasonable
11 attorney's fee and costs, but without penalties, by the
12 district by proceedings in a court of equity to foreclose the
13 line of assessments as a lien for mortgages is or may be
14 foreclosed under the laws of the state; provided that any such
15 proceedings to foreclose shall embrace all installments of
16 principal remaining unpaid with accrued interest thereon,
17 which installments shall, by virtue of the institution of such
18 proceedings, immediately become due and payable. Nevertheless,
19 if, prior to any sale of the property under decree of
20 foreclosure in such proceedings, payment be made of the
21 installment or installments which are shown to be due under
22 the provisions of subsections (2) or (3), and by this
23 subsection, and all costs, including interest and attorney's
24 fees, such payment shall have the effect of restoring the
25 remaining installments to their original maturities as
26 provided by the resolution passed pursuant to this subsection
27 and the proceedings shall be dismissed. It shall be the duty
28 of the board to enforce the prompt collection of assessment by
29 the means herein provided, and such duty may be enforced at
30 the suit of any holder of bonds issued under this act in a
31 court of competent jurisdiction by mandamus or other

1 appropriate proceedings or action. Not later than 30 days
2 after the annual installments are due and payable, it shall be
3 the duty of the board to direct the attorney for the district
4 to institute actions within 2 months after such direction to
5 enforce collection of all special assessments for assessable
6 improvements made under this section and remaining due and
7 unpaid at the time of such direction. Such action shall be
8 prosecuted in the manner and under the conditions in and under
9 which mortgages are foreclosed under the laws of the state. It
10 shall be lawful to join in one action the collection of
11 assessments against any or all property assessed by virtue of
12 the same assessment roll unless the court shall deem such
13 joinder prejudicial to the interest of any defendant. The
14 court shall allow a reasonable attorney's fee for the attorney
15 for the district, and the same shall be collectible as a part
16 of or in addition to the costs of the action. At the sale
17 pursuant to decree in any such action, the district may be a
18 purchaser to the same extent as an individual person or
19 corporation, except that the part of the purchase price
20 represented by the assessments sued upon and the interest
21 thereon need not be paid in cash. Property so acquired by the
22 district may be sold or otherwise disposed of.

23 (f) All assessments and charges made under the
24 provisions of this section for the payment of all or any part
25 of the cost of any assessable improvements for which
26 assessment bonds shall have been issued under the provisions
27 of this act, or which have been pledged as additional security
28 for any other bonds or obligations issued under this act,
29 shall be used only for the payment of principal or interest on
30 such assessment bonds or other bonds or obligations issued
31 under this act.

1 Section 46. Issuance of certificates of indebtedness
2 based on assessments for assessable improvements; assessment
3 bonds.--

4 (1) The board may, after any assessments for
5 assessable improvements are made, determined, and confirmed as
6 provided in section 45, issue certificates of indebtedness for
7 the amount so assessed against the abutting property or
8 property otherwise benefited, as the case may be, and separate
9 certificates shall be issued against each part or parcel of
10 land or property assessed, which certificates shall state the
11 general nature of the improvement for which the said
12 assessment is made. Said certificates shall be payable in
13 annual installments in accordance with the installments of the
14 special assessment for which they are issued. The board may
15 determine the interest to be borne by such certificates as
16 provided by section 31, and may sell such certificates at
17 either private or public sale and determine the form, manner
18 of execution, and other details of such certificates. Such
19 certificates shall recite that they are payable only from the
20 special assessments levied and collected from the part or
21 parcel of land or property against which they are issued. The
22 proceeds of such certificates may be pledged for the payment
23 of principal of and interest on any revenue bonds or general
24 obligation bonds issued to finance in whole or in part such
25 assessable improvement, or, if not so pledged, may be used to
26 pay the cost or part of the cost of such assessable
27 improvements.

28 (2) The district may also issue assessment bonds or
29 other obligations payable from a special fund into which such
30 certificates of indebtedness referred to in subsection (1) may
31 be deposited; or, if such certificates of indebtedness have

1 not been issued, the district may assign to such special fund
2 for the benefit of the holders of such assessment bonds or
3 other obligations, or to a trustee for such bondholders, the
4 assessment liens provided for in this act unless such
5 certificates of indebtedness or assessment liens have been
6 theretofore pledged for any bonds or other obligations
7 authorized hereunder. In the event of the creation of such
8 special fund and the issuance of such assessment bonds or
9 other obligations, the proceeds of such certificates of
10 indebtedness or assessment liens deposited therein shall be
11 used only for the payment of the assessment bonds or other
12 obligations issued as provided in this section. The district
13 is hereby authorized to covenant with the holders of such
14 assessment bonds or other obligations that it will diligently
15 and faithfully enforce and collect all the special assessments
16 and interest and penalties thereon for which such certificates
17 of indebtedness or assessment liens have been deposited in or
18 assigned to such fund, and to foreclose such assessment liens
19 so assigned to such special fund or represented by the
20 certificates of indebtedness deposited in said special fund,
21 after such assessment liens have become delinquent, and
22 deposit the proceeds derived from such foreclosure, including
23 interest and penalties, in such special fund, and to make any
24 other covenants deemed necessary or advisable in order to
25 properly secure the holders of such assessment bonds or other
26 obligations.

27 (3) The assessment bonds or other obligations issued
28 pursuant to this section shall have such dates of issue and
29 maturity as shall be deemed advisable by the board. However,
30 the maturities of such assessment bonds or other obligations
31 shall not be more than 2 years after the due date of the last

1 installment which will be payable on any of the special
2 assessments for which such assessment liens, or the
3 certificates of indebtedness representing such assessment
4 liens, are assigned to or deposited in such special fund.

5 (4) Such assessment bonds or other obligations issued
6 under this section shall bear interest as provided by section
7 31, shall be executed, shall have such provisions for
8 redemption prior to maturity, and shall be sold in the manner
9 and be subject to all of the applicable provisions contained
10 in this act for revenue bonds, except as the same may be
11 inconsistent with the provisions of this section.

12 (5) All assessment bonds or other obligations issued
13 under the provisions of this act, except certificates of
14 indebtedness issued against separate lots or parcels of land
15 or property as provided in this section, shall be and
16 constitute and have all the qualities and incidents of
17 negotiable instruments under the law merchant and the laws of
18 the state.

19 Section 47. Foreclosure of liens.--

20 (1) Any lien in favor of the district arising under
21 chapter 298, Florida Statutes, or under this act may be
22 foreclosed by the district by bringing foreclosure proceedings
23 in the name of the district in the circuit court in like
24 manner as is provided in chapter 173, Florida Statutes, and
25 amendments thereto, and the provisions of the chapter shall be
26 applicable to such proceedings with the same force and effect
27 as if the provisions were expressly set forth in this act. Any
28 act required or authorized to be done by or on behalf of a
29 city or town in foreclosure proceedings under chapter 173,
30 Florida Statutes, may be performed by such officer or agent of
31 the district as the board of supervisors may designate. Such

1 foreclosure proceedings may be brought at any time after the
2 expiration of 1 year from the date any tax, or installment
3 thereof, becomes delinquent.

4 (2) As an alternative to the foregoing, the district
5 may at any time foreclose any lien for delinquent taxes or
6 installments thereof by a chancery action brought in the name
7 of the district in the circuit court. The pleadings, process,
8 practice, and sales in such proceedings shall be the same as
9 in actions for the foreclosure of mortgages upon real
10 property. One or more parcels of land may be included in the
11 same suit.

12 (3) In any foreclosure action filed by the district
13 pursuant to this section, the district may join as a party
14 defendant Broward County, for the purpose of determining the
15 amount of their respective tax liens. When the county is so
16 joined in such a foreclosure action, the judicial sale held in
17 such action shall operate to satisfy all county tax liens to
18 the date of such sale. The decree of the court in any such
19 foreclosure action shall operate to quiet title to the
20 property that is the subject of the action.

21 Section 48. Payment of taxes and redemption of tax
22 liens by the district; sharing in proceeds of tax sale under
23 s. 197.542, Florida Statutes.--

24 (1) The district has the right to:

25 (a) Pay any delinquent state, county, district,
26 municipal, or other tax or assessment upon lands located
27 wholly or partially within the boundaries of the district.

28 (b) Redeem or purchase any tax sales certificate
29 issued or sold on account of any state, county, district,
30 municipal, or other taxes or assessments upon lands located
31 wholly or partially within the boundaries of the district.

1 (2) Delinquent taxes paid, or tax sales certificates
2 redeemed or purchased, by the district, together with all
3 penalties for the default in payment of the same and all costs
4 in collecting the same and a reasonable attorney's fee, shall
5 constitute a lien in favor of the district of equal dignity
6 with the liens of state and county taxes and other taxes of
7 equal dignity with state and county taxes, upon all the real
8 property against which said taxes were levied. The lien of the
9 district may be foreclosed in the manner provided in this act.

10 (3) In any sale of land pursuant to s. 197.542,
11 Florida Statutes, and amendments thereto, the district may
12 certify to the clerk of the circuit court of the county
13 holding such sale the amount of taxes due to the district upon
14 the lands sought to be sold, and the district shall share in
15 the disbursement of the sales proceeds in accordance with the
16 provisions of this act and under law.

17 Section 49. Changing boundary lines; annexation and
18 exclusion of lands.--

19 (1) Whenever the owners of a majority of the acreage
20 of the land within a prescribed area adjacent to the
21 boundaries of the district petitions the board to include a
22 specific area of lands within the boundaries of the district
23 or when the board by resolution proposes that an area of land
24 adjacent to the boundaries of the district be included within
25 the boundaries of the district, the board shall publish a
26 notice once a week for 2 consecutive weeks in a newspaper of
27 general circulation published in Broward County describing the
28 boundaries of the area which is proposed to be taken into the
29 boundaries of the district. The notice shall be directed to
30 the landowners within the area proposed to be taken into the
31 boundaries of the district and shall direct said landowners to

1 show cause in writing before the board at a time and place to
2 be stated in such notice why such area of land should not be
3 brought into the boundaries of the district and why the
4 proceedings and powers authorized by this act should not be
5 exercised by the board. At the time and place stated in said
6 notice the board shall hear all objections of any landowner
7 within the area proposed to be taken into the boundaries of
8 the district and if no objections are made or if said
9 objections, if made, are overruled by the board, the board
10 shall enter in its minutes its findings and adopt a final
11 resolution of annexation confirming the new boundaries of the
12 district as they may be extended. Thereafter, the board may
13 proceed with the development, drainage, and reclamation of the
14 new area of land brought into the district. If the board shall
15 overrule any landowners' objections as provided herein or if
16 such landowner shall deem himself or herself aggrieved by the
17 aforsaid action of the board, such landowner may within 20
18 days after the board adopts its final resolution of annexation
19 invoke the jurisdiction of the circuit court for Broward
20 County. When said resolution annexing the new area to the
21 boundaries of the district shall have been adopted by the
22 board, or by a court of competent jurisdiction if such
23 proposed action shall have been challenged by a landowner by
24 the judicial proceedings hereinabove authorized, the board may
25 adopt a plan of reclamation for the newly annexed area and
26 thereafter proceed in a like manner as prescribed in this act.
27 Upon the adoption of the final resolution of annexation, all
28 provisions of this act shall apply to the newly annexed area
29 of land. Lands lying within the boundaries of the district may
30 be deannexed in the same manner as the procedure for
31 annexation.

1 (2) Land added to the district in the manner provided
2 in this section shall, from the time of its inclusion within
3 the district, be subject to all of the taxes and assessments
4 thereafter levied and assessed on other land or property of
5 the district similarly situated. Land or property excluded
6 from the district in the manner provided in this section
7 shall, from the date of such exclusion, be exempt from taxes
8 or assessments thereafter imposed by the district but shall
9 not be exempt from taxes or assessments theretofore levied and
10 due with respect to such land or property, or from subsequent
11 installments of taxes or assessments theretofore levied or
12 assessed with respect thereto, and such taxes or assessments
13 may be enforced and collected by or on behalf of the district
14 in the same manner as if such land or property continued to be
15 within the territorial limits of the district.

16 (3) Nothing in this section shall permit the
17 annexation or exclusion of lands contrary to the terms,
18 covenants, or conditions of any of the bonds or obligations of
19 the district, or in any manner that would impair the security
20 of the holders of any bonds or other obligations of the
21 district.

22 Section 50. Unit development; powers of board of
23 supervisors to designate units of district and adopt system of
24 progressive drainage by units; plans of reclamation and
25 financing assessments for each unit; amendment of unit plan.--

26 (1) The board of supervisors of the district is
27 authorized in its discretion to drain and reclaim and place
28 under water control or more completely and intensively to
29 drain and reclaim and place under water control the lands in
30 the district by designated areas or parts of the district to
31 be called "units." The units into which the district may be so

1 divided shall be given appropriate numbers or names by the
2 board, so that the units may be readily identified and
3 distinguished. The board shall have the power to fix and
4 determine the location, area, and boundaries of lands to be
5 included in each and all such units, the order of development
6 thereof, and the method of carrying on the work in each unit.
7 The unit system of drainage provided by this section may be
8 conducted and all of the proceedings by this section and this
9 act authorized in respect to such unit or units may be carried
10 on and conducted at the same time as or after the work of
11 draining and reclaiming of the entire district has been or is
12 being or shall be instituted or carried on under the
13 provisions of this act or under chapter 298, Florida Statutes,
14 or both.

15 (2) If the board determines that is it advisable to
16 conduct the work of draining and reclaiming the lands in the
17 district by units, as authorized by this section, the board
18 shall, by resolution, declare its purpose to conduct such work
19 accordingly, and shall fix the number, location, and
20 boundaries of and description of lands within such unit or
21 units and give them appropriate numbers or names. The entire
22 district may also be designated as a unit for the proper
23 allocation of such part of the plan of reclamation and
24 drainage as benefits the entire district.

25 (3) As soon as practicable after the adoption of such
26 resolution, the board shall publish notice once a week for 2
27 consecutive weeks in a newspaper or newspapers published and
28 of general circulation in Broward County, briefly describing
29 the units into which the district has been divided and the
30 lands embraced in each unit, giving the name, number, or other
31 designation of such units, requiring all owners of lands in

1 the district to show cause in writing before the board at a
2 time and place to be stated in such notice why such division
3 of the district into such units should not be approved, and
4 the system of development by units should not be adopted and
5 given effect by the board, and why the proceedings and powers
6 authorized by this section should not be had, taken, and
7 exercised. At the time and place stated in the notice, the
8 board of supervisors shall hear all objections or causes of
9 objection, all of which shall be in writing, of any landowner
10 in the district who may appear in person or by attorney, to
11 the matters mentioned and referred to in such notice, and, if
12 no objections are made, or, if objections are made and
13 overruled by the board, then the board shall enter in its
14 minutes its finding and order confirming the resolution, and
15 may thereafter proceed with the development, drainage, and
16 reclamation of the district by units pursuant to such
17 resolution and to the provisions of this act. The failure to
18 make objections as provided in this subsection shall
19 constitute a waiver of such objection, and, if any objection
20 shall be made and overruled or otherwise not sustained,
21 confirmation of the resolution shall be the final adjudication
22 of the issues presented unless a judicial proceeding is
23 initiated within 10 days after such ruling.

24 (4) The board may, as a result of any objections or of
25 other matters brought forth at such hearing, modify or amend
26 said resolution in whole or in part, confirm said resolution
27 after overruling all objections, or reject said resolution
28 and, if such resolution is confirmed, modified, or amended,
29 may proceed thereafter in accordance with said resolution as
30 confirmed, modified, or amended. The sustaining of such
31 objections and the rescinding of such resolutions shall not

1 exhaust the power of the board under this section, but the
2 board may at any time adopt other resolutions under this
3 section and thereupon proceed on due notice in like manner as
4 provided in this section. If the board shall overrule or
5 refuse to sustain any such objections in whole or in part made
6 by any landowner in the district, or if any such landowner
7 shall deem himself or herself aggrieved by any action of the
8 board in respect to any objections so filed, such landowner
9 may, within 10 days after the ruling of the board, invoke the
10 jurisdiction of the circuit court for the 17th circuit; and
11 such suits shall be conducted like other chancery suits,
12 except that said suits shall have preference over all other
13 pending actions except criminal actions and writs of habeas
14 corpus.

15 (5) When the resolutions creating the unit system
16 shall be confirmed by the board, or by the circuit court, if
17 such proposed action shall be challenged by a landowner by the
18 judicial proceedings authorized in this section, the board may
19 adopt a plan or plans of reclamation for and in respect to any
20 or all such units, and to have the benefits and damages
21 resulting therefrom assessed and apportioned in like manner as
22 is provided by chapter 298, Florida Statutes, in regard to
23 plans of reclamation for the assessments of benefits and
24 damages of the entire district, or in like manner as is
25 provided for in this act for the assessments of benefits. The
26 board shall have the same powers in respect to each and all of
27 such units as is vested in them with respect to the entire
28 district. All the provisions of this act shall apply to the
29 drainage, reclamation, and improvement of each, any, and all
30 such units, and the enumeration of or reference to specific
31 powers or duties of the supervisors or any other officers or

1 other matters in this act, as set forth in this act, shall not
2 limit or restrict the application of any and all of the
3 proceedings and powers herein to the drainage and reclamation
4 of such units as fully and completely as if such unit or units
5 were specifically and expressly named in every section and
6 clause of this act where the entire district is mentioned or
7 referred to. Unless the board by resolution otherwise
8 provides, all assessments, levies, taxes, bonds, and other
9 obligations made, levied, assessed, or issued for or in
10 respect to any such unit or units shall be a lien and charge
11 solely and only upon the lands in such unit or units,
12 respectively, for the benefit of which the same shall be
13 levied, made, or issued, and not upon the remaining units or
14 lands in the district.

15 (6) The board may at any time amend its resolution by
16 changing the location and description of lands in any unit or
17 units, provided that if the location of or description of
18 lands located in any unit or units is so changed, notice of
19 the change shall be published as required in this section for
20 notice of the formation or organization of such unit or units,
21 and all proceedings shall be had and done in that regard as
22 are provided in this section for the original creation of such
23 unit or units.

24 (7) If, after the determination of benefits with
25 respect to any unit or units or the issuance of bonds or other
26 obligations which are payable from taxes or assessments for
27 benefits levied upon lands within such unit or units, the
28 board finds the plan of reclamation of any such unit or units
29 insufficient or inadequate for efficient development, the plan
30 of reclamation may be amended or changed as provided in
31 chapter 298, Florida Statutes, or as provided in this act, and

1 the unit or units may be amended or changed as provided in
2 this section by changing the location and description of lands
3 in such unit or units or by detaching lands therefrom or by
4 adding lands thereto, but only upon the approval or consent of
5 not less than the holders of a majority in principal amount of
6 such bonds or other obligations, or such other percentage as
7 may be required by the terms of such bonds or other
8 obligations, or without such consent or approval, if the
9 proceedings authorizing such bonds provide that such action
10 may be taken without the consent or approval of the holders
11 thereof. In the event of such amendment or change, all
12 assessments, levies, taxes, bonds, or other obligations made,
13 levied, assessed, incurred, or issued for or in respect to any
14 such unit or units shall be allocated and apportioned to the
15 amended unit or units in proportion to the benefits assessed
16 with respect to the amended plan of reclamation. In the event
17 of the change of the boundaries of any unit as provided in
18 this section and the allocation and apportionment to the
19 amended unit or units or assessments, levies, taxes, bonds,
20 and other obligations in proportion to the benefits assessed
21 for the amended plan of reclamation, the holders of bonds or
22 other obligations hereafter issued for the original unit shall
23 be entitled to all rights and remedies against any lands added
24 to the amended unit or units as fully and to the same extent
25 as if such added lands had formed and constituted a part of
26 the original unit or units at the time of the original
27 issuance of such bonds or other obligations, and regardless of
28 whether the holders of such bonds or other obligations are the
29 original holders thereof or the holders from time to time
30 hereafter, and the rights and remedies of such holders against
31 the lands in the amended unit or units, including any lands

1 added thereto, under such allocation and apportionment, shall
2 constitute vested and irrevocable rights and remedies to the
3 holders from time to time of such bonds or other obligations
4 as fully and to the same extent as if such bonds or other
5 obligations had been originally issued to finance the
6 improvements in such amended unit or units under such amended
7 plan of reclamation. Conversely, in the event of the change of
8 the boundaries of any unit wherein lands are detached
9 therefrom, as provided for in this section, said lands so
10 detached shall be relieved and released from any further
11 liability for the assessment, levy, or payment of any taxes
12 for the purpose of paying the principal or interest on any
13 bonds originally issued for the original unit from which said
14 lands were detached.

15 Section 51. Creation of subdistricts.--The board shall
16 provide for the furnishing of the services and facilities
17 authorized by this act throughout the district or in such part
18 or parts thereof as the board shall determine. For the purpose
19 of furnishing such services and facilities to any part or
20 parts of the district less than the entire area of the
21 district, the board shall have the power to divide the
22 district into such subdistricts, units, or zones as the board
23 may deem appropriate.

24 Section 52. Mandatory use of certain district
25 facilities and services.--The district may require all lands,
26 buildings, and premises, and all persons, firms, and
27 corporations, within the district to use the drainage and
28 reclamation facilities of the district. Subject to such
29 exceptions as may be provided by the resolutions, rules, or
30 bylaws of the board, and subject to the terms and provisions
31 of any resolution authorizing any bonds and agreements with

1 bondholders, no drainage and reclamation facilities shall be
2 constructed or operated within the district unless the board
3 gives consent thereto and approves the plans and
4 specifications therefor. The violation of the foregoing
5 requirements is declared to be a criminal offense and
6 misdemeanor within the meaning of s. 775.08, Florida Statutes,
7 and shall be punishable as provided by general law.

8 Section 53. Procurement of contractual services and
9 purchase of goods, supplies, and materials.--

10 (1) All contracts let by the board for professional
11 architectural, engineering, landscape architectural, or land
12 surveying services for any project authorized by this act
13 shall be in compliance with s. 287.055, Florida Statutes, as
14 amended. Except as stated herein and as provided by s.
15 287.055, Florida Statutes, as amended, no contract shall be
16 let by the board for the construction or maintenance of any
17 improvements authorized under this act, nor shall any goods,
18 supplies, or materials be purchased when the amount thereof to
19 be paid by the district shall exceed \$10,000, unless notice of
20 bids shall be advertized once a week for 2 consecutive weeks
21 in a newspaper in general circulation in Broward County, and
22 in each case the bid of the lowest responsible bidder shall be
23 accepted, unless all bids are rejected because the bids are
24 too high. The board may require the bidders to furnish bond
25 with responsible surety to be approved by the board. Nothing
26 in this section shall prevent the board from undertaking and
27 performing the construction, operation, and maintenance of any
28 project, facility, or improvements authorized under this act
29 by the employment of labor, material, and machinery.

30 (2) Notwithstanding the bidding procedure prescribed
31 in subsection (1), if the board determines, by resolution,

1 that the use of competitive bidding is not practicable,
2 contractual services and purchases of goods, supplies, or
3 materials may be procured by competitive sealed proposals. The
4 request for proposals shall include a statement of the
5 services sought or the goods, supplies, or materials requested
6 and all contractual terms and conditions applicable to the
7 procurement of the contractual services or of the goods,
8 supplies, or materials requested. The contract shall be
9 awarded to the responsive offeror whose proposal is determined
10 to be the most advantageous to the district, taking into
11 consideration price and other evaluation criteria set forth in
12 the request for proposals.

13 (3) If the board determines, by resolution, that an
14 immediate danger to the public health or safety or other
15 substantial loss to the district requires emergency action,
16 the board may proceed with the procurement of contractual
17 services necessitated by the immediate danger without
18 competition. However, such emergency procurement shall be made
19 with such competition as is practicable under the
20 circumstances.

21 (4) If no competitive bids or proposals for
22 contractual services or for purchase of goods, supplies, or
23 materials are received, the board may negotiate the best terms
24 and conditions available as determined by the board.

25 Section 54. Furnishing facilities and services within
26 and without the limits of the district.--The district shall
27 have the power to construct, maintain, and operate its
28 projects within or without the geographic limits of the
29 district and to offer, supply, and furnish the facilities and
30 services provided for in this act, and to collect fees,
31 rentals, and other charges from persons, firms, corporations,

1 municipalities, counties, political subdivisions, and other
2 public or private agencies or bodies within or without the
3 geographic limits of the district, and for the use of the
4 district itself.

5 Section 55. Maintenance of projects across
6 rights-of-ways.--The district shall have the power to
7 construct and operate its projects in, along, or under any
8 dedications to the public, platted rights-of-way, platted
9 reservations, streets, alleys, highways or other public places
10 or ways, and across any drain, ditch, canal, floodway, holding
11 basin, excavation, railroad right-of-way, track, grade, fill,
12 or cut, within or without the district.

13 Section 56. Agreements.--The board, pursuant to
14 general law, shall have the power to retain and enter into
15 agreements with fiscal agents, financial advisers, engineers,
16 and other consultants or advisors with respect to the issuance
17 and sale of any bonds, and the cost and expense thereof may be
18 treated as part of the cost and expense of such project.

19 Section 57. Agreements with municipalities within the
20 district for the joint discharge of common functions.--The
21 board and the governing bodies of any one or more
22 municipalities located wholly or partly within the district,
23 whether now in existence or hereafter created, are authorized
24 to enter into and carry into effect contracts and agreements
25 relating to the common powers, duties, and functions of the
26 board and other officers, agents, and employees of the
27 district, and the respective governing bodies of one or more
28 such municipalities, and their respective officers, agents,
29 and employees, to the end that there may be effective
30 cooperation between and coordination of the efforts of such
31 municipalities and the district in discharging their common

1 functions, powers, and duties and in rendering services to the
2 respective residents and property owners of such
3 municipalities and the district. The board and the governing
4 bodies of one or more such municipalities are further
5 authorized to enter into and carry into effect contracts and
6 agreements for the performance of any of their common
7 functions, powers, and duties by a central agency or common
8 agent of the contracting parties.

9 Section 58. Fees, rentals, tolls, fares, and charges;
10 procedure for adoption and modification; minimum revenue
11 requirements.--The district shall have the power to prescribe,
12 fix, establish, and collect rates, fees, rentals, tolls,
13 fares, or other charges, hereinafter sometimes referred to as
14 "revenues," and to revise the same from time to time, for the
15 facilities and services furnished or to be furnished by the
16 district, including, but not limited to, drainage facilities.

17 Section 59. Subdivision regulation.--

18 (1) It is the intent and purpose of this act to
19 promote and provide for the public health, safety, comfort,
20 convenience, and welfare necessary and required to promote the
21 harmonious, orderly, progressive development of land within
22 the district. It is the further intent of this act to secure
23 the establishment of standards of subdivision designs, which
24 will encourage the development of sound and economically
25 stable communities, and the creation of healthful living
26 environments.

27 (2) Any division of a parcel of land as a subdivision
28 as defined in this act shall be subject to such plat and
29 subdivision regulations hereafter adopted, amended, or
30 modified by the district under the authority of law. Such
31 regulations may provide for streets in the subdivision to be

1 of such width, grade, and location as to facilitate drainage;
2 provide that adequate easements and rights-of-way be provided
3 for drainage and that the lay-out of the subdivision conform
4 to the comprehensive plan for drainage for the area; and
5 provide for the drainage requirements to be met. The district
6 shall not approve any subdivision plat unless the land
7 included within the subdivision is suitable or shall be made
8 suitable to the various purposes for which it is intended to
9 be used, and, in particular, unless all land intended for
10 building sites can be used safely for building purposes,
11 without the danger from flood or other inundation, or from any
12 such menace to health, safety, or public welfare. After the
13 effective date of this act, it shall be unlawful for anyone
14 being an owner, or agent of an owner, of any land to transfer,
15 sell, agree to sell, or negotiate to sell such land by
16 reference to, or exhibition of, or by any other use of a plat
17 or subdivision of such land, without having submitted a plat
18 of such subdivision to the district and obtaining its approval
19 as required by this act. The unlawful use of a plat by the
20 owner, or the agent of the owner, of such land before it is
21 properly approved by the district is declared to be a criminal
22 offense and misdemeanor within the meaning of s. 775.08,
23 Florida Statutes, and shall be punishable as provided by
24 general law. The description by metes and bounds in the
25 instrument of transfer or other document used in the process
26 of transferring shall not exempt the transaction from such
27 penalties.

28 (3) It shall be unlawful to transfer lots or units of
29 lots by metes and bounds description in order to circumvent
30 the provisions of this act.

31

1 (4) The district, through its legal representative,
2 may enjoin such transfers or sales or agreements by injunction
3 or other appropriate action.

4 Section 60. Action taken on consent of
5 landowners.--Any action required under this act or under
6 chapter 298, Florida Statutes, to be taken on notice to the
7 landowners of the district and on public hearing for the
8 purpose of receiving and passing on objections by landowners
9 may be taken without such notice or hearing upon the written
10 consent of all of the landowners affected by such action.

11 Section 61. Exemption of district property from
12 execution.--All district property shall be exempt from levy
13 and sale by virtue of an execution and no execution or other
14 judicial process shall issue against such property, nor shall
15 any judgment against the district be a charge or lien on its
16 property or revenues, provided that nothing herein contained
17 shall apply to or limit the rights of bondholders to pursue
18 any remedy for the enforcement of any lien or pledge given by
19 the district in connection with any of the bonds or
20 obligations of the district.

21 Section 62. Enforcement and penalties.--

22 (1) The board or any aggrieved person may have
23 recourse to such remedies in law and equity as may be
24 necessary to ensure compliance with the provisions of this
25 act, including injunctive relief to enjoin or restrain any
26 person violating the provisions of this act, and any bylaws,
27 resolutions, regulations, rules, codes, and orders adopted
28 under this act, and the court shall, upon proof of such
29 violation, have the duty to issue forthwith such temporary and
30 permanent injunctions as are necessary to prevent such further
31 violation thereof. In case any building or structure, is

1 erected, constructed, reconstructed, altered, repaired,
2 converted, or maintained, or any building, structure, land, or
3 water is used, in violation of this act, or of any code,
4 order, resolution, or other regulation made under authority
5 conferred by this act or under law, the board and any citizen
6 residing in the district may institute any appropriate action
7 or proceeding to prevent such unlawful erection, construction,
8 reconstruction, alteration, repair, conversion, maintenance,
9 or use, to restrain, correct, or avoid such violation, to
10 prevent the occupancy of such building, structure, land, or
11 water, and to prevent any illegal act, conduct, business, or
12 use in or about such premises, land, or water.

13 (2) The violation of any of the provisions of this act
14 or the failure to abide by and obey any of the bylaws,
15 resolutions, regulations, rules, codes, and orders adopted
16 under this act is declared to be a criminal offense and
17 misdemeanor, within the meaning of s. 775.08, Florida
18 Statutes, and shall be punishable as provided by general law.
19 Each day that the violation shall continue shall constitute a
20 separation violation.

21 (3) It shall be unlawful and a misdemeanor for the
22 owner of any land subject to this act, or the owner's agent or
23 other persons, to advocate, propose, suggest, use, or exhibit
24 a map, plat, survey, or plan of subdivision or development of
25 land except in conformity with this act and the rules and
26 regulations of the board.

27 Section 63. Additional land boundaries.--The corporate
28 limits of the South Broward Drainage District in the County of
29 Broward and State of Florida as of October 1, 1992, were
30 extended and enlarged so as to include a portion of Section
31 30, Township 50 South, Range 40 East, all of Section 31,

1 Township 50 South, Range 40 East and all of Section 6,
2 Township 51 South, Range 40 East, Broward County, Florida,
3 being more particularly described as follows:

4
5 Begin at the Southwest corner of Section 6,
6 Township 51 South, Range 40 East, Broward
7 County, Florida; thence Northerly along the
8 West line of said Section 6, Township 51 South,
9 Range 40 East and along the West line of
10 Sections 31 and 30, Township 50 South, Range 40
11 East to the intersection thereof with the south
12 right-of-way line of the South Florida Water
13 Management District Canal C-11 (South New River
14 Canal); thence Easterly along the south
15 right-of-way line of said South Florida Water
16 Management District Canal C-11 through Section
17 30, Township 50 South, Range 40 East, to its
18 intersection with the East line of said Section
19 30, Township 50 South, Range 40 East; thence
20 Southerly along the East line of said Section
21 30, Township 50 South, Range 40 East and along
22 the East line of Section 31, Township 50 South,
23 Range 40 East and along the East line of
24 Section 6, Township 51 South, Range 40 East, to
25 the Southeast corner of said Section 6,
26 Township 51 South, Range 40 East; thence
27 Westerly, along the South line of said Section
28 6, Township 51 South, Range 40 East, to the
29 point of beginning; said land lying, being and
30 situate in Broward County, Florida, and being
31

1 contiguous to the South Broward Drainage
2 District.

3
4 Section 64. Bailey Drainage District abolished and
5 assets transferred to South Broward Drainage District.--That
6 effective October 1, 1992, the Bailey Drainage District hereto
7 created by the Florida Legislature pursuant to chapter 67-950,
8 Laws of Florida, and amendments thereto, was abolished. Except
9 as provided by sections 68 and 69, the easements,
10 rights-of-way, dikes, ditches, facilities, equipment, files,
11 papers, plans, and all other assets, real or personal, of
12 whatever description and wheresoever situate of said Bailey
13 Drainage District, on October 1, 1992, were surrendered to the
14 Board of Supervisors of the South Broward Drainage District
15 and such easements, rights-of-way, dikes, ditches, facilities,
16 equipment, files, papers, plans, and all other assets of the
17 Bailey Drainage District shall, by operations and provisions
18 of this section of this law, become and remain easements,
19 rights-of-way, dikes, ditches, facilities, equipment, files,
20 papers, plans, and all other assets of the South Broward
21 Drainage District.

22 Section 65. Bailey Drainage District powers,
23 indebtedness, and liabilities transferred to South Broward
24 Drainage District.--Commencing on October 1, 1992, all powers,
25 duties, responsibilities, obligations, and functions of Bailey
26 Drainage District except as stated in sections 68 and 69,
27 shall be performed by South Broward Drainage District and
28 South Broward Drainage District shall assume all indebtedness
29 of Bailey Drainage District. Commencing on October 1, 1992,
30 except as stated in sections 68 and 69, South Broward Drainage
31

1 District shall assume all liabilities of Bailey Drainage
2 District both known and unknown as of October 1, 1992.

3 Section 66. Bailey Drainage District contracts
4 transferred to South Broward Drainage District.--Commencing on
5 October 1, 1992, all contracts to which Bailey Drainage
6 District is a party shall remain in full force and effect for
7 the period provided in the contract, except that the South
8 Broward Drainage District shall be substituted for Bailey
9 Drainage District as a party to such contracts. The South
10 Broward Drainage District shall be entitled to all benefits
11 and subject to all liabilities under such contracts and shall
12 have the same rights and liabilities to perform, to require
13 performance, and to modify and terminate said contracts as the
14 Bailey Drainage District.

15 Section 67. Bailey Drainage District's contracts and
16 agreements to be approved by South Broward Drainage
17 District.--Beginning on March 12, 1992, no contracts or
18 agreements entered into by the Bailey Drainage District which
19 contain obligations of Bailey Drainage District that are not
20 provided for in the Bailey Drainage District budget for fiscal
21 year 1991-1992 shall be valid unless approved by a majority of
22 the Board of Supervisors of the South Broward Drainage
23 District.

24 Section 68. Bailey Drainage District road right-of-way
25 and responsibility for roadways transferred to Board of
26 Commissioners of Broward County.--Notwithstanding the
27 provisions of sections 64, 65, 66, and 67, the South Broward
28 Drainage District shall have no requirements or responsibility
29 for maintaining or improving any roadways located within the
30 lands described in section 63 and on October 1, 1992, all road
31 rights-of-way described in section 69 along with the roadways

1 constructed therein were surrendered to the Board of
2 Commissioners of Broward County and by operation and
3 provisions of this section became and shall remain
4 rights-of-way and property of Broward County, subject to all
5 drainage easements previously dedicated to Bailey Drainage
6 District which as of October 1, 1992, are drainage easements
7 of South Broward Drainage District.

8 Section 69. Bailey Drainage District road
9 rights-of-way transferred and dedicated to Broward County.--On
10 October 1, 1992, all of Bailey Drainage District's right,
11 title, and interest in and to the following described
12 property, lying, being, and situate in Broward County,
13 Florida, consisting of road rights-of-way were transferred and
14 dedicated to Broward County, a political subdivision of the
15 State of Florida:

16 (1) The South 50.00 feet of the North 985.00 feet,
17 LESS THEREFROM, the East 293.00 feet thereof, of the following
18 described property:

19
20 A portion of that part of Section 30, Township
21 50 South, Range 40 East that lies South of the
22 South Right-of-Way line of the South New River
23 Canal being more particularly described as
24 follows:

25
26 Commencing at the intersection of the West line
27 of Section 30, Township 50 South, Range 40 East
28 and the South Right-of-Way line of the South
29 New River Canal; thence East on an assumed
30 bearing along the said South Right-of-Way line
31 for a distance of 2626.06 feet to the Point of

1 Beginning of the hereinafter described
2 property; thence South for a distance of 134.58
3 feet to the Point of Curvature of a curve to
4 the right, said curve having a radius of
5 3090.99 feet, a central angle of 7°27'53" and
6 an arc distance of 402.71 feet; thence along
7 the arc of said curve to the right for an arc
8 distance of 402.71 feet to the Point of
9 Tangency of said curve; thence South 7°27'53"
10 West for a distance of 250.00 feet to the Point
11 of Curvature of a curve to the left, said curve
12 having a radius of 3420.57 feet, a central
13 angle of 6°38'39" and an arc distance of 396.67
14 feet; thence along the arc of said curve to the
15 left for an arc distance of 396.67 feet to the
16 Point of Tangency of said curve; thence South
17 0°48'14" West for a distance of 50.35 feet to a
18 point on the South line of said Section 30 that
19 lies 25.00 feet East of the South quarter
20 corner of said Section 30; thence South
21 88°22'08" East along the said South line of
22 Section 30 for a distance of 2525.07 feet to
23 the Southeast corner of said Section 30; thence
24 North 0°22'25" East along the East line of said
25 Section 30 for a distance of 1301.71 feet to a
26 point on the said South Right-of-Way line of
27 the South New River Canal; thence West along
28 the said South Right-of-Way line for a distance
29 of 2444.50 feet to the Point of Beginning.
30 (2) All that portion of Section 30, Township 50 South,
31 Range 40 East that lies within 70.00 feet of a point that is

1 located 960.00 feet South of the South Right-of-Way line of
2 the South New River Canal, and 293.00 feet West of the East
3 line of said Section 30.

4 (3) The South 50.00 feet of the North 350.00 feet,
5 LESS THEREFROM, the East 293.00 feet thereof, of the following
6 described property:

7
8 A portion of that part of Section 30, Township
9 50 South, Range 40 East that lies South of the
10 South Right-of-Way line of the South New River
11 Canal being more particularly described as
12 follows:

13
14 Commencing at the intersection of the West line
15 of Section 30, Township 50 South, Range 40 East
16 and the South Right-of-Way line of the South
17 New River Canal; thence East on an assumed
18 bearing along the South Right-of-Way line for a
19 distance of 2626.06 feet to the Point of
20 Beginning of the hereinafter described
21 property; thence South for a distance of 134.58
22 feet to the Point of Curvature of a curve to
23 the right, said curve having a radius of
24 3090.99 feet, a central angle of 7°27'53" and
25 an arc distance of 402.71 feet; thence along
26 the arc of said curve to the right for an arc
27 distance of 402.71 feet to the Point of
28 Tangency of said curve; thence South 7°27'53"
29 West for a distance of 250.00 feet to the Point
30 of Curvature of a curve to the left, said curve
31 having a radius of 3420.57 feet, a central

1 angle of 6°38'39" and an arc distance of 396.67
2 feet; thence along the arc of said curve to the
3 left for an arc distance of 396.67 feet to the
4 Point of Tangency of said curve; thence South
5 0°48'14" West for a distance of 50.35 feet to a
6 point on the South line of said Section 30 that
7 lies 25.00 feet East of the South quarter
8 corner of said Section 30; thence South
9 88°22'08" East along the said South line of
10 Section 30 for a distance of 2525.07 feet to
11 the Southeast corner of said Section 30; thence
12 North 0°22'25" East along the East line of said
13 Section 30 for a distance of 1301.71 feet to a
14 point on said South Right-of-Way line of the
15 South New River Canal; thence West along the
16 said South Right-of-Way line for a distance of
17 2444.50 feet to the Point of Beginning.

18 (4) All that portion of Section 30, Township 50 South,
19 Range 40 East that lies within 70.00 feet of a point that is
20 located at 325.0 feet South of the South Right-of-Way line of
21 the South New River Canal and 293.00 feet West of the East
22 line of said Section 30.

23 (5) That part of Section 30, Township 50 South, Range
24 40 East described as follows, to wit: a strip of land 50 feet
25 in width, the centerline of which is described as follows:

26
27 Commencing at the point of intersection of the
28 West line of Section 30, Township 50 South,
29 Range 40 East, and the South right-of-way line
30 of the South New River Canal; thence East on an
31 assumed bearing, along the said South

1 right-of-way line of the South New River Canal
2 a distance of 2601.06 feet to the point of
3 beginning of this description; thence South,
4 perpendicular to the last described line a
5 distance of 134.58 feet to the point of curve
6 of a circular curve to the right; thence
7 Southwesterly along the arc of said curve,
8 having a radius of 3065.99 feet, 399.45 feet to
9 the point of tangent of said curve; thence
10 South 7°27'53" West, 250.0 feet to the point of
11 curve of a circular curve to the left; thence
12 Southeasterly along the arc of said curve,
13 having a radius of 3445.67 feet, 399.57 feet to
14 the point of tangent of said curve; thence
15 South 0°49'14" West a distance of 50 feet to a
16 point, said point being the Southwest corner of
17 the East 1/2 of Section 30, Township 50 South,
18 Range 40 East.

19 (6) The West 15 feet of the following described
20 property:

21
22 A portion of Section 30, Township 50 South,
23 Range 40 East more particularly described as
24 follows:
25 Commence at the intersection of the East line
26 of said Section 30 and the South Right-of-Way
27 line of the South New River Canal; thence on an
28 assumed bearing of South 90°00'00" West along
29 the said South Right-of-Way line a distance of
30 1661.21 feet; thence South 00°00'00" East a
31 distance of 960 feet to the point of beginning;

1 thence South 90°00'00" West a distance of
2 860.35 feet to a point on the arc of a 3420.57
3 foot radius non-tangent curve concave to the
4 East; thence Southerly along said curve through
5 a central angle of 03°40'49" an arc distance of
6 219.71 feet to a point of tangency; thence
7 South 00°49'14" West along a line parallel with
8 and 25 feet East of the North-South 1/4 section
9 line of Section 30 a distance of 50.35 feet to
10 an intersection with the South line of said
11 Section 30; thence South 88°22'08" East along
12 said South line a distance of 871.63 feet;
13 thence North 00°00'00" East a distance of
14 294.59 feet to the point of beginning.

15 (7) Those parts of Section 30, Township 50 South,
16 Range 40 East described as follows:

17 (a) All that land that lies within 25 feet of the
18 following described centerline:

19
20 Commencing at the Southwest corner of Section
21 30, thence Northerly and along the West line of
22 said Section 30 a distance of 674 feet, thence
23 Easterly and parallel with the South line of
24 said Section 30 a distance of 316.86 feet to a
25 point of beginning of this description, thence
26 continue Easterly and parallel with the said
27 South line of Section 30 a distance of 788.72
28 feet to the point of termination, together with
29 all that land that lies within 70 feet of both
30 the point of beginning and the point of
31 termination.

1 (b) All that land that lies within 25 feet of the
2 following described centerline:

3
4 Commence at the Southwest corner of said
5 Section 30, thence Easterly and along the South
6 line of said Section 30 a distance of 634.29
7 feet to the point of beginning of this
8 description; thence Northerly on an angle from
9 East to North of 89°53'45" a distance of 674
10 feet to the point of termination.

11 (8) That part of Section 30, Township 50 South, Range
12 40 East and that part of Section 31, Township 50 South, Range
13 40 East according to FLORIDA FRUIT LANDS COMPANY SUBDIVISION
14 NO. 1 as recorded in Plat Book 2, Page 17 of the Public
15 Records of Dade County, Florida, described as follows, to wit:

16
17 All that land in Tracts 17 and 32 of Section
18 31, Township 50 South, Range 40 East, and the
19 Southwest 1/4 of Section 30, Township 50 South,
20 Range 40 East that lies within 25 feet of the
21 following described centerline: Beginning at a
22 point on the North line of said Tract 17 that
23 is 50 feet West of the East line of said Tract
24 17, thence Westerly and along the North line of
25 said Tracts 17 and 32 to a point on the North
26 line of said Tract 32 that is 255 feet East of
27 the West line of said Tract 32, together with
28 all that land in said Tract 32 and said
29 Southwest 1/4 of Section 30 that lies within 70
30 feet of said described point on the North line
31

1 of said Tract 32 and is 255 feet East of said
2 West line of Tract 32.

3 (9) Those parts of Section 31, Township 50 South,
4 Range 40 East according to the FLORIDA FRUIT LANDS COMPANY'S
5 SUBDIVISION NO. 1 recorded in Plat Book 2, Page 17 of the
6 Public Records of Dade County, Florida, described as follows,
7 to wit:

8 (a) All that land in Tract 40 that lies within 50 feet
9 of the North-South center of the Section line of Section 31,
10 Township 50 South, Range 40 East.

11 (b) The South 50 feet of Tracts 40 and 41.

12 (c) All that land in Tracts 17, 18, 19, 21, 22, 23,
13 24, 33, 34, 35, 36, 37, 38, 39, 57, 58, 59 and 60 that lies
14 within 50 feet of the North-South center of the section line
15 of Section 31, Township 50 South, Range 40 East.

16 (d) All that land that lies within 25 feet of the
17 following described centerline:

18
19 Beginning at a point on the South line of Tract
20 18 that is 50 feet West of the East line of
21 Tract 18, thence Westerly and along the South
22 line of Tract 18 and the South line of Tract 31
23 to a point on the South line of Tract 31 that
24 is 255 feet East of the West line of Tract 31,
25 together with all that land in Tracts 30 and 31
26 that lies within 70 feet of said described
27 point that lies on the South line of Tract 31
28 and is 255 feet East of the West line of Tract
29 31.

30 (e) All that land that lies within 25 feet of the
31 following described centerline:

1
2 Beginning at a point on the South line of Tract
3 21 that is 50 feet West of the East line of
4 Tract 21, thence Westerly and along the South
5 line of Tracts 21 and 28 to the Southwest
6 corner of the East 1/2 of the West 1/2 of Tract
7 28, together with all that land in Tracts 27
8 and 28 that lies within 70 feet of said
9 Southwest corner of the East 1/2 of the West
10 1/2 of Tract 28.

11 (f) All that land that lies within 25 feet of the
12 following described centerline:

13
14 Beginning at a point that is the Northwest
15 corner of the East 1/2 of Tract 27, thence
16 Southerly and along the West line of the East
17 1/2 of Tract 27, the West line of the East 1/2
18 of Tract 26 and the West line of the East 1/2
19 of Tract 25 to a point that is 120 feet North
20 of the Southwest corner of said East 1/2 of
21 Tract 25, together with all that land in Tract
22 25 that lies within 70 feet of said described
23 point that lies on the West line of the East
24 1/2 of Tract 25, a distance of 120 feet North
25 of said Southwest corner of the East 1/2 of
26 Tract 25.

27 (g) All that land that lies within 25 feet of the
28 following described centerline:

29
30 Beginning at the Southeast corner of Tract 33,
31 thence Westerly on a line that forms an angle

1 of 90°46'47" in the Northwest Quadrant with the
2 North-South centerline of the section of said
3 Section 31, to a point that is 255 feet East of
4 the West line of said Section 31, less
5 therefrom the East 50 feet thereof; together
6 with all that land that lies within 70 feet of
7 said above described point that lies 255 feet
8 East of the West line of said Section 31.

9 (h) All that land that lies within 25 feet of the
10 following described centerline:

11
12 Beginning at the Southeast corner of Tract 35,
13 thence Westerly on a line that forms an angle
14 of 90°46'43" in the Northwest Quadrant with the
15 North-South centerline of the Section of said
16 Section 31, to a point that is 255 East of the
17 West line of said Section 31, less therefrom
18 the East 50 feet thereof; together with all
19 that land that lies within 70 feet of said
20 above described point that lies 255 feet East
21 of the West line of said Section 31.

22 (i) All that land that lies within 25 feet of the
23 following described centerline:

24
25 Beginning at a point on the South line of Tract
26 60 that is 50 feet East of the West line of
27 Tract 60, thence Easterly and along the South
28 line of Tracts 60 and 53 to a point on the
29 South line of Tract 53 that is 170 feet West of
30 the East line of Tract 53, together with all
31 that land in Tracts 53 and 54 that lies within

1 70 feet of said described point that lies on
2 the South line of Tract 53 and is 170 feet West
3 of the East line of Tract 53.

4 (j) All that land that lies within 25 feet of the
5 following described centerline:

6
7 Beginning at a point on the South line of Tract
8 58 that is 50 feet East of the West line of
9 Tract 58, thence Easterly and along the South
10 line of Tracts 58 and 55 to a point on the
11 South line of Tract 55 that is 170 feet West of
12 the East line of Tract 55, together with all
13 that land in Tracts 55 and 56 that lies within
14 70 feet of said described point that lies on
15 the South line of Tract 55 and is 170 feet West
16 of the East line of Tract 55.

17 (k) All that land in Tracts 9, 10, 11, 12, 13, 14, 16,
18 61, 62, 63, and 64 that lies within 50 feet of the North-South
19 center of the Section line of Section 31, Township 50 South,
20 Range 40 East.

21 (l) All that land that lies within 25 feet of the
22 following described centerline:

23
24 Beginning at a point on the South line of Tract
25 12 that is 50 feet East of the West line of
26 Tract 12, thence, Easterly along the South line
27 of said Tract 12 and the South line of the West
28 1/2 of Tract 5 to the Southeast corner of said
29 West 1/2 of Tract 5, together with all that
30 land in Tracts 5 and 6 that lies within 70 feet
31

1 of the said Southeast corner of the West 1/2 of
2 Tract 5.

3 (m) All that land that lies within 25 feet of the
4 following described centerline:

5
6 Beginning at a point on the South line of Tract
7 14 that is 50 feet East of the West line of
8 Tract 14, thence Easterly along the South line
9 of said Tract 14 and the South line of the West
10 1/2 of Tract 3 to the Southeast corner of said
11 West 1/2 of Tract 3 together with all that land
12 in Tract 4 and in the East 1/2 of Tract 3 that
13 lies within 70 feet of the said Southeast
14 corner of the West 1/2 of Tract 3 and also
15 together with all that land in the West 1/2 of
16 Tract 3 that lies external to an arc in the
17 Southeast quadrant that has a radius of 25 feet
18 and its radius point is located 50 feet North
19 of the South line of the said West 1/2 of Tract
20 3 and 50 feet West of the East line of said
21 West 1/2 of Tract 3.

22 (n) All that land that lies within 25 feet of the
23 following described centerline:

24
25 Beginning at the Southeast corner of the West
26 1/2 of Tract 3, thence Northerly along the East
27 line of the said West 1/2 of Tract 3 and the
28 East line of the West 1/2 of Tract 2, to the
29 Northeast corner of the said West 1/2 of Tract
30 2, together with all that land in Tracts 1 and
31

1 2 that lies within 70 feet of the said
2 Northeast corner of the West 1/2 of Tract 2.
3 (o) All that land that lies within 25 feet of the
4 following described centerline:

5
6 Beginning at a point on the South line of Tract
7 10 that is 50 feet East of the West line of
8 Tract 10, thence Easterly along the South line
9 of Tract 10 and the South line of Tract 7 to a
10 point that is 398.73 feet West of the Southeast
11 corner of Tract 7, together with all that land
12 in Tracts 7 and 8 that lies within 70 feet of
13 said point.

14 (p) The East 25 feet of the West 1/2 of Tract 1 less
15 the North 50 feet and less that land that lies within 70 feet
16 of the Southeast corner of the West 1/2 of Tract 1; together
17 with the West 25 feet of the East 1/2 of Tract 1 less the
18 North 50 feet and less that land that lies within 70 feet of
19 the Southwest corner of the East 1/2 of Tract 1.

20 (q) All that land that lies within 25 feet of the
21 following described centerline:

22
23 Beginning at a point on the South line of Tract
24 7 that is 398.73 feet West of the Southeast
25 corner of Tract 7; thence Easterly along said
26 South line of Tract 7 to a point 150 feet West
27 of the Southeast corner of Tract 7.

28 (10) Those parts of Section 6, Township 51 South,
29 Range 40 East according to the CHAMBERS LAND COMPANY'S
30 SUBDIVISION thereof recorded in Plat Book 1, Page 5 of the
31

1 Public Records of Broward County, Florida, described as
2 follows, to wit:

3 (a) The West 50 feet of Tracts 13 through 20 in the
4 Northeast 1/4 of said section; the West 50 feet of Tracts 13
5 through 20 in the Southeast 1/4 of said section; the East 50
6 feet of Tracts 1 through 8 in the Northwest 1/4 of said
7 section; and the East 50 feet of Tracts 1 through 8 in the
8 Southwest 1/4 of said section.

9 (b) The North 50 feet of said section.

10 (c) That part of the Northeast 1/4 of said section
11 described as follows:

12
13 a 50 foot wide strip of land that lies 25 feet
14 on each side of the following described center
15 line:

16 Beginning at a point on the North line of Tract
17 15 in said Northeast 1/4 that is 50 feet East
18 of the Northwest corner of said Tract 15,
19 thence Easterly along the North line of said
20 Tract 15, through the center of Tracts 12, 11,
21 10 and 9 to the Northwest corner of Tract 3 in
22 said Northeast 1/4, which is a point of
23 termination.

24 (d) That part of the Northeast 1/4 of said section
25 described as follows:

26
27 a 50 foot wide strip of land that lies 25 feet
28 on each side of the following described center
29 line:

30 Beginning at a point on the West line of Tract
31 4 in said Northeast 1/4 that lies 85 feet South

1 of the Northwest corner of Tract 4, thence
2 Northerly and along the West line of Tracts 4,
3 3, 2 and 1, in said Northeast 1/4 to a point on
4 the West line of said Tract 1 that is 85 feet
5 North of the Southwest corner of Tract 1, which
6 is a point of termination, together with all
7 lands that lie within 70 feet of both the point
8 of beginning and the point of termination.

9 (e) That part of the Northeast 1/4 of said section
10 described as follows:

11
12 a 50 foot wide strip of land that lies 25 feet
13 on each side of the following described center
14 line:
15 Beginning at a point on the North line of Tract
16 18 in said Northeast 1/4 that is 50 feet East
17 of the Northwest corner of Tract 18, thence
18 Easterly along the North line of Tract 18,
19 through Tracts 21, 22, 23 and 24 and along the
20 North line of Tract 6 in said Northeast 1/4 to
21 a point on the North line of Tract 6 that lies
22 170 feet West of the Northeast corner of said
23 Tract 6, said point being the point of
24 termination, together with all lands that lie
25 within 70 feet of the point of termination.

26 (f) That part of the Northeast 1/4 of said section
27 described as follows:

28
29 a 50 foot wide strip of land that lies 25 feet
30 on each side of the following described
31 centerline:

1 Beginning at a point on the North line of Tract
2 20 in said Northeast 1/4 that is 50 feet East
3 of the Northwest corner of Tract 20, thence
4 Easterly along the North line of Tract 20
5 through Tracts 21, 22, 23 and 24, then along
6 the North line of Tract 8 in said Northeast 1/4
7 to a point on the North line of Tract 8 that
8 lies 170 feet West of the Northeast corner of
9 Tract 8, said point being the point of
10 termination, together with all lands that lie
11 within 70 feet of the point of termination.

12 (g) That part of the Southeast 1/4 of said section
13 described as follows:

14
15 a 50 foot wide strip of land that lies 25 feet
16 on each side of the following described
17 centerline:
18 Beginning at a point on the North line of Tract
19 16 that is 50 feet East of the Northwest corner
20 of said Tract 16, thence Easterly along the
21 North line of said Tract 16 through Tracts 12,
22 11, 10 and 9 and along the North line of Tract
23 4 to a point on the North line of said Tract 4
24 that lies 170 feet West of the Northeast corner
25 of said Tract 4 said point being the point of
26 termination, together with all lands that lie
27 within 70 feet of said point of termination.

28 (h) That part of the Southeast 1/4 of said section
29 described as follows:

30
31

1 a 50 foot wide strip of land that lies 25 feet
2 on each side of the following described
3 centerline:
4 Beginning at a point on the North line of Tract
5 19 that is 50 feet East of the Northwest corner
6 of said Tract 19, thence Easterly along the
7 North line of said Tract 19 through the center
8 of Tracts 21, 22, 23 and 24 to the Northwest
9 corner of said Tract 7 which is the point of
10 termination.
11 (i) That part of the Southeast 1/4 of said section
12 described as follows:
13
14 a 50 foot wide strip of land that lies 25 feet
15 on each side of the following described
16 centerline:
17 Beginning at a point on the West line of Tract
18 8 that lies 85 feet South of the Northwest
19 corner of said Tract 8 thence Northerly and
20 along the West line of Tracts 8, 7, 6 and 5 to
21 a point on the West line of said Tract 5 that
22 is 85 feet North of the Southwest corner of
23 said Tract 5; said point being the point of
24 termination, together with all lands that lie
25 within 70 feet of both the point of beginning
26 and the point of termination.
27 (j) That part of the Southwest 1/4 of said section
28 described as follows:
29
30
31

1 a 50 foot wide strip of land that lies 25 feet
2 on each side of the following described center
3 line:
4 Beginning at a point on the North line of Tract
5 7 that is 50 feet West of the Northeast corner
6 of said Tract 7, thence Westerly along the
7 North line of said Tract 7, through the center
8 of Tracts 24, 23, 22 and 21 to the Northeast
9 corner of Tract 19 which is the point of
10 termination.

11 (k) That part of the Southwest 1/4 of said Section
12 described as follows:

13
14 a 50 foot wide strip of land that lies 25 feet
15 on each side of the following described center
16 line:
17 Beginning at a point on the East line of Tract
18 20 that lies 85 feet South of the Northeast
19 corner of said Tract 20, thence Northerly and
20 along the East lines of Tracts 20, 19, 18 and
21 17 to a point on the East line of said Tract 17
22 that is 85 feet North of the Southeast corner
23 of said Tract 17, said point being the point of
24 termination; together with all lands that lie
25 within 70 feet of both the point of beginning
26 and the point of termination.

27 (l) That part of the Southwest 1/4 of said Section
28 described as follows:

29
30
31

1 A 50 foot wide strip of land that lies 25 feet
2 on each side of the following described
3 centerline:
4 Beginning at a point on the North line of Tract
5 4 that is 50 feet West of the Northeast corner
6 of Tract 4, thence Westerly along the North
7 line of said Tract 4 through Tracts 9, 10, 11
8 and 12 and along the North line of Tract 16 to
9 a point on the North line of said Tract 16 that
10 lies 115.38 feet East of the Northwest corner
11 of said Tract 16, said point being the point of
12 termination, together with all lands that lie
13 within 70 feet of the point of termination.

14 (m) That part of the Southwest 1/4 of said Section
15 described as follows:

16
17 The North 50 feet of the Southwest 1/4 of
18 Section 6, Township 51 South, Range 40 East,
19 together with those lands in the Southwest 1/4
20 and the Northwest 1/4 of said Section 6 that
21 lie within 70 feet of a point that is 25 feet
22 South of the said North line of the Southwest
23 1/4 and 115.38 feet East of the West line of
24 the said Southwest 1/4.

25 (n) That part of the Northwest 1/4 of said Section
26 described as follows:

27
28 A 50 foot wide strip of land that lies 25 feet
29 on each side of the following described
30 centerline:

31

1 Beginning at a point that is the center of the
2 South Line of Tract 20, thence Northerly
3 through the middle of said Tracts 20, 19, 18,
4 17, 16, 15, 14, and 13 to a point that is
5 115.38 feet South of the North line of said
6 Tract 13, together with all lands that lie
7 within 70 feet of said point.

8 (o) That part of the Northwest 1/4 of said Section
9 described as follows:

10
11 A 50 foot wide strip of land that lies 25 feet
12 on each side of the following described
13 centerline:

14 Beginning at a point that is the Southeast
15 corner of Tract 21, thence Northerly along the
16 East line of said Tract 21 to a point that is
17 90.38 feet South of the North line of said
18 Tract 21, together with all lands that lie
19 within 70 feet of said point.

20 Section 70. Broward County responsible for operation
21 and maintenance of roadways within lands described in section
22 69.--Pursuant to the provisions of chapters 335 and 336,
23 Florida Statutes, Broward County shall, from October 1, 1992,
24 be the governmental entity responsible for operation and
25 maintenance of all roads within the lands described in section
26 63 and located within the right-of-way described in section
27 69, said roads to be part of the Broward County road system.

28 Section 71. Bailey Drainage District rules,
29 resolutions, and regulations, to continue and remain in full
30 force and effect.--All existing rules, resolutions, and
31 regulations of the Bailey Drainage District not in conflict

1 with the provisions of this act, shall continue and remain in
2 full force and effect unless and until they are properly
3 repealed or revised by the South Broward Drainage District.

4 Section 72. South Broward Drainage District to have
5 all of its power and authority and jurisdiction over lands
6 described in section 63.--Commencing on October 1, 1992, the
7 South Broward Drainage District shall have all of the powers
8 and authority and jurisdiction over and within the territory
9 described in section 63 hereof and of the inhabitants thereof
10 and the property located therein as it had over and within its
11 boundaries prior to October 1, 1992; and all of the laws,
12 regulations, and resolutions of or pertaining to the South
13 Broward Drainage District shall apply to and have the same
14 force and effect on all the territory described in section 63
15 as if such territory had been a part of said South Broward
16 Drainage District at the time of passage and approval of such
17 laws, regulations, and resolutions.

18 Section 73. Rights of parties to contracts with Bailey
19 Drainage District not affected or abrogated.--Nothing in this
20 act shall be construed to affect or abrogate the rights of
21 parties to any contracts, whether the same be between Bailey
22 Drainage District and a third party or between nongovernmental
23 entities which contracts were in effect prior to October 1,
24 1992.

25 Section 74. Record certified copy of act.--A certified
26 copy of this act shall be recorded in the Broward County
27 Public Records by the South Broward Drainage District.

28 Section 3. Except as specifically provided herein,
29 chapters 67-904, 70-484, 70-550, 86-357, 86-362, 89-430,
30 92-244, 93-369, and 96-540, Laws of Florida, are repealed.

31

1 Section 4. In the event of a conflict of the
2 provisions of this act with the provisions of any other act,
3 the provisions of this act shall control to the extent of such
4 conflict.

5 Section 5. In the event any section or provision of
6 this act is determined to be invalid or unenforceable, such
7 determination shall not affect the validity of or
8 enforcibility of each other section and provision of this act.

9 Section 6. This act shall take effect October 1 of the
10 year in which enacted.

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