

By Senator Saunders

25-613-99

1 A bill to be entitled
2 An act relating to the County Line Drainage
3 District, Lee County; amending chapter 67-723,
4 Laws of Florida, as amended; setting out the
5 boundaries of the district; providing powers,
6 duties, and functions of the district and of
7 its board of supervisors; providing for
8 election of board members; providing for
9 severability; providing for construction in
10 cases of conflict; providing an effective date.

11
12 Be It Enacted by the Legislature of the State of Florida:

13
14 Section 1. Chapter 67-723, Laws of Florida, as amended
15 by chapters 81-408 and 86-417, Florida Statutes, is amended to
16 read:

17 (Substantial rewording of chapter. See chapter 67-723,
18 Laws of Florida, as amended, for present text.)

19 Section 1. Intent.--Pursuant to section 189.429,
20 Florida Statutes, this act constitutes the codification of all
21 special acts relating to the County Line Drainage District. It
22 is the intent of the Legislature in enacting this law to
23 provide a single, comprehensive special-act charter for the
24 district which includes all current legislative authority
25 granted to the district by its several legislative enactments
26 and any additional authority granted by this act.

27 Section 2. Codification.--Chapter 67-723, Laws of
28 Florida; chapter 81-408, Laws of Florida; and chapter 86-417,
29 Laws of Florida; relating to the County Line Drainage
30 District, are codified, reenacted, and amended as provided in
31 this act.

1 Section 3. District formation ratified, restated, and
2 approved.--The decree of the circuit court in and for the
3 twelfth judicial circuit, Lee County, Florida, entered in
4 civil case no. 67-72 with respect to County Line Drainage
5 District, a public corporation of this state, and all
6 subsequent proceedings taken in that court concerning the
7 district, including provisions setting and extending the
8 boundaries of such water control district, are ratified,
9 confirmed, and approved and established as the boundaries of
10 the County Line Drainage District.

11 Section 4. Status and boundaries of the
12 district.--County Line Drainage District is declared to be an
13 independent water control district and a public corporation of
14 the state pursuant to chapter 298, Florida Statutes, as it may
15 be amended from time to time, having the following boundaries
16 in Lee County:

17 In Township 43 South, Range 27 East: Sections
18 1, 2, 3, and 12; that part of Section 11 which
19 lies easterly of a line 1,720 feet (as measured
20 on the perpendicular) easterly of the West line
21 of Section 11; that part of Section 14 lying
22 north of the South 3,160 feet of Section 14;
23 and the North three-quarters of Section 13,
24 excepting from all the lands described in this
25 section, a parcel of land in Section 13,
26 Township 43 South, Range 27 East being more
27 specifically described as follows:

28
29 From a 4"x4" concrete monument marking the
30 Northwest corner of Section 13, bear south
31 0°13'15" east along the West line of Section 13

1 a distance of 2,124.00 feet to the point of
2 beginning; thence run south 89°36'20" east
3 parallel to the South line of Section 13 a
4 distance of 1,800 feet; thence south 0°13'15"
5 east parallel to the West line of Section 13 a
6 distance of 2,360.11 feet; thence north
7 89°36'20" west a distance of 562.68 feet;
8 thence north 0°05'00" west a distance of 524.79
9 feet to an intersection thereof with the North
10 line of the South 1/2 of the Southwest 1/4
11 of Section 13; thence north 89°47'12" west
12 along the North line to the West line of
13 Section 13, Township 43 South, Range 27 East;
14 thence northerly along the West line of Section
15 13 to the point of beginning.

16
17 Together with Tract 9 and Tract 10 of Official
18 Record Book 2229, Page 891 (FCC Management
19 Company) being described as follows:

20
21 Tract 9: The South 1/2 of the East 1/7 of
22 the West 7/17 of the South 1/4 of Section
23 13, Township 43 South, Range 27 East; and

24
25 Tract 10: That portion of the South 2/3 of
26 the East 1/2 of the East 1/6 of the West
27 6/17 of the South 1/4 of Section 13,
28 Township 43 South, Range 27 East, lying south
29 of the drainage ditch.

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1 And also together with Parcel I and Parcel II
2 of Official Record Book 2415, Page 2563 (FCC
3 Management Company) being described as follows:
4
5 Parcel I: That part of the West 60 feet of the
6 East 1/8 of the West 8/17 of the South 1/4
7 of Section 13, Township 43 South, Range 27
8 East, lying south of the creek; and
9
10 Parcel II: The Southeast 1/4 of the Southwest
11 1/4 of Section 13, Township 43 South, Range
12 27 East, Tropical River Groves, more
13 particularly described as follows:
14
15 Beginning at the Southwest corner of Section
16 13, thence run north 90°00'00" east along the
17 southerly line of Section 13 (such southerly
18 line being also the centerline of State Road
19 No. 78) for 1,717.71 feet, thence run north for
20 33.00 feet to a point on the northerly
21 right-of-way line of State Road No. 78 and the
22 point of beginning of the lands herein
23 described. From the point of beginning run
24 north 90°00'00" west along such northerly
25 right-of-way line for 191.53 feet; thence run
26 north 2°51'45" east for 116.20 feet; thence run
27 north 18°47'54" east for 123.32 feet; thence
28 run north 21°18'45" east for 184.13 feet;
29 thence run north 42°16'54" east for 112.81
30 feet; thence run south 0°22'20" east for 487.81
31 feet to the point of beginning.

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And also together with Official Record Book
1934, Page 579 (County Line Drainage District)
being described as follows:

The east one-half (E 1/2) of the Southeast
quarter (SE 1/4) of the Southeast quarter (SE
1/4) of the Southeast quarter (SE 1/4) of
Section 15, Township 43 South, Range 27 East.

And also together with Official Record Book
2121, Page 2508 (County Line Drainage District)
being described as follows:

A tract of land lying in the Southeast 1/4 of
Section 15, Township 43 South, Range 27 East,
being more particularly described as follows:

Commencing at the Southeast corner of Section
15; thence run north 00°11'01" east (basis of
bearings is assumed), along the East line of
Section 15 a distance of 640.86 feet to the
Southeast corner of the Northeast 1/4 ,
Southeast 1/4 , Southeast 1/4 of Section 15,
and the point of beginning of the lands herein
described:

Thence continue north 00°11'18" east along said
East line a distance of 751.04 feet; thence
north 89°36'22" west a distance of 135.00 feet;
thence south 00°11'18" west a distance of

1 752.65 feet to the South line of the Northeast
2 1/4 , Southeast 1/4 , Southeast 1/4 of
3 Section 15; thence north 89°42'46" east along
4 the South line of such fraction a distance of
5 135.00 feet to the point of beginning.

6
7 And also together with part of Official Record
8 Book 2515, Page 3593 (Winding Brook
9 Corporation) being described as follows:

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11 That portion of the South one-quarter (1/4)
12 of Section 13 lying northerly of the creek and
13 easterly of the following described line:

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15 From a 4"x4" concrete monument marking the
16 Northwest corner of Section 13, bear south
17 0°13'15" east along the West line of Section 13
18 a distance of 2,124.00 feet; thence run south
19 89°36'20" east parallel to the South line of
20 Section 13 a distance of 1,800.00 feet to the
21 point of beginning of the above referenced
22 line; thence south 0°13'15" east parallel to
23 the West line of Section 13 to the intersection
24 with the aforesaid creek.

25 Section 5. Minimum Charter Requirements.--In
26 accordance with section 189.404(3), Florida Statutes, the
27 following subsections constitute the charter of the County
28 Line Drainage District:

29 (a) The district is organized and exists for all
30 purposes set forth in this act and chapter 298, Florida
31 Statutes, as they may be amended from time to time.

1 (b) The powers, functions, and duties of the district
2 regarding ad valorem taxation, bond issuance, other
3 revenue-raising capabilities, budget preparation and approval,
4 liens and foreclosure of liens, use of tax deeds and tax
5 certificates as appropriate for non-ad valorem assessments,
6 and contractual agreements shall be as set forth in chapters
7 170, 189, 197, and 298, Florida Statutes, or any other
8 applicable general or special law, as they may be amended from
9 time to time.

10 (c) The district was created by judicial decree in Lee
11 County Circuit Court Civil Case No. 67-72 and confirmed by
12 special act of the Legislature by chapter 67-723, Laws of
13 Florida, in accordance with chapter 298, Florida Statutes.

14 (d) The district's charter may be amended only by
15 special act of the Legislature.

16 (e) In accordance with chapter 189, Florida Statutes,
17 this act, and section 298.11, Florida Statutes, the district
18 is governed by a three-member board of supervisors elected on
19 a 1-acre, one-vote basis by the landowners in the district.
20 The membership and organization of the board shall be as set
21 forth in this act and chapter 298, Florida Statutes, as they
22 may be amended from time to time.

23 (f) The compensation of board members shall be
24 governed by this act and chapter 298, Florida Statutes, as
25 they may be amended from time to time.

26 (g) The administrative duties of the board of
27 supervisors shall be as set forth in this act and chapter 298,
28 Florida Statutes, as they may be amended from time to time.

29 (h) Requirements for financial disclosure, meeting
30 notices, reporting, public records maintenance, and per diem
31 expenses for officers and employees shall be as set forth in

1 chapters 112, 189, 286, and 298, Florida Statutes, as they may
2 be amended from time to time.

3 (i) The procedures and requirements governing the
4 issuance of bonds, notes, and other evidence of indebtedness
5 by the district shall be as set forth in chapter 298, Florida
6 Statutes, and other applicable general laws, as they may be
7 amended from time to time.

8 (j) The procedures for conducting district elections
9 and for qualification of electors shall be pursuant to this
10 act and chapters 189 and 298, Florida Statutes, as they may be
11 amended from time to time.

12 (k) The district may be financed by any method
13 established in this act, chapter 298, Florida Statutes, and
14 applicable general laws, as they may be amended from time to
15 time.

16 (l) The methods for collecting non-ad valorem
17 assessments, fees, or service charges shall be as set forth in
18 chapters 197 and 298, Florida Statutes, and other applicable
19 general laws, as they may be amended from time to time.

20 (m) The district's planning requirements shall be as
21 set forth in chapters 189 and 298, Florida Statutes, as they
22 may be amended from time to time.

23 (n) The district's geographic boundary limitations are
24 set forth in section 4.

25 Section 6. Board of supervisors;
26 qualifications.--Pursuant to section 298.76(3), Florida
27 Statutes, if no owner of property within the district who is
28 also a resident of Lee County as required by section
29 298.11(1), Florida Statutes, qualifies for election to the
30 district board of supervisors at an annual landowners'
31 meeting, then any owner of land within the district who is

1 also an elector of the state may qualify and stand for
2 election for the district board of supervisors.

3 Section 7. If any provision of this act or the
4 application thereof to any person or circumstance is held
5 invalid, the invalidity does not affect other provisions or
6 applications of the act which can be given effect without the
7 invalid provision or application, and to this end the
8 provisions of this act are declared severable.

9 Section 8. Effect of conflict.--In the event of a
10 conflict between the provisions of this act and the provisions
11 of any other act, the provisions of this act shall control to
12 the extent of such conflict.

13 Section 2. This act shall take effect upon becoming a
14 law.

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