

By Representative Needelman

1 A bill to be entitled
2 An act relating to the Melbourne-Tillman Water
3 Control District, Brevard County; amending
4 chapter 2001-336, Laws of Florida; amending
5 district boundaries; amending the powers and
6 duties of the Melbourne-Tillman Water Control
7 District, a dependent special district in
8 Brevard County, to authorize the district to
9 sell, lease, or otherwise dispose of real
10 property; providing the procedure for such
11 sale, lease, or other disposition; providing an
12 effective date.

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

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16 Section 1. Section 3 of section 3 of chapter 2001-336,
17 Laws of Florida, is amended and section 32 is added to said
18 section, to read:

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20 Section 3. Special district.--There is hereby created
21 and incorporated the Melbourne-Tillman Water Control District,
22 a dependent special district, for the purpose of constructing,
23 reconstructing and repairing, maintaining, and operating a
24 surface water management system. The boundaries of the
25 District are:

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26 All of Township 29 South, Range 36 East, and
27 portions of Township 29 South, Range 37 East,
28 Township 28 South, Range 36 East and Township
29 28 South, Range 37 East in Brevard County,
30 Florida being more particularly described as
31 follows:

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Township 29 South, Range 37 East:

The West 1/2 of Sections 3, 27 and 34, and all of Sections 4 through 9, 16 through 21, and 28 through 33, and the West 1/2 of the Southwest 1/4 of the Northeast 1/4 of Section 34.

Township 28 South, Range 36 East:

The South 1/2 of Sections 1 through 5, the Southeast 1/4 of Section 6, and all of Sections 7 through 36.

Township 28 South, Range 37 East:

(a) The Southwest 1/4 of Section 6, the West 1/2 and Southeast 1/4 of Section 7, the West 1/2 of Section 17, the South 1/2 of Section 21, a portion of the Southwest 1/4 of Section 22 described as the West 1/2 of the Northwest 1/4 of the Southwest 1/4, less Parcel 543, the South 1/2 of Section 27, less a portion of the North 1/2 of the South 1/2 described as the area bounded by the west section line, then southerly along the section line to a point 419 feet distant, then easterly to a point along the east section line 450 feet southerly of the midpoint of the east section line, then northerly along the section line to the midpoint of the section line, then westerly to

1 the midpoint of the west section line, the
2 point of beginning, the West 1/2, Northeast 1/4
3 and a portion of the Southeast 1/4 described as
4 the North 1/2 of the Southeast 1/4 and Lot 4
5 and the West 1/2 of Lot 3, all within Section
6 34, the West 1/2 of the Northwest 1/4 and
7 Northwest 1/4 of the Southwest 1/4 of Section
8 35, and all of Sections 18 through 20, and 28
9 through 33.

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11 (b) Tracts 1, 2, 3 & 4 of the Garner Acres
12 Plat, a replat of a portion of Central
13 Highlands, as recorded in Plat Book 47, Page
14 13, of the Public Records of Brevard County,
15 Florida, lying in Section 8.

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17 (c) Tax I.D. Parcels 503, 505, 507 & 508 lying
18 in Section 8.

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20 (d) Lot 29, Florida Indian River Land Company,
21 as recorded in Plat Book 1, Page 164, of the
22 Public Records of Brevard County, Florida,
23 lying in Section 17.

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25 The District shall constitute a dependent special district
26 under the laws of the state.

27 Section 32. Disposition of real property.--

28 (1) The Board of Directors is authorized to sell,
29 lease, or otherwise convey or dispose of any lands, or any
30 interests or rights in lands to which the District has title,
31 or to which it may hereafter acquire title, whenever the Board

1 of Directors determines it is in the best interest of the
2 District to do so at the best price and terms obtainable, for
3 such terms and such conditions as the Board of Directors may
4 in its discretion determine. The power to sell, lease, or
5 otherwise convey granted herein specifically includes the
6 power by the District to enter into public-private
7 partnerships regarding District lands upon such terms and
8 conditions as the Board of Directors may in its discretion
9 determine.

10 (a) All sales of land, or interests or rights in land,
11 or the lease of any interests in land, shall be for cash or
12 upon terms and security to be approved by the Board of
13 Directors. No deed shall be executed and delivered for any
14 sale until full payment is made and received by the District.

15 (b) Before selling or leasing any land, or any
16 interest or rights in and to any land, it shall be the duty of
17 the District to cause a notice of intention to sell or lease
18 to be published in a newspaper published in Brevard County no
19 less than once each week for 2 successive weeks. The first
20 publication shall be not less than 15 days nor more than 30
21 days prior to the meeting at which the proposed sale or lease
22 will be considered. The notice shall set forth a description
23 of the lands or interests or rights in lands offered for sale
24 or lease.

25 (c) Deeds of conveyance of lands, the titles to which
26 are held by the District or in the name of its Board of
27 Directors, may be in substantially the following form:

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29 THIS DEED, MADE THIS ____ day of _____,
30 ____ BY MELBOURNE-TILLMAN WATER CONTROL
31 DISTRICT, A DEPENDENT SPECIAL DISTRICT OF THE

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2 (d) No such deed of conveyance shall be required to be
3 witnessed or acknowledged, but shall be entitled to record
4 when properly executed.

5 (e) All deeds of conveyance or leases by the District
6 or by its Board of Directors shall convey or lease only the
7 interest of the District and/or its Board of Directors in the
8 property covered thereby, and shall not be deemed to warrant
9 the title to any property sold, leased, released, or conveyed
10 or to represent any state of facts concerning same.

11 (2) The Board of Directors may exchange lands, or
12 interests or rights in lands, owned by, or lands or interests
13 or rights in lands for which title is otherwise vested in the
14 District, for other lands, or interest or rights in lands
15 within the state owned by any person. The Board of Directors
16 shall fix the terms and conditions of any such exchange, and
17 may pay or receive any sum of money that the Board of
18 Directors considers necessary to equalize the values of
19 exchanged properties. Before any exchange of property is
20 effected, notice of the meeting at which said exchange is
21 considered shall be published in a newspaper of general
22 circulation published in Brevard County prior to the adoption
23 by the Board of Directors of a resolution authorizing the
24 exchange of properties. Notice shall be published at least
25 once not less than 7 days nor more than 14 days prior to the
26 meeting at which the resolution will be considered.

27 (3) In the event that the District seeks to purchase
28 property, it may utilize the procedures set forth in section
29 166.045, Florida Statutes, and any amendments thereto.

30 Section 2. This act shall take effect upon becoming a
31 law.