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2 An act relating to the Trailer Estates Park and
3 Recreation District, Manatee County; codifying,
4 reenacting, amending, and repealing special
5 acts relating to the district; providing for
6 the administration of the affairs of said
7 district by a board of nine trustees and
8 defining their powers and duties; providing for
9 the qualification of electors in the district
10 and for annual election of trustees; providing
11 for removal of trustees and appointment to fill
12 vacancies; providing for the assessment and
13 collection of a recreation district tax
14 assessed against each improved residential
15 parcel of real property within the district;
16 providing that such district tax shall be a
17 lien against each parcel of land so assessed
18 and for the method of collecting such tax;
19 providing for the deposit and disbursement of
20 funds of the district; establishing a fiscal
21 year and providing for publication of annual
22 financial statements; authorizing the trustees
23 of the district to issue bonds and other
24 obligations of the district and to secure the
25 same by pledge of tax revenues and other
26 property of the district; authorizing the
27 trustees of the district to acquire and dispose
28 of real and personal property for the general
29 purpose of the district; authorizing the
30 trustees of the district to promulgate rules
31 and regulations for the use of facilities of

1 the district; providing for the abolishment of
2 the district; providing conditions precedent to
3 the filing of suit against the district or any
4 of the trustees thereof, and relieving
5 individual trustees from personal liability for
6 obligations of the district; defining terms;
7 providing an effective date.

8
9 Be It Enacted by the Legislature of the State of Florida:

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11 Section 1. Pursuant to section 189.429, Florida
12 Statutes, this act constitutes the codification of all special
13 acts relating to the Trailer Estates Park and Recreation
14 District. It is the intent of the Legislature in enacting this
15 law to provide a single, comprehensive special act charter for
16 the district, including all current legislative authority
17 granted to the district by its several legislative enactments
18 and any additional authority granted by this act.

19 Section 2. Chapters 69-1287, 70-796, 72-612, 73-546,
20 76-420, 76-423, 81-428, 90-447, 94-413, and 96-442, Laws of
21 Florida, are codified, amended, reenacted, and repealed as
22 herein provided.

23 Section 3. The Trailer Estates Park and Recreation
24 District is re-created and the charter is re-created and
25 reenacted to read:

26 Section 1. Upon this act becoming a law, all lands
27 described in Section 2 lying in Manatee County, hereinafter
28 described, shall become and be incorporated into and as a park
29 and recreation district, which shall be an independent special
30 taxing district, having the powers and duties herein set

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1 forth, under the name of "Trailer Estates Park and Recreation
2 District."

3 Section 2. The lands so to be incorporated being
4 described as follows:

5
6 (a) Trailer Estates Subdivision as recorded in
7 Plat Book 8, page 138, of the Public Records of
8 Manatee County, Florida. First Addition to
9 Trailer Estates Subdivision as recorded in Plat
10 Book 9, page 71, of the Public Records of
11 Manatee County, Florida.

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13 (b) Second Addition to Trailer Estates
14 Subdivision as recorded in Plat Book 9, page
15 61, of the Public Records of Manatee County,
16 Florida.

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18 (c) Third Addition to Trailer Estates
19 Subdivision as recorded in Plat Book 10, Page
20 69 of the Public Records of Manatee County,
21 Florida.

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23 (d) Fourth Addition to Trailer Estates
24 Subdivision as recorded in Plat Book 11, page
25 66, of the Public Records of Manatee County,
26 Florida.

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28 (e) Fifth Addition to Trailer Estates
29 Subdivision as recorded in Plat Book 12, page
30 55, of the Public Records of Manatee County,
31 Florida.

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(f) The SW 1/4 of the SE 1/4 of the SE 1/4 of Section 22, TWP. 35 S., Rge. 17 E.; LESS: Land Described in Deed Book 380, Page 451, Official Records Book 208, Pages 156 & 157, Official Records Book 240, Pages 167 & 168, all of the Public Records of Manatee County, Florida; ALSO LESS: The South 133 feet and the East 290 feet of said SW 1/4 of the SE 1/4 of the SE 1/4.

(g) A tract of land in the SW 1/4 of the SE 1/4 of the SE 1/4 of Section 22, Twp. 35 S. Rge. 17 E. of Manatee County, Florida, more particularly described as follows: From the NW corner of said SW 1/4 of the SE 1/4 of the SE 1/4 of Section 22, run S. 88 degrees 30' East along the North line of said SW 1/4 of the SE 1/4 of the SE 1/4, 14.74 feet; thence run S. 1 degree 48' West, 100 feet for a Point of Beginning; thence run S. 88 degrees 30' East, 130 feet to a point; thence run S. 1 degree 48' West, 50 feet to a point; thence run N. 88 degrees 30' West, 130 feet to a point; thence run N. 1 degree 48' East 50 feet to the Point of Beginning.

(h) A tract of land in the SW 1/4 of the SE 1/4 of the SE 1/4 of Section 22, Twp. 35 S. Rge. 17 E. of Manatee County, Florida, more particularly described as follows: From the NW corner of said SW 1/4 of the SE 1/4 of the SE

1 1/4 of Section 22, run S. 88 degrees 30' East
2 along the North line of said SW 1/4 of the SE
3 1/4 of the SE 1/4, 14.74 feet; thence run S. 1
4 degree 48' West, 150 feet for a Point of
5 Beginning; thence run S. 88 degrees 30' East,
6 130 feet to a point; thence run S. 1 degree 48'
7 West, 50 feet to a point; thence run N. 88
8 degrees 30' West, 130 feet to a point; thence
9 run N. 1 degree 48' East 50 feet to the Point
10 of Beginning.

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12 (i) A tract of land in the SW 1/4 of the SE
13 1/4 of the SE 1/4 of Section 22, Twp. 35 S.
14 Rge. 17 E. of Manatee County, Florida, more
15 particularly described as follows: From the NW
16 corner of said SW 1/4 of the SE 1/4 of the SE
17 1/4 of Section 22, run S. 88 degrees 30' East
18 along the North line of said SW 1/4 of the SE
19 1/4 of the SE 1/4, 14.74 feet; thence run S. 1
20 degree 48' West, 200 feet for a Point of
21 Beginning; thence run S. 88 degrees 30' East,
22 130 feet to a point; thence run S. 1 degree 48'
23 West, 50 feet to a point; thence run N. 88
24 degrees 30' West, 130 feet to a point; thence
25 run N. 1 degree 48' East 50 feet to the Point
26 of Beginning.

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28 Section 3. The business and affairs of said district
29 shall be conducted and administered by a board of nine
30 trustees (hereinafter referred to as the "trustees") who, upon
31 their annual election, shall organize by electing from their

1 number a chair, two vice chairs, a secretary, and a treasurer.
2 Said trustees shall not receive any compensation for their
3 services but shall be entitled to be reimbursed from funds of
4 the district for any authorized disbursements they may
5 properly incur on behalf of the district. Each trustee
6 authorized to sign checks of the district or otherwise
7 designated to handle its funds shall, before he or she enters
8 upon such duties, execute to the Governor for the benefit of
9 said district, a good and sufficient bond approved by a
10 circuit judge of Manatee County in the sum of \$5,000 with a
11 qualified corporate surety conditioned to faithfully perform
12 the duties of such trustee and account for all funds which may
13 come into his or her hands as such trustee. All premiums for
14 such surety on all bonds shall be paid from the funds of said
15 district.

16 Section 4. Elections shall be held at the usual
17 polling place within the district between the hours of 12 noon
18 and 8 p.m. and shall be conducted and supervised by the
19 supervisor of elections of Manatee County under the rules
20 governing general elections in the county, except as may
21 otherwise be provided herein. Election of the Board of
22 Trustees shall be held annually on the first Tuesday after the
23 first Monday of December, establishing 2-year terms for all
24 trustees, five to be elected in even years to serve 2-year
25 terms and four to be elected in odd years to serve 2-year
26 terms in order of expiration of terms of office and as
27 required to maintain a full board of nine trustees.

28 Section 5. The only persons qualified to vote in said
29 election shall be owners of record of real property within
30 said district, but they need not be actually residing in the
31 district, nor be residents of the state. The term "owners of

1 record" means record owners appearing on the current rolls of
2 the tax assessor of Manatee County not less than 30 days prior
3 to the date of each election. For the purpose of determining
4 the qualifications of electors, the rolls of the tax assessor
5 of Manatee County shall be presumptive evidence of the record
6 of owners of property within the district, but such
7 presumption may be rebutted by the voter furnishing a recorded
8 deed or facsimile thereof to the supervisor of elections, or
9 his or her designated agent at the polling place, at the time
10 of voting at such election. Application for absentee ballots
11 may be obtained from the supervisor of elections of Manatee
12 County within 45 days prior to each annual election, and shall
13 be counted if actually received by the supervisor of elections
14 by 5 p.m. on the day before the date of each such election.
15 All election ballots shall be prepared by the supervisor of
16 elections of the county. Persons desiring to have their names
17 placed on the ballot for election as trustee of the district
18 shall be qualified electors as defined in this act and shall
19 present a written petition to the supervisor of elections of
20 Manatee County not less than 60 days prior to the date of each
21 election, which petition shall be signed by the candidate and
22 notarized, and signed by not less than 25 persons qualified to
23 vote in said election within the district. Notice of said
24 election setting forth the names of the persons proposed as
25 trustees of the district for the next ensuing 2 years shall be
26 given by the district in writing addressed to each record
27 owner or owners of each parcel of property within the
28 district, not less than 15 days before the date of each
29 election, and shall also be published by the district one time
30 at least 10 days prior to such election, in a newspaper of
31 general circulation published in the county, and if no

1 newspaper be published in said county, then they shall cause
2 written or printed notices of said election to be posted in
3 five public places within said district. The trustees may
4 appoint inspectors and clerks for the election whose duties
5 shall be the same as similar officers in general elections,
6 except as herein stated. Said election may be by ballot or by
7 voting machine, and if by ballot the same shall be written or
8 printed in black ink on plain paper and shall be substantially
9 in the following form:

10
11 Board of Trustees of the Trailer Estates Park
12 and Recreation District (stating their names
13 and residence addresses)
14

15 and if by voting machine the requirements for the ballot
16 herein described shall be adapted to the use of such voting
17 machine. The nine persons receiving the highest number of
18 votes shall be declared trustees of the district for the
19 ensuing 2 years. Trustees may succeed themselves in office.

20 Section 6. The supervisor of elections of Manatee
21 County shall canvass the return of election and shall announce
22 the results thereon the day following the election. Should
23 there be a deadlock in the balloting, a runoff election shall
24 be held on the 3rd Tuesday of December next following the
25 deadlocked election, except if a deadlock should occur in the
26 first election as provided hereunder, a runoff election shall
27 be held on the 3rd Tuesday following such deadlocked election.
28 The supervisor of elections shall be entitled to a reasonable
29 fee for conducting each election, payable out of general funds
30 of the district.
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1 Section 7. The Board of Trustees shall have the right,
2 power, and authority to levy a special assessment known as a
3 recreation district tax against all taxable real estate
4 situated within said district for the purpose of providing
5 funds for the operation of the district. The trustees shall,
6 on or before April 1 of each year, by resolution, fix the
7 amount of the assessment for the next ensuing year and shall
8 direct the tax assessor of Manatee County to assess and the
9 tax collector of Manatee County to collect such tax as
10 assessed upon each improved residential parcel of property
11 within the district. Prior to the adoption of the resolution
12 fixing the amount of the assessment, the trustees shall hold a
13 public hearing at which time property owners within the
14 district may appear and be heard. Notice of the time and
15 place of the public hearing shall be published once in a
16 newspaper of general circulation within the county at least 21
17 days prior to the public hearing. The county tax assessor
18 shall include on the Manatee County tax roll the special
19 assessment for park and recreation district benefits thus made
20 by the Board of Trustees of the district, and the same shall
21 be collected in the manner and form as provided for collection
22 of county taxes. The county tax collector and the county tax
23 assessor shall each receive compensation for their services
24 regarding such special assessment of 1-1/2 percent of the
25 gross tax receipts instead of the commissions and fees usually
26 earned for the assessment and collection of county taxes.
27 Further, the services of the tax assessor and the tax
28 collector under this act are hereby declared to be special
29 services performed directly for the district, and any payment
30 therefor shall not be considered of the general income of such
31 official nor come under sections 116.03 and 145.121, Florida

1 Statutes. After deducting therefrom the said fees, the tax
2 collector shall deposit the funds into a depository designated
3 by the Board of Trustees of the district for the account of
4 the district. For the purpose of determining property subject
5 to the district tax, an "improved residential parcel" shall be
6 construed to mean a lot or lots on which a mobile home has
7 been erected as of January 1 of the taxable year. The
8 district tax shall not be an ad valorem tax but rather shall
9 be a unit tax assessed equally against all improved
10 residential parcels.

11 Section 8. The district may acquire and hold property,
12 sue and be sued, enter into contracts, and perform other
13 functions necessary or desirable to the carrying out of the
14 provisions and intent of this act. No debt shall be created
15 without the approval of the Board of Trustees.

16 Section 9. The district tax shall be a lien upon each
17 improved residential parcel of land so assessed until said tax
18 has been paid, and shall be considered a part of the Manatee
19 County tax, subject to the same penalties, charges, fees, and
20 remedies for enforcement and collection as provided by the
21 laws of the state for the collection of such taxes.

22 Section 10. The proceeds for said tax and the funds of
23 the district shall be deposited in the name of the district in
24 a bank or savings and loan association or building and loan
25 association authorized to receive deposits of county funds,
26 which depository shall be designated by resolution of the
27 Board of Trustees. No funds of the district shall be
28 disbursed save and except by check or draft signed by the
29 chair and treasurer of the board or, in the absence of either,
30 by another trustee designated for that purpose by the board.

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1 Section 11. Trustees shall hold office for a term of 2
2 years, and may succeed themselves. All vacancies occurring in
3 the Board of Trustees for any cause shall be filled for the
4 unexpired term by the remaining trustees by the appointment of
5 a successor trustee or trustees from among the qualified
6 electors of said district as herein defined. Any trustee
7 failing to discharge the duties of his or her position may be
8 removed for cause by the Board of Trustees, after due notice
9 and an opportunity to be heard upon charges of malfeasance or
10 misfeasance.

11 Section 12. The fiscal year of the district shall
12 commence January 1. The trustees shall, on or before April 1
13 of each year, prepare an annual financial statement of income
14 and disbursements during the prior fiscal year. On or before
15 April 1 of each year, the trustees shall prepare and adopt an
16 itemized budget showing the amount of money necessary for the
17 operation of the district for the next fiscal year, and the
18 district tax to be assessed and collected upon the taxable
19 property of the district for the next ensuing year. Such
20 financial statement shall be published once during the month
21 of April each year in a newspaper of general circulation
22 within the county. A copy of said statement and a copy of said
23 budget shall also be furnished by mail to each taxpayer within
24 the district within 30 days after its preparation and a copy
25 made available for public inspection at the principal office
26 of the district at reasonable hours.

27 Section 13. The property of the district shall consist
28 of the recreational hall, shuffleboard courts, marina,
29 playgrounds, walks, and other property and improvements now or
30 hereafter erected or purchased by the trustees for the
31 district, as well as any other real or personal property which

1 the trustees of the district may, in their discretion,
2 determine to be necessary or convenient for the purposes of
3 the district. In addition thereto, for the comfort and
4 convenience of taxpayers within the district, the trustees may
5 in their discretion assume the cost of installing and
6 maintaining entrance parkways and street lighting within the
7 district and may acquire and dispose of any other facilities
8 for the general purpose of the district.

9 Section 14. Persons entitled to use the facilities and
10 property of the district shall be limited to property owners
11 within the district, their family members and guests, and such
12 other persons and groups as the trustees may authorize from
13 time to time.

14 Section 15. The trustees shall supervise all real and
15 personal property owned by the district, and shall have the
16 following powers in addition to those already herein
17 enumerated:

18 (a) To negotiate purchases and to purchase real and
19 personal property on behalf of the district and to pay for
20 such purchases with either cash or by the issuance of bonds or
21 revenue certificates.

22 (b) To determine and fix the tax to be assessed
23 annually within the district.

24 (c) To enter into contracts on behalf of the district.

25 (d) To incur obligations on behalf of the district,
26 including the power to issue bonds, notes, and other evidence
27 of indebtedness of the district for the purpose of obtaining
28 funds for the operation of the district, including the
29 purchase of land, buildings, and other improvements; provided,
30 however, that the aggregate amount of all obligations of the
31 district payable in any fiscal year shall not exceed the

1 aggregate amount of all revenue received by the district from
2 all sources during such fiscal year. Bonds, notes, or other
3 certificates of indebtedness issued by the district may be
4 secured by the pledge of tax revenues obtained by the
5 district, as well as by mortgage of property owned by the
6 district.

7 (e) To issue its bonds to finance, in whole or in
8 part, the cost of construction, acquisition, or improvements
9 of real and personal property of the district. The trustees,
10 in determining such costs, may include all costs and estimated
11 costs of the issuance of said bonds, all engineering,
12 inspection, fiscal, and legal expenses, all costs of
13 preliminary surveys, plans, maps, and specifications, initial
14 reserve funds for debt service, the costs of the services of
15 persons, firms, corporations, partnerships, or associations
16 employed, or consultants, advisors, engineers, or fiscal,
17 financial, or other experts in the planning, preparation, and
18 financing of the district. The trustees are hereby authorized
19 to employ and to enter into agreements or contracts with
20 consultants, engineers, attorneys, or fiscal, financial, or
21 other experts for the planning, preparation, and financing of
22 the district, or any asset thereof, upon such terms and
23 conditions as the trustees shall deem desirable and proper.
24 The district may pledge to the punctual payment of bonds or
25 revenue certificates issued pursuant to this act, and interest
26 thereon, an amount of the revenue derived from the facilities
27 and services of the district, including acquisitions,
28 extensions, and improvements thereof sufficient to pay said
29 bonds and the interest thereon as the same shall become due
30 and to create and maintain reasonable reserves therefor.

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1 (f) To buy, sell, rent, or lease real and personal
2 property in the name of the district; to deliver purchase
3 money notes and mortgages or to assume the obligation of
4 existing mortgages in connection with the acquisition of
5 property of the district; and to receive gifts of real or
6 personal property.

7 (g) To promulgate reasonable rules and regulations
8 governing the use of the facilities of the district.

9 (h) To provide trash and garbage collection and
10 central television antenna signals and services for the
11 benefit of all persons residing within the district, to own,
12 operate, and maintain the necessary equipment and apparatus,
13 or to contract with others to provide such services, and to
14 hold such franchises as may be necessary or desirable to
15 provide such services.

16 (i) To use district funds in the administration and
17 enforcement of the deed restriction as filed in the Manatee
18 County public records for properties within the district.

19 (j) To recover all costs and reasonable attorney's
20 fees in addition to other appropriate relief should the
21 trustees be the prevailing party in any litigation, and in any
22 appellate proceedings, involving the enforcement of this act
23 and/or the deed restrictions as filed in the Manatee County
24 public records.

25 Section 16. The construction, acquisition, or
26 improvements of real or personal property of the district, or
27 the refunding of any bonds or other obligations issued for
28 such purposes, may be authorized under this act. Bonds may be
29 authorized to be issued under this act to provide funds for
30 such purposes by resolution or resolutions of the trustees,
31 which may be adopted at the same meeting at which they were

1 introduced and may be adopted by a majority of the members
2 thereof, and shall take effect immediately upon adoption and
3 need not be published or posted. Said bonds shall bear
4 interest at such rate or rates not exceeding 6 percent per
5 annum, payable semiannually, may be in one or more series, may
6 bear such date or dates, may mature at such time or times not
7 exceeding 40 years from their respective dates, may be made
8 payable in such medium of payment, at such place, within or
9 without the state, may carry such registration privileges, may
10 be subject to such terms of redemption, with or without
11 premium, may be executed in such manner, may contain such
12 terms, covenants, and conditions, and may be in such form,
13 either coupon or registered, as such resolution or subsequent
14 resolution may provide. Said bonds may be sold all at one
15 time or in blocks from time to time, at public or private
16 sale, or if refunding bonds, may also be delivered and
17 exchanged for the outstanding obligations to be refunded
18 thereby, in such manner as the trustees shall determine by
19 resolution, and at such price or prices computed according to
20 standard tables of bond value as will yield to the purchasers
21 or the holders of the obligations surrendered in exchange in
22 the case of refunding bonds, income at a rate not exceeding 6
23 percent per annum to the maturity dates of the several bonds
24 so sold or exchanged on the money paid or the principal amount
25 of obligations surrendered therefor to the district. Pending
26 the preparation of the definitive bonds, interim certificates
27 or receipts or temporary bonds in such form and with such
28 provisions as the trustees may determine may be issued to the
29 purchaser or purchasers of the bonds sold pursuant to this
30 act. Said bonds, and such interim certificates or receipts or
31 temporary bonds, shall be fully negotiable.

1 Section 17. A record shall be kept of all meetings of
2 the Board of Trustees and in such meetings a concurrence of a
3 majority of said trustees shall be necessary for any
4 affirmative action taken by the board. Said trustees may
5 adopt such rules and regulations, not inconsistent with any
6 portion of this act, as they may deem necessary or convenient
7 in and about the transaction of the business of the board and
8 in carrying out the provisions of this act.

9 Section 18. For the general purposes of this act, each
10 parcel of improved residential property in said district is
11 hereby declared to be uniformly and generally benefited by the
12 provisions hereof.

13 Section 19. The district hereby created may be
14 abolished by a majority vote of the qualified electors in the
15 district at an election called by the trustees of the district
16 for such purpose, which election shall be held and notice
17 thereof given under the same requirements as are set forth
18 hereunder for the election of trustees and the levying and
19 collecting of the district tax. However, the district shall
20 not be abolished while it has outstanding indebtedness without
21 first making adequate provisions for the liquidation of such
22 outstanding indebtedness.

23 Section 20. Trustees not guilty of malfeasance in
24 office shall be relieved of any personal liability for any
25 acts done by them while holding office in the district; any
26 trustee who is made a party to any action, suit, or proceeding
27 solely by reason of his or her holding office in the district
28 shall be indemnified by the district against reasonable
29 expenses, including attorney's fees, incurred by him or her in
30 defending such suit, action, or proceeding, except with
31 respect to matters wherein it shall be adjudged in such

1 proceeding that such trustee is liable for negligence or
2 misconduct in the performance of his or her duties.

3 Section 21. The word "district" means the special park
4 and recreation district hereby organized; the words "board,"
5 "trustees," and "Board of Trustees" mean the Board of Trustees
6 of and for the special park and recreation district hereby
7 created when used in this act, unless otherwise specified.

8 Section 22. (a) Notwithstanding any provisions to the
9 contrary (as may now appear in section 8, section 13, or
10 section 15), the trustees of Trailer Estates Park and
11 Recreation District shall not enter into any contract
12 involving the initial purchase, lease, conveyance, or other
13 manner of acquisition of real or tangible personal property
14 constituting recreational facilities, which presently exist
15 within the territory included in the Trailer Estates Park and
16 Recreation District, in any instance when the cost price or
17 consideration therefor exceeds \$25,000 including all
18 obligations proposed to be assumed in connection with such
19 acquisition, unless:

20 (1) The trustees by two-thirds vote have approved the
21 terms and conditions of such acquisition by written
22 resolution;

23 (2) Within not less than 30 nor more than 60 days
24 after the date of the resolution, the trustees certify the
25 resolution to the supervisor of elections of Manatee County
26 for a referendum election; and

27 (3) A majority of qualified electors of the district
28 voting in a referendum election approve the resolution.

29 (b) The qualifications of voters, notice, and
30 procedure for this referendum shall be the same as set forth
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1 herein for the election of trustees and for special referendum
2 elections.

3 Section 4. Chapters 69-1287, 70-796, 72-612, 73-546,
4 76-420, 76-423, 81-428, 90-447, 94-413, and 96-442, Laws of
5 Florida, are repealed.

6 Section 5. In the event of a conflict of the
7 provisions of this act with the provisions of any other act,
8 the provisions of this act shall control to the extent of such
9 conflict.

10 Section 6. The provisions of this act shall be
11 liberally construed in order to effectively carry out the
12 purpose of this act in the interest of the public.

13 Section 7. This act shall take effect upon becoming a
14 law.

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