

1
2 An act relating to the Troup-Indiantown Water
3 Control District, Martin County; creating a
4 charter; providing district status and
5 boundaries; providing for applicability of
6 chapters 298 and 189, Florida Statutes, and
7 other general laws; providing a district
8 charter; providing for liberal construction;
9 providing a saving clause in the event any
10 provision of the act is deemed invalid;
11 repealing chapter 63-819, Laws of Florida;
12 providing an effective date.

13
14 Be It Enacted by the Legislature of the State of Florida:

15
16 Section 1. The charter for the Troup-Indiantown Water
17 Control District is created to read:

18 Section 1. Status and boundaries of Troup-Indiantown
19 Water Control District.--The Troup-Indiantown Water Control
20 District is hereby declared to be an independent water control
21 district and a public corporation of the State of Florida
22 pursuant to chapter 298, Florida Statutes, as it may be
23 amended from time to time, and the lands lying within the area
24 described as follows in Martin County, Florida, shall hereby
25 constitute the Troup-Indiantown Water Control District:

26
27 Beginning at the southeast corner of Section
28 33, Township 39 South, Range 39 East, run
29 thence East with the South line of Section 34 a
30 distance of 60 feet to a point; run thence
31 North on a line 60 feet East of and parallel to

1 the East lines of Sections 33, 28, 21 and 16 to
2 a point in the North line of Section 15 which
3 is 60 feet East of the Northwest corner of said
4 Section 15; run thence in a straight line to
5 the Northeast corner of Section 9; run thence
6 Northward with the East line of Section 4 to
7 the Northeast corner thereof; thence run
8 Westward with the North lines of Section 4, 5,
9 and 6 to a point in the North line of Section
10 6, which is 50 feet East of the Northwest
11 corner of said Section 6; run thence Southward
12 with a line which is 50 feet East of and
13 parallel to the West lines of Sections 6 and 7
14 and the North one-half of Section 18 to a
15 point; run thence Southeastward in a straight
16 line to the Northeast corner of Section 30; run
17 thence Southeastward to the Southwest corner of
18 the East one-half of the Southwest one-quarter
19 of Section 29; run thence Eastward with the
20 South line of Section 29 a distance of 1329.12
21 feet to the Northwest corner of the East
22 one-half of Section 32; run thence South with
23 the West line of the East one-half of Section
24 32 a distance of 1675.73 feet to a concrete
25 monument which is on the Southwest bank of a
26 drainage canal; run thence South 23E 49' 29"
27 East a distance of 614.2 feet to a point on the
28 Southwest bank of said drainage canal; run
29 thence South 20E 16' 59" East a distance of
30 873.6 feet to a point on the Southwest bank of
31 said drainage canal; run thence South 37E 49'

1 39" East a distance of 1426.46 feet to a point
2 on the Southwest bank of said drainage canal;
3 run thence South 42E 05' 24" East a distance of
4 429.70 feet to a point on the Southwest bank of
5 said drainage canal; run thence South 22E 51'
6 04" East a distance of 830.8 feet to a point on
7 the Southwest bank of said drainage canal; run
8 thence South 32E 45' 39" East a distance of
9 65.38 feet to an intersection point with the
10 South line of Section 32, which point is 569.23
11 feet West of the Southeast corner of said
12 Section 32; run thence East with the South
13 lines of Sections 32 and 33 to the point of
14 Beginning.
15 and
16 Beginning at a point on the South line of the
17 North 1/2 of Section 34, Township 39 South,
18 Range 39 East, which point is 60 feet East of
19 the Southwest corner of the North 1/2 of said
20 Section 34, thence run East along the South
21 boundary line of the North 1/2 of Sections 34
22 and 35 to the Southeast corner of the Northwest
23 1/4 of Section 35; thence run North along the
24 East boundary line of the West 1/2 of Sections
25 35, 26, 23, 14 and 11, to the North line of
26 Section 11; thence run West along the North
27 lines of Sections 10 and 11 to the Northwest
28 corner of Section 10; thence South in a
29 straight line to a point on the South line of
30 Section 10, which point is 60 feet East of the
31 Southwest corner of Section 10; thence run

1 South parallel to 60 feet East of the West
2 lines of Section 15, 22, 27 and 34 to the point
3 of beginning. All of said lands lying and being
4 in Township 34 South, Range 39 East.
5 and
6 Beginning at a point on the South line of the
7 North 1/2 of Section 34, Township 39 South,
8 Range 39 East, which point is 60 feet East of
9 the Southwest corner of the North 1/2 of said
10 Section 34, thence run East along the South
11 boundary line of the North 1/2 of Sections 34
12 and 35, to the Southeast corner of the
13 Northwest 1/4 of Section 35; thence run North
14 along the North-South quarter-section lines of
15 Section 35, 26, 23, 14 and 11, to the North
16 line of Section 11; thence run West along the
17 North lines of Section 11 and 10 to the
18 Northwest corner of Section 10; thence run
19 South in a straight line to a point in the
20 South line of Section 10, which point is 60
21 feet East of the Southwest corner of Section
22 10; thence run South parallel to and 60 feet
23 East of the West lines of Sections 15, 22, 27
24 and 34, to the Point of Beginning. All of said
25 lands lying and being in Township 39 S, Range
26 39E.

27
28 Section 2. Minimum charter requirements.--In
29 accordance with section 189.404(3), Florida Statutes, the
30 following subsections shall constitute the charter of the
31 Troup-Indiantown Water Control District:

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

4 (2) The powers, functions, and duties of the district
5 regarding ad valorem taxation, bond issuance and other
6 revenue-raising capabilities, budget preparation and approval,
7 liens and foreclosure of liens, use of tax deeds and tax
8 certificates as appropriate for non-ad valorem assessments,
9 and contractual agreements shall be as set forth in chapters
10 170, 189, 197, and 298, Florida Statutes, or any other
11 applicable general or special law, as they may be amended from
12 time to time.

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

15 (4) In accordance with chapter 189, Florida Statutes,
16 this act, and section 298.11, Florida Statutes, the district
17 is governed by a three-member board, elected on a one-acre,
18 one-vote basis by the landowner in the district; however,
19 landowners owning less than one acre shall be entitled to one
20 vote. Landowners with more than one acre shall be entitled to
21 one additional vote for any fraction of an acre greater than
22 1/2 acre owned, when all of the landowner's acreage has been
23 aggregated for purposes of voting. The membership and
24 organization of the board shall be as set forth in this act
25 and chapter 298, Florida Statutes, as they may be amended from
26 time to time.

27 (5) The compensation of board members shall be
28 governed by this act and chapter 298, Florida Statutes, as
29 they may be amended from time to time.

30
31

1 (6) The administrative duties of the board of
2 supervisors shall be as set forth in this act and chapter 298,
3 Florida Statutes, as they may be amended from time to time.

4 (7) Requirements for financial disclosure, meeting
5 notices, reporting, public records maintenance, and per diem
6 expenses for officers and employees shall be as set forth in
7 chapters 112, 189, 286, and 298, Florida Statutes, as they may
8 be amended from time to time.

9 (8) The procedures and requirements governing the
10 issuance of bonds, notes, and other evidence of indebtedness
11 by the district shall be as set forth in chapter 298, Florida
12 Statutes, and applicable general laws, as they may be amended
13 from time to time.

14 (9) The procedures for conducting district elections
15 and for qualification of electors shall be pursuant to
16 chapters 189 and 298, Florida Statutes, as they may be amended
17 from time to time; however, a quorum for purposes of holding
18 the annual meeting or any special meeting shall consist of
19 those landowners present in person or represented by proxy at
20 said meeting.

21 (10) The district may be financed by any method
22 established in this act, chapter 298, Florida Statutes, and
23 applicable general laws, as they may be amended from time to
24 time.

25 (11) The methods for collecting non-ad valorem
26 assessments, fees, or service charges shall be as set forth in
27 chapters 170, 197, and 298, Florida Statutes, and other
28 applicable general laws, as they may be amended from time to
29 time.

30
31

1 (12) The district's planning requirements shall be as
2 set forth in chapters 189 and 298, Florida Statutes, as they
3 may be amended from time to time.

4 (13) The district's geographic boundary limitations
5 shall be as set forth in this act.

6 (14) The district shall have all powers provided to it
7 by this act, chapters 189 and 298, Florida Statutes, and other
8 applicable general laws, as they may be amended from time to
9 time.

10 (15) The district is hereby permitted, authorized, and
11 empowered to engage in irrigation as well as drainage. The
12 term "irrigation" as herein used is defined to mean the
13 maintaining and controlling of water levels within said
14 district and furnishing, supplying, and providing irrigation
15 water by means of pumps, pumping operations, or gravity flow
16 from reservoirs, wells, or canals and by installing,
17 operating, keeping, and maintaining pumps, pumping stations,
18 dams, floodgates, sluiceways, and such other works as the
19 board of supervisors of said district may deem necessary and
20 proper in order to keep, maintain, and control said water
21 levels and to furnish, supply, and provide irrigation water
22 for all of the lands lying within said district.

23 The district is hereby permitted, authorized, and
24 empowered to own, construct, maintain, and operate such roads,
25 bridges, culverts, and passageways as the board of supervisors
26 of said district may deem necessary and proper for access to
27 and from all of the drainage and irrigation facilities of the
28 district, as well as to provide access to and from the lands
29 lying within the boundaries thereof.

30 All pumps, pumping stations, dams, floodgates,
31 sluiceways, wells, reservoirs, roads, bridges, culverts,

1 passageways, and such other works as the board of supervisors
2 of said district may determine necessary shall become and be a
3 part of the plan of reclamation of said district.

4 Section 3. Ratification of prior acts.--All acts and
5 proceedings of the circuit court taken by, for, and on behalf
6 of the district since the creation thereof, and all of the
7 acts and proceedings of the board of supervisors, the
8 commissioners, and all other officers and agents of the
9 district, and of the county, acting for and on behalf of the
10 district, and any and all tax levies and assessments which
11 have been made by the board of supervisors for and on behalf
12 of the district, are each and every one of them, and each and
13 every part thereof, hereby ratified, validated, and confirmed.

14 Section 4. Liberal construction.--It is intended that
15 the provisions of this act shall be liberally construed for
16 accomplishing the work authorized and provided for or intended
17 to be provided for by this act, and where strict construction
18 would permit or assist in the accomplishment of any part of
19 the work authorized by this act, the liberal construction
20 shall be chosen.

21 Section 5. Invalidity.--If any section, subsection,
22 sentence, clause, or phrase of this act is held to be
23 unconstitutional, such holding shall not affect the validity
24 of the remaining portions of the act, the Legislature hereby
25 declaring that it would have passed this act and each section,
26 subsection, sentence, clause, and phrase thereof, irrespective
27 of any other separate section, subsection, sentence, clause,
28 or phrase thereof, and irrespective of the fact that any one
29 or more other sections, subsections, sentences, clauses, or
30 phrases thereof may be declared unconstitutional.

31

1 Section 2. Chapter 63-819, Laws of Florida, is
2 repealed.
3 Section 3. This act shall take effect upon becoming a
4 law.
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28
29
30
31