

By Senator Posey

24-1142-03

See HB 591

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

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

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

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

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

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1 Township 29 South, Range 37 East:

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3 the West 1/2 of Sections 3, 27 and 34, and all
4 of Sections 4 through 9, 16 through 21, and 28
5 through 33, and the West 1/2 of the Southwest
6 1/4 of the Northeast 1/4 of Section 34.

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8 Township 28 South, Range 36 East:

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10 The South 1/2 of Sections 1 through 5, the
11 Southeast 1/4 of Section 6, and all of Sections
12 7 through 36.

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14 Township 28 South, Range 37 East:

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16 (a) The Southwest 1/4 of Section 6, the West
17 1/2 and Southeast 1/4 of Section 7, the West
18 1/2 of Section 17, the South 1/2 of Section 21,
19 a portion of the Southwest 1/4 of Section 22
20 described as the West 1/2 of the Northwest 1/4
21 of the Southwest 1/4, less Parcel 543, the
22 South 1/2 of Section 27, less a portion of the
23 North 1/2 of the South 1/2 described as the
24 area bounded by the west section line, then
25 southerly along the section line to a point 419
26 feet distant, then easterly to a point along
27 the east section line 450 feet southerly of the
28 midpoint of the east section line, then
29 northerly along the section line to the
30 midpoint of the section line, then westerly to
31 the midpoint of the west section line, the

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

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

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

18
19 (d) Lot 29, Florida Indian River Land Company,
20 as recorded in Plat Book 1, Page 164, of the
21 Public Records of Brevard County, Florida,
22 lying in Section 17.

23
24 The District shall constitute a dependent special district
25 under the laws of the state.

26 Section 32. Disposition of real property.--

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

1 District to do so at the best price and terms obtainable, for
2 such terms and conditions as the Board of Directors may in its
3 discretion determine. The power to sell, lease, or otherwise
4 convey granted herein specifically includes the power by the
5 District to enter into public or private partnerships
6 regarding District lands upon such terms and conditions as the
7 Board of Directors may in its discretion determine. However,
8 any conveyance or agreement must be for a public purpose.

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

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

24 (c) Deeds of conveyance of lands, the titles to which
25 are held by the District or in the name of its Board of
26 Directors, shall be by special warranty deed.

27 (d) All deeds of conveyance or leases held by the
28 District or by its Board of Directors shall convey or lease
29 only the interest of the District or its Board of Directors in
30 the property covered thereby.

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

17 (3) In the event that the District seeks to purchase
18 property, it may utilize the procedures set forth in section
19 166.045, Florida Statutes, and any amendments thereto.

20 Section 2. This act shall take effect upon becoming a
21 law.

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