



CHAMBER ACTION

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The Committee on Local Government & Veterans' Affairs recommends the following:

Committee Substitute

Remove the entire bill and insert:

A bill to be entitled

An act relating to the Acme Improvement District, Palm Beach County; codifying the district's charter; providing legislative intent; amending, codifying, and reenacting all special acts relating to Acme Improvement District as a single act; repealing all prior special acts relating to Acme Improvement District; amending the jurisdictional boundaries of Acme Improvement District; providing for the applicability of chapters 298 and 189, Florida Statutes, and other general laws; providing that Acme Improvement District is a dependent district of the Village of Wellington; providing for liberal construction; providing a savings clause in the event any of the act is deemed invalid; providing an effective date.

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



HB 0519

2003
CS

28 Section 1. Pursuant to section 189.429, Florida Statutes,
29 this act constitutes the codification of all special acts
30 relating to Acme Improvement District. It is the intent of the
31 Legislature in enacting this law to provide a single,
32 comprehensive special act charter for the District, including
33 all current legislative authority granted to the District by its
34 several legislative enactments and any additional authority
35 granted by this act. It is further the intent of this act to
36 preserve all District authority in addition to any authority
37 contained in chapters 298 and 189, Florida Statutes, as amended
38 from time to time.

39 Section 2. Chapters 28557 (1953), 30391 (1955), 57-568,
40 59-706, 63-864, 70-856, 75-470, 77-619, 79-537, 82-349, 83-490,
41 87-440, 91-971, 92-342, 94-473, 94-474, and 2000-419, Laws of
42 Florida, are amended, codified, reenacted, and repealed as
43 herein provided.

44 Section 3. The charter for the Acme Improvement District,
45 a dependent special district, is re-created and reenacted to
46 read:

47 Section 1. District Created and Boundaries thereof;
48 Validating Creation of District under chapter 298, Florida
49 Statutes.--That for the purpose of reclaiming and draining the
50 lands hereinafter described and protecting said lands from the
51 effects of water by means of the construction and maintenance of
52 canals, ditches, levees, dikes, pumping plants, and other
53 drainage works and improvements, and for the purpose of making
54 the lands within said District available and habitable for
55 settlement and agriculture, and for the public convenience,



HB 0519

2003
CS

56 welfare, utility, and benefit, and for the other purposes stated
57 in this Act, a drainage District is hereby created and
58 established in Palm Beach County, to be known as the Acme
59 Improvement District, the territorial boundaries of which shall
60 be as follows, to-wit:

61 All and Singular a certain parcel of Land, Lying and
62 Situate in Range 41 East, Township 44 South and part of
63 Range 41 East, Township 43 South, and part of Range 40
64 East, Township 44 South, part of Township 43 South,
65 Range 40 East, part of Township 45 South, Range 41 East,
66 and part of Hiatus, Palm Beach County, Florida.

67 All of Sections 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 14, 15,
68 16, 17, 18, 19, 20, 21, 22, 23, 26, 27, 28, 29, 33, 34
69 and that part of Sections 30, 31 and 32 lying North
70 Right of Way Limit of the Central and Southern Flood
71 Control District's Levee 40 and that portions of
72 Sections 12, 13, 24 and 25 Township 44 South, Range 41
73 East. Portion of Section 25 Township 44 South, Range 40
74 East, North Right of Way Limit of the Central and
75 Southern Flood Control District's Levee 40. Portion of
76 Sections 31, 32, 33, 34, and 35 lying South of the Right
77 of Way line of the West Palm Beach Canal, Township 43
78 South, Range 41 East, Section 39, Township 44 South,
79 Range 41 East and portions of Section 40 North of said
80 North Right of Way Limit of the Central and Southern
81 Flood Control District's Levee, and Section 3 and 4 of
82 Township 45 South, Range 41 East lying North of said
83 North Right of Way Limit of the Central and Southern



84 | Flood Control District's Levee, Palm Beach County,
 85 | Florida:
 86 | More particularly described:
 87 | Commencing at the intersection of the East Line of
 88 | Section 35, Township 43 South, Range 41 East, and the
 89 | South Right of Way Line of the West Palm Beach Canal;
 90 | Thence Southerly following the East Line of aforesaid
 91 | section 35, to the Northeast corner Section 2, Township
 92 | 44 South, Range 41 East.
 93 | Thence following Southerly along the east limit of
 94 | aforesaid Section 2 to the Northeast corner Section 11,
 95 | Township 44 East, Range 41 East,
 96 | Thence following Southerly along the aforesaid Easterly
 97 | limit of Section 11 to a point on the Easterly limit of
 98 | aforesaid Section 11 to the Northwest Corner of the
 99 | Southwest Quarter of Section 12, Township 44 South,
 100 | Range 41 East.
 101 | Thence Easterly along the north line of the aforesaid
 102 | Southwest Quarter of Section 12 to an intersection of a
 103 | line drawn 40 feet West and parallel to the East limit
 104 | of aforesaid Southwest Quarter of Section 12,
 105 | Thence Southerly along the 40 foot parallel line the
 106 | aforesaid Section 12, a distance of 1592.15 feet to a
 107 | point,
 108 | Thence Easterly and parallel to the Southerly limit of
 109 | aforesaid Section 12 a distance of 1572.99 feet to a
 110 | point.



111 Thence Southerly and parallel to the Easterly limits of
112 aforesaid Section 12 a distance of 1031.44 feet more or
113 less to the Northerly limit of Forest Hill Boulevard
114 Right of Way,
115 Thence Westerly along the Northerly limit of Forest Hill
116 Boulevard on an arc to the left and with an arc length
117 of 488.34 feet having a delta angle of 4 degrees 49
118 minutes 59 seconds and a radius of 5789.27 feet with a
119 radial bearing of North 9 degrees 6 minutes 10 seconds
120 East to a point of compound curvature.
121 Thence continuing Westerly along an arc to the left with
122 a radius of 5789.27 feet an arc length of 203.52 feet
123 having a delta angle of 2 degrees 0 minutes 51 seconds
124 and a center bearing of North 3 degrees 46 minutes 29
125 seconds East, to a point.
126 Thence Southerly a distance 173 feet more or less to the
127 intersection of the Northerly limit of Section 13,
128 Township 44 South, Range 41 East.
129 Thence Southerly along a line 27.00 feet on a bearing of
130 South 2 degrees 15 minutes 17 seconds West to a point of
131 non tangential curvature.
132 Thence following a curve to the right with an arc length
133 of 741.42 feet having a radius of 4443.66 feet and a
134 delta angle of 9 degrees 33 minutes 35 seconds and
135 radial bearing of North 2 degrees 15 minutes 17 seconds
136 East, to a point of tangency,
137 Thence following a line 186.37 feet on a bearing of
138 South 86 degrees 25 minutes 5 seconds East to a point,



139 | Thence continuing along a line 70.31 feet on a bearing
140 | North 89 degrees 2 minutes 7 seconds East to the
141 | intersection with the Westerly Right of Way Line of
142 | State Road 7 (US 441) as shown on Plat Wellington Green,
143 | A MUPD.PUD, of the Public Records of Palm Beach County,
144 | Florida in Plat Book 87 Pages 81 thru 90,
145 | Thence following a line a distance of 503.00 feet on a
146 | bearing of South 0 degrees 22 minutes 3 seconds East to
147 | a point,
148 | Thence continuing along a line a distance of 1312.60
149 | feet on a bearing of South 1 degrees 53 minutes 53
150 | seconds West to a point,
151 | Thence following a line a distance of 827.17 feet on a
152 | bearing of South 1 degrees 53 minutes 57 seconds West to
153 | a point of intersection with the South line of the North
154 | half of the South Half of aforesaid Section 13.
155 | Thence Easterly following the aforesaid Southerly line
156 | of the North Half of the South Half of said Section 13 a
157 | distance of 5044.51 feet more or less to the West limit
158 | of said Section 13,
159 | Thence Southerly along the Westerly limit of aforesaid
160 | Section 13 to the Northwest corner of Section 24,
161 | Township 44 South, Range 41 East.
162 | Thence Southerly along the Westerly limit of aforesaid
163 | Section 24 to the Northwest corner of the Southwest
164 | Quarter of aforesaid Section 24.



165 Thence Easterly along the Northerly limit of said
 166 Southwest quarter of said Section 24 to the Northeast
 167 corner of the Southwest quarter of aforesaid Section 24.
 168 Thence Southerly along the Easterly limit of the said
 169 Southwest Quarter of aforesaid Section 24 a distance of
 170 306.42 feet to a point.
 171 Thence Easterly along a line a distance of 606.10 feet
 172 on a bearing of North 88 degrees 52 minutes 2 seconds
 173 East to a point,
 174 Thence following a line a distance of 1.68 feet on a
 175 bearing of North 1 degree 11 minutes 59 seconds West to
 176 a point,
 177 Thence following a line a distance of 652.54 feet on a
 178 bearing of North 88 degrees 52 minutes 2 seconds East to
 179 a point,
 180 Thence following a line a distance of 624.36 feet on a
 181 bearing of South 1 degree 12 minutes 58 seconds East to
 182 a point,
 183 Thence following a line a distance of 1087.73 feet on a
 184 bearing of North 88 degrees 52 minutes 2 seconds East to
 185 a point in the Westerly Limit of State Road 7 (US 441)
 186 as shown on Plat of Versailles P.U.D. of the Public
 187 Records of Palm Beach County, Florida in Plat Book 93
 188 Pages 17 thru 39.
 189 Thence Southerly following the Westerly limit of State
 190 Road 7 (US 441) 165 foot Right of Way as per O.R.B.
 191 9508 Page 1202 and O.R.B. 9488 Page 1661 of the Public
 192 Records of Palm Beach County, Florida.



193 Thence Easterly along the Northerly Limit of aforesaid
 194 Section 25 to a point measured 180.92 feet from the
 195 Northeasterly corner of said Section 25 said point being
 196 the Westerly Limit of State Road 7 (US 441) as per
 197 O.R.B. 5642 Page 1160.

198 Thence Southerly along the Westerly Limit of State Road
 199 7 (US 441) as shown on Plat Shoppes at Wycliffe of the
 200 Public Records of Palm Beach County, Florida in Plat
 201 Book 83 Pages 41 thru 43 to a point of intersection with
 202 the North East corner of Tract 'P' of Plat Wycliffe Plat
 203 One of the Public Records of Palm Beach County, Florida
 204 in Plat Book 62 Pages 8 thru 13.

205 Thence Southerly along the Westerly Limit of State Road
 206 7 (US 441) Right of Way as per O.R.B. 5642 Page 1610 to
 207 the intersection of the Southerly Limit of aforesaid
 208 Section 25.

209 Thence Westerly following the Southerly Limit of
 210 aforesaid Section 25 to the Southeasterly corner of
 211 Section 26 Township 44 South, Range 41 East.

212 Thence Westerly following the Southerly Limit of
 213 aforesaid Section 26 to the Northeasterly corner of
 214 Section 34 Township 44 South, Range 41 East.

215 Thence Southerly along the Easterly Limit of aforesaid
 216 Section 34 to the Southeasterly corner of aforesaid
 217 Section 34 to the Northeasterly corner of Section 39,
 218 Township 44 South, Range 41 East.



219 Thence Southerly along the Easterly Limit of aforesaid
 220 Section 39 to the Northeasterly corner of Section 3,
 221 Township 45 South, Range 41 East.
 222 Thence following the Easterly Limit of aforesaid Section
 223 3 to the Southeast corner of Section 3.
 224 Thence Westerly along the Southerly Limit of said
 225 Section 3 to the intersection of the North Right of Way
 226 Limit of the Central and Southern Flood Control
 227 District's Levee 40.
 228 Thence Northerly following the Northerly Limit of said
 229 Levee 40 to the intersection of the Easterly Limit of
 230 Section 4, Township 45 South, Range 41 East.
 231 Thence Northerly along the Northerly Limit of said Levee
 232 40 to the Southerly Limit of Section 40, Township 44
 233 South, Range 41 East.
 234 Thence Northerly along the Northerly Limit of said Levee
 235 40 to the Southerly Limit of Section 33, Township 44
 236 South, Range 41 East.
 237 Thence Northerly along aforesaid Northerly Limit of said
 238 Levee 40 to the intersection with the East Limit of
 239 Section 31 Township 44 South, Range 41 East.
 240 Thence Northerly along aforesaid Northerly Limit of said
 241 Levee 40 to the intersection with the South Limit of
 242 Section 30 Township 44 South, Range 41 East.
 243 Thence Northerly along aforesaid Northerly Limit of said
 244 Levee 40 to the intersection of the Easterly Limit of
 245 Section 25 Township 44 South, Range 40 East.



246 Thence Northerly along aforesaid Northerly Limit of said
 247 Levee 40 to the intersection of the Northerly Limit of
 248 aforesaid Section 25 Township 44 South, Range 40 East.
 249 Thence Easterly along aforesaid Northerly Limit of said
 250 Section 25 to the Westerly limit of Section 30 Township
 251 44 South, Range 41 East.
 252 Thence Northerly along the Easterly Limit of Section 24,
 253 Township 44 South, Range 40 East to the Southwesterly
 254 corner of Section 13, Township 44 South, Range 40 East.
 255 Thence Northerly along aforesaid Easterly Limit of said
 256 Section 13 to the Southwesterly corner of Section 12,
 257 Township 44 South, Range 40 East.
 258 Thence Westerly along the said Southerly Limit of
 259 Section 12 to the Southwest corner of said Section.
 260 Thence Northerly along the Westerly Limit of said
 261 Section 12 to the Southwest corner of Section 1,
 262 Township 44 South, Range 40 East.
 263 Thence Northerly along the Westerly Limit of Section 1
 264 to the Southeast corner of Section 1 Hiatus.
 265 Thence Northerly along the Westerly Limit of Section 1
 266 Hiatus to the Southeast corner of Section 36, Township
 267 43 South, Range 40 East.
 268 Thence along the Westerly Limit of said Section 36 to
 269 the intersection of the South Right of Way line of the
 270 West Palm Beach Canal.
 271 Thence following the aforesaid Southerly Limit of said
 272 West Palm Beach Canal to the intersection of the



273 Westerly Limit of Section 31 Township 43 South, Range 41
 274 East.
 275 Thence following the aforesaid Southerly Limit of said
 276 West Palm Beach Canal to the intersection of the
 277 Westerly Limit of Section 32 Township 43 South, Range 41
 278 East.
 279 Thence following the aforesaid Southerly Limit of said
 280 West Palm Beach Canal to the intersection of the
 281 Westerly Limit of Section 33 Township 43 South, Range 41
 282 East.
 283 Thence following the aforesaid Southerly Limit of said
 284 West Palm Beach Canal to the intersection of the
 285 Westerly Limit of Section 34 Township 43 South, Range 41
 286 East.
 287 Thence following the aforesaid Southerly Limit of said
 288 West Palm Beach Canal to the intersection of the
 289 Westerly Limit of Section 35 Township 43 South, Range 41
 290 East.
 291 Thence following the aforesaid Southerly Limit of said
 292 West Palm Beach Canal to the Point of Commencement.
 293 Landowners within the existing boundaries of the Acme Improvement
 294 District shall not be obligated or taxed to pay for the cost of
 295 amending the District boundaries or to pay the cost of any
 296 improvements made by the District to benefit the lands being
 297 included within the boundaries of the District by this Act.
 298 Section 2. Provisions of Other Laws Made Applicable.--The
 299 Acme Improvement District hereby created shall be a public
 300 corporation of this state. The provisions of the General



HB 0519

2003
CS

301 Drainage Laws of Florida applicable to drainage districts or
302 subdrainage districts which are embodied in chapter 298, Florida
303 Statutes, and all of the laws amendatory thereof, now existing
304 or hereafter enacted, so far as not inconsistent with this Act
305 are hereby declared to be applicable to said Acme Improvement
306 District. Said Acme Improvement District shall have all of the
307 powers and authorities mentioned in or conferred by said
308 chapters 298 and 189, Florida Statutes, and acts amendatory
309 thereof, and all other applicable general laws, except as herein
310 otherwise provided.

311 Section 3.

312 (1) Powers of the District.--The District shall have the
313 power to sue and be sued by its name in any court of law or in
314 equity; to make contracts to adopt and use a corporate seal and
315 to alter the same at pleasure; to acquire by purchase, gift, or
316 condemnation real and personal property, either or both, within
317 or without the District, and to convey and dispose of such real
318 and personal property, either or both, as may be necessary or
319 convenient to carry out any of the purposes of this Act and
320 chapter 298, Florida Statutes; to construct, operate, and
321 maintain canals, ditches, drains, levees, and other works for
322 drainage purposes; to acquire, purchase, operate, and maintain
323 pumps, plants, and pumping systems for drainage purposes; to
324 construct, operate, and maintain irrigation works, machinery,
325 and plants; to construct, improve, pave, and maintain roadways
326 and roads necessary and convenient for the exercise of any of
327 the powers or duties of said District or the supervisors
328 thereof; and in furtherance of the purposes and intent of this



HB 0519

2003
CS

329 Act and chapter 298, Florida Statutes, to construct, improve,
330 pave, and maintain roadways and roads necessary and convenient
331 to provide access to and efficient development of areas made
332 suitable and available for cultivation, settlement, and other
333 beneficial use and development as a result of the drainage and
334 reclamation operations of the District; to construct and
335 maintain recreation areas and facilities; to acquire, construct,
336 finance, and maintain water plants and systems to produce,
337 purify, and distribute water for consumption; to acquire,
338 construct, finance, and maintain sewer systems for the
339 collection and disposal of waste and to prevent water pollution
340 in the District; to distribute from its water plants water for
341 consumption to users within and without the District boundaries
342 and to provide sewer collection and disposal of waste to lands
343 within and without the District boundaries; however, the area
344 without the District boundaries shall extend no farther east
345 than State Road 7, no farther south than the existing District
346 boundary, no farther north than State Road 80, and no farther
347 west than the existing District boundary, but shall include
348 Section 13, Township 44 South, Range 40 East, and the easterly
349 boundary of L-40 along the southwesterly boundary of the
350 District; the grant of power to the District to distribute water
351 and to provide sewer collection and dispose of waste to the area
352 within and without the District boundaries shall not preempt
353 efforts by Palm Beach County to manage development in Palm Beach
354 County consistent with the authority and power as contained in
355 the Charter of Palm Beach County and through its comprehensive
356 planning process as provided in chapter 163, Florida Statutes,



HB 0519

2003
CS

357 and rules and regulations enacted thereunder, and in furtherance
358 of such limitation, the Board of County Commissioners of Palm
359 Beach County shall review and approve each proposed distribution
360 of water and provision of sewer allocation and disposal of water
361 to the lands without the District boundaries for a determination
362 of consistency with the county's comprehensive plan, or element
363 or portion thereof, or any land development regulations or codes
364 or amendments thereto, and any such proposed distribution,
365 provision, or disposal determined to be inconsistent with the
366 plan, regulations, or codes or amendments thereto by the Board
367 of County Commissioners is prohibited; to construct and maintain
368 a system of road and street lighting; to construct and maintain
369 facilities for and take measures to control mosquitoes and other
370 pests; to acquire, construct, and maintain conservation areas
371 and sanctuaries for the storage of water for water control and
372 irrigation purposes and for preservation of wildlife; to borrow
373 money and issue negotiable or other bonds of said District as
374 hereinafter provided; to borrow money, from time to time, and
375 issue negotiable or other notes of said District therefor,
376 bearing interest at not exceeding the maximum interest allowable
377 by law in anticipation of the collection of taxes, levies, and
378 assessments or revenues of said District, and to pledge or
379 hypothecate such taxes, levies, assessments, and revenues to
380 secure such bonds, notes, or obligations, and to sell, discount,
381 negotiate, and dispose of the same; and to exercise all other
382 powers necessary, convenient, or proper in connection with any
383 of the powers or duties of said District stated in this Act.
384 The powers and duties of said District shall be exercised by and



HB 0519

2003
CS

385 through the Board of Supervisors thereof, which Board shall have
386 the authority to employ engineers, attorneys, agents, employees,
387 and representatives as the Board of Supervisors may from time to
388 time determine, and to fix their compensation and duties. All
389 powers and authority of the District shall extend and apply to
390 the District as a whole and to each unit of development as from
391 time to time may be designated by the Board of Supervisors.

392 (2) Additional Powers of District.--In addition to the
393 powers contained in subsection (1) herein, chapters 189 and 298,
394 Florida Statutes, and as provided for herein and such other
395 applicable laws, the Acme Improvement District in Palm Beach
396 County, formerly named the Acme Drainage District, shall have
397 the authority and power to:

398 (a) Provide parks, preserves, playgrounds, recreation
399 areas, and facilities and programs in the same manner and to the
400 same extent as is provided by section 125.01(1)(f), Florida
401 Statutes, which includes the authority to provide for the
402 construction, operation, and maintenance of such parks,
403 preserves, playgrounds, recreation areas, facilities, and
404 programs through the District's maintenance taxes and user fees
405 and such other legally available revenues; provide recreation
406 and playground equipment; employ supervisory personnel; organize
407 and sponsor community and athletic teams and events; provide
408 liability insurance to cover such projects; lease parks,
409 preserves, playgrounds, recreation areas, and facilities; and
410 provide any other programs and elements of parks, preserves,
411 playgrounds, recreation areas, and facilities, the enumeration
412 of the same not being exclusive.



HB 0519

2003
CS

413 (b) Purchase, acquire by gift, or otherwise obtain land
414 for the purpose of constructing capital improvements for the
415 District and finance the same through the maintenance taxes and
416 user fees of the District.

417 (c) Study and take appropriate action to form a municipal
418 government under the laws of this state covering the land in the
419 District, and finance that effort from the maintenance taxes and
420 user fees of the District.

421 (d) Appoint advisory boards and committees consisting of
422 landowners in the District for the purpose of recommending
423 policies, programs, and matters of public interest for the
424 public good of the landowners and residents of the District.

425 (e) Require any individual or entity seeking to construct
426 any structure upon or occupying District property or right-of-
427 way, or connecting to or using the property of the District, to
428 first obtain a permit from the District and comply with District
429 rules, regulations, and specifications, and deny or revoke any
430 permit or permit application if it finds that the matter for
431 which the permit is sought or granted does not comply with
432 District plans, rules, regulations, or policies. All costs,
433 including construction, engineering, legal, and administration
434 expenses of the District, must be paid by the applicant seeking
435 the permit. This includes any structure to be constructed upon
436 a lot, parcel, or land within the District to be connected to
437 the works of the District.

438 (3) The Acme Improvement District shall have the power to
439 participate in programs provided for under the provisions of
440 Public Law 92-500 as they apply to the District. The District



HB 0519

2003
CS

441 shall have the authority to adopt a system of changes to assure
442 that each recipient of waste treatment services within the
443 District's jurisdiction will pay its proportionate share of the
444 costs of operations and maintenance including replacement, or
445 any waste treatment services provided by the District, and to
446 make provisions for payment to the District by the industrial
447 users of the treatment works of that portion of the cost of
448 construction of such treatment works which is allocable to the
449 treatment of such industrial wastes to the extent attributable
450 to the Federal Governments Share of the Cost of Construction.
451 Roads for exclusive use and benefit of a unit of development or
452 other designated area and its residents.--It is hereby found and
453 declared that among the many causes of deterioration in
454 residential neighborhoods are the proliferation of crime,
455 excessive automobile flow, and excessive noise from automobile
456 traffic. It is to the benefit of the land in the District and
457 its ultimate users and residents and will serve a public purpose
458 to include provision in a water management plan for roads for
459 the exclusive use and benefit of a unit of development and its
460 residents. The Acme Improvement District, therefore, has the
461 power:

462 (a) To provide, by resolution, in a water management plan
463 for a unit of development, roads for the exclusive use and
464 benefit of a unit of development and its landowners, residents,
465 and invitees to control ingress and egress.

466 (b) To finance and maintain such roads and their
467 associated elements as part of a water management plan.



HB 0519

2003
CS

468 (c) To construct and maintain security structures to
469 control the use of such roads.

470 (d) To make provision for access to such roads by fire,
471 police, and emergency vehicles and personnel for the protection
472 of life and property in the unit of development.

473 (e) To include in the annual assessment of taxes as
474 authorized sufficient funds to finance and maintain such roads
475 as part of a water management plan for a unit of development.

476 (f) To adopt, by resolution, rules and regulations for the
477 control of traffic, noise, crime, and the use of the roads by
478 those persons authorized to use them.

479 (g) To provide, by resolution, in a water management plan,
480 for the exclusive use of roads under this section if the written
481 consent of the owners of 75 percent of the land within the unit
482 has been obtained.

483
484 The provisions of this section also apply to any designated area
485 in the District as if that area were a unit of development, upon
486 the written consent of the owners of seventy-five percent (75%)
487 of the land within the designated area.

488 Section 4. Board of Supervisors; Organization; Terms of
489 Office; Election; Vacancy.--Effective March 28, 1996, at 7 p.m.,
490 the terms of office of the Board of Supervisors of the Acme
491 Improvement District terminated, and the Village Council members
492 of the Village of Wellington assumed the duties and
493 responsibilities of the Board of Supervisors and thereafter have
494 constituted the Board of Supervisors. The provisions of section
495 5 of the Village of Wellington Charter shall govern the



HB 0519

2003
CS

496 organization, terms of office, elections, and filling of
497 vacancies for the Board of Supervisors.

498 Section 5. The supervisors of Acme Improvement District
499 shall serve without compensation, per diem or otherwise, but
500 shall be entitled to reimbursement for travel expenses as
501 provided by law.

502 (1) The village manager shall have all the same
503 authorities as those of the chief administrator of Acme
504 Improvement District as may be necessary to effectuate the
505 purposes of the village.

506 (2) The village, which controls and operates Acme
507 Improvement District, a dependent District of village, hereby
508 reauthorizes Acme Improvement District to establish rates, fees,
509 charges, and surcharges on water and sewer utility services to
510 consumers located outside the boundaries of the village and the
511 District pursuant to the criteria set forth in section 180.191,
512 Florida Statutes, and ratifies the prior imposition of such
513 rates, fees, charges, and surcharges.

514 (3)(a) The village hereby provides that all unpaid water
515 and sewer utility charges shall constitute a lien on the real
516 property affected ninety (90) days following the date on which
517 the water and sewer utility charges are due and payable. All
518 unpaid water and sewer utility charges shall bear interest at
519 the prevailing market rate of interest, but no less than a rate
520 of five percent (5%) per annum from the date when the same
521 became due and payable.

522 (b) If any water and sewer utility charges become
523 delinquent by not being fully paid within ninety (90) days



HB 0519

2003
CS

524 following the date on which the water and sewer utility charges
525 are due and payable, and remain delinquent, the District shall
526 cause to be prepared a notice of lien containing the amount of
527 the delinquent charges, including the amount of the first
528 penalty, a legal description of the unit of real property
529 against which the lien is imposed, and the name of the owner of
530 such real property as indicated on the real property records
531 maintained by the property appraiser of the county. Said notice
532 of lien shall be recorded in the public records of the county
533 prior to the completion of the fiscal year for which the charges
534 are levied, or as soon thereafter as the District shall
535 determine. A copy of the notice of lien shall be served on the
536 owner of record as provided in section 713.18, Florida Statutes,
537 within ten (10) days after the notice of lien is recorded.

538 (c) Until fully paid and discharged or barred by law, such
539 liens shall be prior to all other liens, except that such liens
540 shall be on parity with a lien of state, county, and municipal
541 taxes, and any lien for charges for services created pursuant to
542 section 159.17, Florida Statutes.

543 (d) All costs of enforcement of such liens, including
544 reasonable attorney's fees and costs, shall become a lien upon
545 the real property affected and shall bear interest at the
546 prevailing market rate of interest but not less than a rate of
547 five percent (5%) per annum from the date when the same became
548 due and payable.

549 (e) Upon full payment of the delinquent water and sewer
550 utility charges, including the costs of enforcement of any lien,



HB 0519

2003
CS

551 District shall promptly discharge its recorded lien by recording
552 a release of lien in the public records of Palm Beach County.

553 (f) Foreclosure of all liens imposed under this section
554 shall be in the manner prescribed by chapter 173, Florida
555 Statutes.

556 (g) This section shall operate retroactively to apply to
557 liens previously filed by the District for failure to pay
558 delinquent water and sewer utility charges and to all other
559 delinquent utility charges, whether or not a notice of lien has
560 been filed by the District.

561 (h) Any unpaid water and sewer utility charges incurred by
562 a former tenant of rental property shall not be the basis for
563 any lien against the rental property or action against the
564 present tenant or owner to recover such charges, except to the
565 extent that the present tenant or owner has benefited directly
566 from the service provided to the former occupant.

567 Section 6. Meetings of Landowners.--Each year during the
568 month of January, a meeting of the landowners of said District
569 shall be held for the purpose of receiving reports of the Board
570 of Supervisors and considering any matters upon which the Board
571 of Supervisors may request the advice and view of the
572 landowners. The Board of Supervisors shall have the power to
573 call special meetings of the landowners at any time to receive
574 reports of the Board of Supervisors or consider and act upon any
575 matter upon which the Board of Supervisors may request advice.
576 Notice of all meetings of the landowners shall be given by the
577 Board of Supervisors by causing publication thereof to be made
578 for two (2) consecutive weeks prior to such meetings in a



HB 0519

2003
CS

579 newspaper of general circulation published in Palm Beach County.
580 The meetings of the landowners shall be held in some public
581 place in said county, and the place, day, and hour of holding
582 such meeting shall be stated in the notice. The landowners,
583 when assembled, shall organize by electing a chair who shall
584 preside at the meeting. The secretary of the Board of
585 Supervisors shall be the secretary of such meeting. At all such
586 meetings, each and every acre of land in the District shall
587 represent one share, and each owner shall be entitled to one
588 vote in person or by written proxy for every acre or part of an
589 acre of land owned by him or her in the District. At any
590 landowners' meeting, a quorum shall constitute the owners of
591 land in the District present in person or voting by proxy.
592 Guardians may represent their wards; personal representatives
593 may represent the estates of deceased persons; trustees may
594 represent lands held by them in trust; and private corporations
595 may be represented by their officers or duly authorized agents.
596 Guardians, personal representatives, trustees, and corporations
597 may vote by proxy.

598 Section 7. Taxes, Levied and Apportioned, and the
599 Collection Thereof.--Taxes shall be levied and apportioned as
600 provided for in the General Drainage Laws of Florida (chapter
601 298, Florida Statutes, and amendments thereto and other
602 applicable general laws). In lieu thereof, the following
603 provision shall apply to said District.

604 (1) It shall be the duty of the Tax Collector of Palm
605 Beach County to receive the "Drainage Tax Book" each year, and
606 he or she is hereby empowered and it shall be his or her duty to



HB 0519

2003
CS

607 promptly and faithfully collect the tax therein set out and to
608 exercise all due diligence in so doing. He or she is further
609 directed and ordered to demand and collect such taxes at the
610 same time that he or she demands and collects county taxes due
611 on the same lands. Where any tract or part thereof has been
612 divided and sold or transferred, the Collector shall receive
613 taxes on any part of any tract, piece, or parcel of land charged
614 with such taxes and give his or her receipt accordingly. The
615 above and foregoing "Drainage Tax Book" shall be the warranty
616 and authority of the Collector for making such demand and
617 collection. The said Collector shall pay over and account for
618 all monies collected thereon to the Treasurer of said District
619 at the same time when he or she pays over county taxes. Said
620 Collector shall verify by affidavit his or her said return. The
621 Board of Supervisors may in its discretion determine it is for
622 the best interest of the District that the annual tax levies be
623 collected by the Treasurer of the District, and in the event
624 said Board shall so determine, then the Treasurer of the
625 District shall receive the "Drainage Tax Book" and he or she is
626 hereby empowered and it shall be his or her duty to collect the
627 tax in the same manner as the Tax Collector would, and the
628 Treasurer shall be substituted for and perform all the duties
629 and actions of the Tax Collector in the collection and
630 enforcement of the annual taxes and tax liens, and the said
631 Treasurer shall have the same powers as are by this Act vested
632 in the Tax Collector. The said Tax Collector or Treasurer shall
633 likewise collect the delinquent taxes of said District and
634 demand payment therefor in the manner as provided for the



HB 0519

2003
CS

635 collection of delinquent county taxes. The Tax Collector shall
636 retain for his or her services one percent of the amount he or
637 she collects on current taxes and two percent on the amount he
638 or she collects on delinquent taxes. The Treasurer shall
639 receive no extra compensation for collecting the annual tax.

640 (2) Levies of Taxes on Land Less Than One Acre.--In
641 levying and assessing all taxes, each tract or parcel of land
642 less than one acre in area shall be assessed as a full acre, and
643 each tract or parcel of land more than one acre in area which
644 contains a fraction of an acre shall be assessed at the nearest
645 whole number of acres, a fraction of one-half or more to be
646 assessed as a full acre.

647 Section 8. When Unpaid Taxes Delinquent; Penalty; Sale of
648 Lands for Delinquent Taxes, etc.--All taxes provided for in this
649 Act remaining unpaid after the first day in April of the year
650 following that for which said taxes are levied shall be and
651 become delinquent and bear a penalty of two percent a month on
652 the amount of said taxes from date of delinquency until paid.
653 In computing said penalty, each fractional part of a month shall
654 be counted as a full month. In lieu thereof, the provisions of
655 the Florida Statutes relating to the sale of lands for unpaid
656 and delinquent county taxes, the issuance, sale, and delivery of
657 tax certificates for such unpaid and delinquent county, the
658 redemption thereof, the issuance to individuals of tax deeds
659 based thereon, and the procedure in connection therewith shall
660 be applicable to said District and the delinquent and unpaid
661 taxes of said District to the same extent as if said statutory
662 provisions were expressly set forth in this Act.



663 Section 9. Forfeiture of Title to Tax Delinquent Lands to
 664 District; Sale of Tax Forfeited Lands; Suits to Enforce
 665 Liens.--The following shall apply to said District:
 666 The fee simple title to all lands in said District against which
 667 there are outstanding tax sale certificates held by said
 668 District or its Board of Supervisors for more than two (2) years
 669 from the date thereof shall be absolutely vested in said
 670 District, and every right, title, or interest of every nature or
 671 kind whatsoever of the former owner of said property, or anyone
 672 claiming by, through, or under him or her, or anyone holding a
 673 lien thereon, shall cease, terminate, and end, and said District
 674 may sell said lands in the manner provided in this section. No
 675 court in this state, either federal or state, shall have
 676 jurisdiction to entertain any suit brought by the former owner
 677 of said lands or anyone claiming by, through, or under him or
 678 her for the purpose of questioning or in any way litigating or
 679 contesting the title of said District or its grantees to said
 680 lands. Lands to which said District or its Board of Supervisors
 681 shall acquire title under the provisions of this Act or under
 682 the provisions of any other law may be sold in the manner
 683 following:
 684 (1) Any lands to which the Board has acquired title, or
 685 may hereafter acquire title, may be sold by the Board at any
 686 time for the best price obtainable therefor.
 687 (2) All sales of land shall be for cash or upon terms and
 688 security to be approved by the Board, but deed shall not be
 689 executed until full payment shall have been made.



HB 0519

2003
CS

690 (3) Before selling any land, it shall be the duty of the
691 Board to cause a notice of intention to sell to be published in
692 a newspaper published in Palm Beach County, Florida, once each
693 week for three (3) successive weeks (three insertions being
694 sufficient), the first publication of which shall be not less
695 than thirty (30) nor more than forty-five (45) days prior to any
696 sale, which said notice shall set forth the time and place of
697 the sale and a description of the lands to be offered for sale,
698 and it shall be the further duty of the Board to send registered
699 mail at least fifteen (15) days before the date of sale a copy
700 of such proposed notice to the last known address of the person,
701 firm, or corporation to whom the lands described in said notice
702 were last assessed, if known. However, the failure of the
703 person, firm, or corporation to whom said land was last assessed
704 to receive such notice shall not invalidate the sale or affect
705 the rights of the purchaser thereunder, nor shall the failure of
706 the Board to give such notice by mail invalidate the sale or
707 affect the rights of the purchaser thereunder, it being the
708 intention that this provision for mailing of said notice shall
709 be directory only.

710
711 Provided, however, the District or its Board of Supervisors may,
712 before any tax sale certificates held by said District or its
713 Board of Supervisors become two (2) years old, foreclose the
714 lien established by such certificate by an action in Chancery.
715 The pleadings, process, proceedings, practice, and sales in
716 cases brought for the foreclosure of such lien shall be the same



HB 0519

2003
CS

717 as in actions for the enforcement of mortgages upon real estate.
718 One or more parcels of land may be included in one suit.

719 Section 10. Uniform Acreage Tax for Payment of
720 Expenses.--There is hereby levied by the Legislature of the
721 State of Florida upon each and every acre of land within said
722 Acme Improvement District, as defined in this Act, a uniform tax
723 of twenty-five cents (\$0.25) per acre to be used by said
724 District, through its said Board of Supervisors, for the purpose
725 of paying expenses incurred or to be incurred in making surveys
726 of the lands in said District, assessing benefits and damages
727 and other expenses necessarily incurred, as may be estimated or
728 determined by said Board of Supervisors, before said Board of
729 Supervisors shall be in funds under the subsequent provisions of
730 this Act. Such tax shall become due and payable on the first
731 day of November, A.D. 1953, and shall become delinquent ninety
732 (90) days thereafter. Said tax shall be a lien upon the lands
733 in said District from the date of the enactment of this Act and
734 shall be collected in the same manner as the annual installment
735 of taxes. If it shall appear to the Board of Supervisors to be
736 necessary to obtain funds to pay any expenses incurred or to be
737 incurred in organizing said District, making said surveys,
738 preparing the Plan of Reclamation, or other expenses of the
739 conduct and operation of said District before a sufficient sum
740 can be obtained by the collection of the acreage tax levied by
741 this section of this Act, said Board of Supervisors may borrow a
742 sufficient sum of money for any of said purposes at a rate of
743 interest not exceeding six percent (6%) per annum, and may issue
744 negotiable notes or bonds therefor signed by the members of said



745 Board of Supervisors, and may pledge any and all assessments of
 746 said acreage tax levied under the provisions of this section for
 747 the payment thereof. Said Board of Supervisors may issue to any
 748 person or persons performing work or services or furnishing
 749 anything of value in the organization of said District or making
 750 surveys of the same and assessing benefits or damages or
 751 preparing said Plan of Reclamation and other expenses
 752 necessarily incurred before the receipt of funds arising from
 753 assessments or benefits, negotiable evidence of debt bearing
 754 interest at the rate not exceeding six percent (6%) per annum.

755 Section 11. Sale of Bonds.--Bonds may be sold in block
 756 installments at different times, or an entire issue or series
 757 may be sold at one time. Bonds may be sold at public or private
 758 sale after such advertisement, if any, as the Board of
 759 Supervisors may deem advisable, but not in any event at less
 760 than ninety percent (90%) of the par value thereof, together
 761 with accrued interest thereon. Bonds may be sold or exchanged
 762 for refunding bonds. Bonds payable from drainage taxes and
 763 revenue bonds may be delivered as payment from the District of
 764 the purchase price of any project or part thereof, or a
 765 combination of projects or parts thereof, or as the purchase
 766 price or exchange for any property, real or personal, or mixed,
 767 including franchises or services rendered by any contractor,
 768 engineer, or other person, all at one time or in blocks from
 769 time to time, in such manner and upon such terms as the Board of
 770 Supervisors in its discretion shall determine. The price or
 771 prices for any bonds sold, exchanged, or delivered may be:

772 (1) The money paid for the bonds;



HB 0519

2003
CS

773 (2) The principal amount, plus accrued interest to the
774 date of redemption or exchange, or outstanding obligations
775 exchanged for refunding bonds; or

776 (3) The amount of any indebtedness to contractors or other
777 persons paid with such bonds, or the fair value of any
778 properties exchanged for the bonds, as determined by the Board
779 of Supervisors.

780 Authorization and Form of Bonds.--Bonds may be authorized
781 by resolution or resolutions of the Board of Supervisors which
782 shall be adopted by a majority of all the members thereof then
783 in office. Such resolution or resolutions may be adopted at the
784 same meeting at which they are introduced and need not be
785 published or posted. The Board of Supervisors may, by
786 resolution, authorize the issuance of bonds and fix the
787 aggregate amount of bonds to be issued, the purpose or purposes
788 for which the moneys derived therefrom shall be expended, the
789 rate or rates of interest in compliance with Florida Statutes,
790 the denomination of the bonds, whether or not the bonds are to
791 be issued in one or more series, the date or dates of maturity,
792 which shall not exceed forty (40) years from their respective
793 dates of issuance, the medium of payment, the place or places
794 within or without the state where payment shall be made,
795 registration privileges, redemption terms and privileges,
796 whether with or without premium, the manner of execution, the
797 form of the bonds, including any interest coupons to be attached
798 thereto, the manner of execution of bonds and coupons, and any
799 and all other terms, covenants, and conditions thereof, and the
800 establishment of revenue or other funds. Such authorizing



HB 0519

2003
CS

801 resolution may further provide that such bonds may be executed
802 manually or by engraved, lithographed, or facsimile signature.
803 The seal of the District may be affixed, lithographed, engraved,
804 or otherwise reproduced in facsimile on such bonds. In case any
805 officer whose signature shall appear on any bonds or coupons
806 shall cease to be such officer before the delivery of such
807 bonds, such signature or facsimile shall nevertheless be valid
808 and sufficient for all purposes, the same as if he or she had
809 remained in office until such delivery.

810 Interim Certificates; Replacement Certificates.--Pending
811 the preparation of definitive bonds, the Board of Supervisors
812 may issue interim certificates or receipts or temporary bonds,
813 in such form and with such provisions as the Board of
814 Supervisors may determine, exchangeable for definitive bonds
815 when such bonds shall have been executed and are available for
816 delivery. The Board of Supervisors may also provide for the
817 replacement of any bonds which shall become mutilated or be lost
818 or destroyed.

819 Negotiability of Bonds.--Any bonds issued hereunder or
820 temporary bond shall, in the absence of an express recital on
821 the face thereof that it is non-negotiable, be fully negotiable
822 and shall be and constitute negotiable instruments within the
823 meaning and for all purposes of the law merchant and the laws of
824 the state.

825 Defeasance.--The Board of Supervisors may make such
826 provision with respect to the defeasance of the right, title,
827 and interest of the holders of any of the bonds and obligations
828 of the District in any revenues, funds, or other properties by



HB 0519

2003
CS

829 which such bonds are secured as the Board of Supervisors deems
830 appropriate and, without limitation, on the foregoing, may
831 provide that when such bonds or obligations become due and
832 payable or shall have been called for redemption, and the whole
833 amount of the principal and interest and premium, if any, due
834 and payable upon the bonds or obligations then outstanding shall
835 be held in trust for such purpose, and provision shall also be
836 made for paying all other sums payable in connection with such
837 bonds or other obligations, then and in such event the right,
838 title, and interest of the holders of the bonds in any revenues,
839 funds, or other properties by which such bonds are secured shall
840 thereupon cease, terminate, and become void, and the Board of
841 Supervisors may apply any surplus in any sinking fund
842 established in connection with such bonds or obligations and all
843 balances remaining in all other funds or accounts other than
844 money held for the redemption or payment of the bonds or other
845 obligations to any lawful purpose of the District as the Board
846 of Supervisors shall determine.

847 Issuance of Additional Bonds.--If the proceeds of any bonds
848 shall be less than the cost of completing the project in
849 connection with which such bonds are issued, the Board of
850 Supervisors may authorize the issuance of additional bonds, upon
851 such terms and conditions as the Board of Supervisors may
852 provide in the resolution authorizing the issuance thereof, but
853 only in compliance with the resolution or other proceedings
854 authorizing the issuance of the original bonds.

855 Refunding Bonds.--The District shall have the power to
856 issue bonds to provide for the retirement or refunding of any



HB 0519

2003
CS

857 bonds or obligations of the District that at the time of such
858 issuance are or subsequently thereto become due and payable.
859 Refunding bonds may be issued at any time when in the judgment
860 of the Board of Supervisors such issuance will be advantageous
861 to the District. The Board of Supervisors may, by resolution,
862 confer upon the holders of such refunding bonds all rights,
863 powers, and remedies to which the holders would be entitled if
864 they continued to be the owners and had possession of the bonds
865 for the refinancing of which said refunding bonds are issued,
866 including, but not limited to, the preservation of the lien of
867 such bonds on the revenues of any project or on pledged funds,
868 without extinguishment, impairment, or diminution thereof. The
869 provisions of this Act pertaining to bonds of the District
870 shall, unless the context otherwise requires, govern the
871 issuance of refunding bonds, the form and other details thereof,
872 the rights of the holders thereof, and the duties of the Board
873 of Supervisors with respect to the same.

874 Revenue Bonds.--The District shall have the power to issue
875 revenue bonds from time to time without limitation as to amount.
876 Such revenue bonds may be secured by, or payable from, the gross
877 or net pledge of the revenues to be derived from any project or
878 combination of projects, from the rates, fees, or other charges
879 to be collected from the users of any project or projects, from
880 any revenue producing undertaking or activity of the District,
881 or from any other source of pledged security.

882 Drainage Tax Bonds.--

883 (1) The District shall have the power to issue bonds
884 payable from drainage taxes from time to time, provided that the



HB 0519

2003
CS

885 principal amount of each such issue shall not exceed ninety
886 percent (90%) of the benefits assessed upon the lands of the
887 District.

888 (2) Such bonds may be secured by or be payable from
889 drainage taxes which may be deposited in a special fund to which
890 the District may assign taxes for the benefit of the holders of
891 such assessment bonds or other obligations, or to a trustee for
892 such bondholders, including the tax liens provided for in this
893 Act, unless such tax liens have been theretofore pledged for any
894 bonds or other obligations authorized hereunder. In the event
895 of the creation of such special fund and the issuance of such
896 drainage tax bonds, the proceeds of such tax liens deposited
897 therein shall be used only for the payment of the drainage tax
898 bonds issued as provided in this section. The District is
899 hereby authorized to covenant with the holders of such drainage
900 tax bonds that it will diligently and faithfully enforce and
901 collect all the drainage taxes and interest and penalties
902 thereon for which tax liens have been deposited in or assigned
903 to such fund, and to foreclose such tax liens so assigned to
904 such special fund, after such tax liens have become delinquent,
905 and deposit the proceeds derived from such foreclosure,
906 including interest and penalties, in such special fund, and to
907 make any other covenants deemed necessary or advisable in order
908 to properly secure the holders of such drainage tax bonds.

909 Bonds as Legal Investment or Security.--

910 (1) Notwithstanding any provisions of any other law to the
911 contrary, all bonds issued under the provisions of this Act
912 shall constitute a legal investment for savings banks, banks,



HB 0519

2003
CS

913 trust companies, insurance companies, personal representatives,
914 administrators, trustees, guardians, and other fiduciaries, and
915 for any board, body, agency, instrumentality, county,
916 municipality, or other political subdivision of the state, and
917 shall be and constitute security which may be deposited by banks
918 or trust companies as security for deposits of state, county,
919 municipal, or other public funds or by insurance companies as
920 required or voluntary statutory deposits.

921 (2) Any bonds issued by the District shall be
922 incontestable in the hands of bona fide purchasers or holders
923 for value and shall not be invalid because of any irregularity
924 or defect in the proceedings for the issue and sale thereof.

925 Covenants.--Any resolution authorizing the issuance of
926 bonds may contain such covenants as the Board of Supervisors may
927 deem advisable, and all such covenants shall constitute valid
928 and legally binding and enforceable contracts between the
929 District and the bondholders, regardless of the time of issuance
930 thereof. Such covenants may include, without limitation,
931 covenants concerning the disposition of the bond proceeds, the
932 use and disposition of project revenues, the pledging of
933 revenues, taxes, and assessments, the obligations of the
934 District with respect to the operation of the project and the
935 maintenance of adequate project revenues, the issuance of
936 additional bonds, the appointment, powers, and duties of
937 trustees and receivers, the acquisition of outstanding bonds and
938 obligations, restrictions on the establishing of competing
939 projects or facilities, restrictions on the sale or disposal of
940 the assets and property of the District, the priority of



HB 0519

2003
CS

941 assessment liens, the priority of claims by bondholders on the
942 taxing power of the District, the maintenance of deposits to
943 assure the payment of revenues by users of District facilities
944 and services, the discontinuance of District services by reason
945 of delinquent payments, acceleration upon default, the execution
946 of necessary instruments, the procedure for amending or
947 abrogating covenants with the bondholders, and such other
948 covenants as may be deemed necessary or desirable for the
949 security of the bondholders.

950 Section 12. Full Authority for Issue and Sale of Bonds
951 Authorized.--This Act shall, without reference to any other Act
952 of the Legislature of Florida, be full authority for the
953 issuance and sale of the bonds in this Act authorized, which
954 bonds shall have all the qualities of negotiable paper under the
955 law merchant and shall not be invalid for any irregularity or
956 defect in the proceedings for the issuance and sale thereof, and
957 shall be incontestable in the hands of bona fide purchasers or
958 holders thereof. No proceedings in respect to the issuance of
959 any such bonds shall be necessary, except such as are required
960 by this Act. The provisions of this Act shall constitute an
961 irrepealable contract between the said Board of Supervisors and
962 the said Acme Improvement District and the holders of any bonds
963 and the coupons thereof issued pursuant to the provisions
964 hereof. Any holder of any of said bonds or coupons may either
965 in law or in equity by suit, action, or mandamus enforce and
966 compel the performance of the duties required by this Act of any
967 of the officers or persons mentioned in this Act in relation to



HB 0519

2003
CS

968 the said bonds, or to the correct enforcement and application of
969 the taxes for the payment thereof.

970 After the several bonds and coupons are paid and retired as
971 herein provided, they shall be returned to the Treasurer, and
972 they shall be canceled and an appropriate record thereof made in
973 a book to be kept for that purpose, which record of paid and
974 canceled bonds shall be kept at the office of the Treasurer and
975 shall be open for inspection of any bondholder at any time.

976 Section 13. Approval of Board of Drainage Commissioners
977 Not Required to Issue Bonds.--The Board of Supervisors may issue
978 bonds under the provisions of this Act, without the approval of
979 the Board of Drainage Commissioners of the State of Florida.

980 Section 14. Floating Indebtedness.--Prior to the issuance
981 of bonds under the provisions of this Act, the Board of
982 Supervisors may from time to time issue warrants or negotiable
983 notes or other evidences of debt of said District, all of which
984 shall be termed "Floating Indebtedness" in order to distinguish
985 the same from the bonded debt provided for. The said notes or
986 other evidences of indebtedness shall be payable at such times
987 and shall bear interest at a rate not exceeding that provided
988 for in section 215.84, Florida Statutes, for bonds and may be
989 sold or discounted at such price or on such terms as the said
990 Board may deem advisable. The Board shall have the right in
991 order to provide for the payment thereof, to pledge the whole or
992 any part of the taxes provided for in this Act, whether the same
993 shall be theretofore or thereafter levied, and said Board shall
994 have the right to provide that the said floating debt shall be



995 payable from the proceeds arising from the sale of bonds, or
 996 from the proceeds of any such tax, or both.

997 Section 15. Use of Bonds and Interest Coupons in Payment
 998 of Taxes Not Authorized.--The provisions of sections Florida
 999 Statutes relating to the use of bonds and obligations in payment
 1000 of drainage taxes shall not be applicable to said District and
 1001 its bonds, obligations, and taxes.

1002 Section 16. Payment of Taxes in Advance Not
 1003 Authorized.--The provisions of Florida Statutes relating to the
 1004 payment of taxes in advance shall not be applicable to said
 1005 District.

1006 Section 17. Eminent Domain.--The said Board of Supervisors
 1007 is hereby authorized and empowered to exercise the right of
 1008 eminent domain and may condemn for the use of said District any
 1009 and all lands, easements, rights of way, riparian rights, and
 1010 property rights of every description, in or out of said
 1011 District, required for the public purposes and powers of said
 1012 Board as herein granted, and may enter upon, take, and use such
 1013 lands as it may deem necessary for such purposes.

1014 Section 18. Water a Common Enemy--It is hereby declared
 1015 that in said District, surface waters, which shall include
 1016 rainfall and the overflow of rivers and streams, are a common
 1017 enemy, and the said District and any individual or agency
 1018 holding a permit to do so from said District shall have the
 1019 right to dike, dam, and construct levees to protect the said
 1020 District or any part thereof, or the property of said individual
 1021 or agency against the same, and thereby divert the course and



1022 flow of such surface waters and/or pump the water from within
 1023 such dikes and levees.

1024 Section 19. Unit Development; Powers of Supervisors to
 1025 Designate Units of District and Adopt System of Progressive
 1026 Drainage by Units; Plans of Reclamation and Financing
 1027 Assessments, etc., for Each Unit.--The Board of Supervisors of
 1028 Acme Improvement District shall have the power and is hereby
 1029 authorized in its discretion to drain and reclaim or more
 1030 completely and intensively to drain and reclaim the lands in
 1031 said District by designated areas or parts of said District to
 1032 be called "Units." The units into which said District may be so
 1033 divided shall be given appropriate numbers or names by said
 1034 Board of Supervisors so that said units may be readily
 1035 identified and distinguished. The Board of Supervisors shall
 1036 have the power to fix and determine the location, area, and
 1037 boundaries of lands to be included in each and all such units,
 1038 the order of development thereof, and the method of carrying on
 1039 the work in each unit. The unit system of drainage provided by
 1040 this section may be conducted and all of the proceedings by this
 1041 section and this Act authorized in respect to such unit or units
 1042 may be carried on and conducted at the same time as or after the
 1043 work of draining and reclaiming of the entire District has been
 1044 or is being or shall be instituted or carried on under the
 1045 provisions of this Act. If the Board of Supervisors shall
 1046 determine that it is advisable to conduct the work of draining
 1047 and reclaiming the lands in said District by units, as
 1048 authorized by this section of this Act, said Board shall, by
 1049 resolution duly adopted and entered upon its minutes, declare



HB 0519

2003
CS

1050 its purpose to conduct such work accordingly, and shall at the
1051 same time and manner fix the number, location, and boundaries of
1052 and description of lands within such unit or units and give them
1053 appropriate numbers or names. As soon as practicable after the
1054 adoption and recording of such resolution, said Board of
1055 Supervisors shall publish notice once a week for two (2)
1056 consecutive weeks in a newspaper published in Palm Beach County,
1057 Florida, briefly describing the units into which said District
1058 has been divided and the lands embraced in each unit, giving the
1059 name, number, or other designation of such units, requiring all
1060 owners of lands in said District to show cause in writing before
1061 said Board of Supervisors at a time and place stated in such
1062 notice why such division of said District into such units should
1063 not be approved, and said system of development by units should
1064 not be adopted and given effect by said Board, and why the
1065 proceedings and powers authorized by this section of this Act
1066 should not be had, taken, and exercised. At the time and place
1067 stated in said notice, said Board of Supervisors shall hear all
1068 objections or causes of objection (all of which shall be in
1069 writing) of any landowner in said District to the matters
1070 mentioned and referred to in such notice, and if no objections
1071 are made, or if said objections, if made, shall be overruled by
1072 said Board, then said Board shall enter in its minutes its
1073 finding and order confirming said resolution and may thereafter
1074 proceed with the development, drainage, and reclamation of said
1075 District by units pursuant to such resolution and to the
1076 provisions of this Act. If, however, said Board of Supervisors
1077 shall find as a result of such objections, or any of them, or



HB 0519

2003
CS

1078 the hearing thereon, that the division of said District into
1079 such units as aforesaid should not be approved, or that said
1080 system of development by units should not be adopted and given
1081 effect, or that the proceedings and powers authorized by this
1082 section of this Act should not be had, taken, or exercised, or
1083 that any other matter or thing embraced in said resolution would
1084 not be in the best interest of the landowners of said District
1085 or would be unjust or unfair to any landowner therein or
1086 otherwise inconsistent with fair and equal protection and
1087 enforcement of the rights of every landowner in said District,
1088 then said Board of Supervisors shall not proceed further under
1089 such resolution, but said Board of Supervisors may, as a result
1090 of such hearing, modify or amend said resolution so as to meet
1091 such objections so made, and thereupon said Board may confirm
1092 said resolution as so modified or amended and may thereafter
1093 proceed accordingly. The sustaining of such objections and the
1094 rescinding of such resolutions shall not exhaust the power of
1095 said Board under this section; however, at any time not less
1096 than one (1) year after the date of the hearing upon any such
1097 resolution, the Board of Supervisors may adopt other resolutions
1098 under this section and thereupon proceed on due notice in like
1099 manner as above. If said Board of Supervisors shall overrule or
1100 refuse to sustain any such objections in whole or in part made
1101 by any landowner in the District, or if any such landowner shall
1102 deem himself or herself aggrieved by any action of the Board of
1103 Supervisors in respect to any objections so filed, such
1104 landowner may, within ten (10) days after the ruling of said
1105 Board, file his or her bill of complaint in the Circuit Court



1106 for Palm Beach County, Florida, in Chancery, against said
 1107 District, praying an injunction or other appropriate relief
 1108 against the action or any part of such action proposed by such
 1109 resolution or resolutions of said Board, and such suits shall be
 1110 conducted like other Chancery suits, except that said suits
 1111 shall have preference over all other pending actions except
 1112 criminal actions and writs of habeas corpus. Upon the hearing
 1113 of said cause, said Circuit Court shall have the power to hear
 1114 the objections and receive the evidence thereon of all parties
 1115 to such cause and approve or disapprove said resolutions and
 1116 action of said Board, in whole or in part, and to render such
 1117 decree in such cause as right and justice require. When said
 1118 resolutions creating said unit system shall be confirmed by the
 1119 Board of Supervisors (or by the Circuit Court for Palm Beach
 1120 County, Florida, if such proposed action shall be challenged by
 1121 a landowner by the judicial proceedings hereinabove authorized),
 1122 said Board of Supervisors may adopt a plan or plans of
 1123 reclamation for and in respect to any or all such units, and to
 1124 have the benefits and damages resulting therefrom assessed and
 1125 apportioned by Commissioners appointed by the Circuit Court, and
 1126 the report of the said Commissioners considered and confirmed,
 1127 all in like manner as is provided by law in regard to Plans of
 1128 Reclamation for and assessments for benefits and damages of the
 1129 entire District. With respect to the Plan of Reclamation,
 1130 notices, appointment of Commissioners to assess benefits and
 1131 damages, report of Commissioners and notice and confirmation
 1132 thereof, the levy of assessments and taxes, including
 1133 maintenance taxes, and the issuance of bonds and all other



HB 0519

2003
CS

1134 proceedings as to each and all of such units, said Board shall
1135 follow and comply with the same procedure as is provided by law
1136 with respect to the entire District, and said Board of
1137 Supervisors shall have the same powers in respect to each and
1138 all of such units as is vested in them with respect to the
1139 entire District. All the provisions of this Act shall apply to
1140 the drainage, reclamation, and improvement of each, any, and all
1141 of such units, and the enumeration of or reference to specific
1142 powers or duties of the Supervisors or any other officers or
1143 other matters in this Act as hereinabove set forth shall not
1144 limit or restrict the application of any and all of the
1145 proceedings and powers herein to the drainage and reclamation of
1146 such units as fully and completely as if such unit or units were
1147 specifically and expressly named in every section and clause of
1148 this Act where the entire District is mentioned or referred to.
1149 All assessments, levies, taxes, bonds, and other obligations
1150 made, levied, assessed, or issued for or in respect to any such
1151 unit or units shall be a lien and charge solely and only upon
1152 the lands in such unit or units, respectively, for the benefit
1153 of which the same shall be levied, made, or issued, and not upon
1154 the remaining units or lands in said District. The Board of
1155 Supervisors may at any time amend its said resolutions by
1156 changing the location and description of lands in any such unit
1157 or units, provided, further, that if the location of or
1158 description of lands located in any such unit or units is so
1159 changed, notice of such change shall be published as hereinabove
1160 required in this section for notice of the formation or
1161 organization of such unit or units, and all proceedings shall be



HB 0519

2003
CS

1162 had and done in that regard as are provided in this section for
1163 the original creation of such units or units, provided, however,
1164 that no lands against which benefits shall have been assessed
1165 may be detached from any such unit after the confirmation of the
1166 Commissioners' Report of benefits in such unit or units or the
1167 issuance of bonds or other obligations which are payable from
1168 taxes or assessments for benefits levied upon the lands within
1169 such unit or units. However, if, after the confirmation of the
1170 Commissioners' Report of benefits in such unit or units, or the
1171 issuance of bonds or other obligations which are payable from
1172 taxes or assessments for benefits levied upon lands within such
1173 unit or units, the Board of Supervisors finds the Plan of
1174 Reclamation for any such unit or units insufficient or
1175 inadequate for efficient development, the Plan of Reclamation
1176 may be amended or changed as provided in chapter 298, Florida
1177 Statutes, and the unit or units may be amended or changed as
1178 provided in this section, by changing the location and
1179 description of lands in any such unit or units, by detaching
1180 lands therefrom, or by adding lands thereto, upon the approval
1181 of at least fifty-one percent (51%) of the landowners according
1182 to acreage, in any such unit and of all of the holders of bonds
1183 issued in respect to any such unit, and in such event all
1184 assessments, levies, taxes, bonds, and other obligations made,
1185 levied, assessed, incurred, or issued for or in respect to any
1186 such unit or units may be allocated and apportioned to the
1187 amended unit or units in proportion to the benefits assessed by
1188 the Commissioners' Report for the amended Plan of Reclamation
1189 and said report shall specifically provide for such allocation



1190 and apportionment. The landowners and all of the bondholders
 1191 shall file their approval of or objections to such amended Plan
 1192 of Reclamation, and shall file their approval of or objections
 1193 to the amendment of such unit as provided in this section. No
 1194 lands shall be detached from any unit after the issuance of
 1195 bonds or other obligations for such unit except upon the consent
 1196 of all the holders of such bonds or other obligations. In the
 1197 event of the change of the boundaries of any unit as provided
 1198 herein and the allocation and apportionment to the amended unit
 1199 or units of assessments, levies, taxes, bonds, and other
 1200 obligations in proportion to the benefits assessed by the
 1201 Commissioner's Report for the amended Plan of Reclamation, the
 1202 holder of bonds or other obligations heretofore issued for the
 1203 original unit who consent to such allocations and apportionment
 1204 shall be entitled to all rights and remedies against any lands
 1205 added to the amended unit or units as fully and to the same
 1206 extent as if such added lands had formed and constituted a part
 1207 of the original unit or units at the time of the original
 1208 issuance of such bonds or other obligations, and regardless of
 1209 whether the holders of such bonds or other obligations are the
 1210 original holders thereof or the holders from time to time
 1211 hereafter, and the rights and remedies of such holders against
 1212 the lands in the amended unit or units, including any lands
 1213 added thereto, under such allocation and apportionment, shall
 1214 constitute vested and irrevocable rights and remedies to the
 1215 holders from time to time of such bonds or other obligations as
 1216 fully and to the same extent as if such bonds or other
 1217 obligations had been originally issued to finance the



HB 0519

2003
CS

1218 improvements in such amended unit or units under such amended
1219 Plan of Reclamation.

1220 Section 4. The Acme Improvement District may amend its
1221 master water management plan in the manner provided by chapter
1222 298, Florida Statutes, as it may from time to time be amended,
1223 and consistent with other applicable provisions of law.

1224 Section 5. If any provision of this act or the application
1225 thereof to any person or circumstance is held invalid, the
1226 invalidity shall not affect other provisions or applications of
1227 the act which can be given effect without the invalid provision
1228 or application, and to this end the provisions of this act are
1229 declared severable.

1230 Section 6. This act shall be construed as a remedial act and
1231 shall be liberally construed to promote the purpose for which it
1232 is intended.

1233 Section 7. Chapters 28557 (1953), 30391 (1955), 57-568, 59-
1234 706, 63-864, 70-856, 75-470, 77-619, 79-537, 82-349, 83-490, 87-
1235 440, 91-971, 92-342, 94-473, 94-474, and 2000-419, Laws of
1236 Florida, are repealed.

1237 Section 8. The Acme Improvement District, an independent
1238 special District created by a Special Act of the Legislature,
1239 became a dependent District of the Village of Wellington on March
1240 28, 1996. All Special Acts of the Acme Improvement District
1241 became ordinances of the Village of Wellington on March 28, 1996.
1242 The assets, liabilities, and written contracts of the Acme
1243 Improvement District, including all rights, obligations, duties,
1244 and relationships now existing by law or agreement, are
1245 unaffected and remain in full force and effect and shall be those



HB 0519

2003
CS

1246 of the District as a dependent District of the Village of
 1247 Wellington. All rights, claims, action, orders, and contracts of
 1248 the special District and all legal or administrative proceedings
 1249 involving the District shall continue in full force and effect
 1250 under the jurisdiction of the District as a dependent District of
 1251 the Village of Wellington.

1252 Section 9. To the extent not inconsistent with the Village
 1253 of Wellington Charter, all resolutions and policies of the Acme
 1254 Improvement District shall remain in effect until amended,
 1255 revised, or repealed by the Village Council.

1256 Section 10. Additional provisions which are necessary to
 1257 effect the transition and to provide for the operation of the
 1258 Acme Improvement District as a dependent District of the Village
 1259 of Wellington shall be adopted by ordinance.

1260 Section 11. This act shall take effect upon becoming a
 1261 law.

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