



1 A bill to be entitled

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

15  
16 Be It Enacted by the Legislature of the State of Florida:

17  
18 Section 1. Pursuant to section 189.429, Florida Statutes,  
19 this act constitutes the codification of all special acts  
20 relating to Acme Improvement District. It is the intent of the  
21 Legislature in enacting this law to provide a single,  
22 comprehensive special act charter for the District, including  
23 all current legislative authority granted to the District by its  
24 several legislative enactments and any additional authority  
25 granted by this act. It is further the intent of this act to  
26 preserve all District authority in addition to any authority  
27 contained in chapters 298 and 189, Florida Statutes, as amended  
28 from time to time.



29           Section 2. Chapters 28557 (1953), 30391 (1955), 57-568,  
 30 57-1103, 59-706, 63-864, 70-856, 75-470, 77-619, 79-537, 82-349,  
 31 83-490, 87-440, 90-416, 91-371, 92-342, 94-473, 94-474, and  
 32 2000-419, Laws of Florida, are amended, codified, reenacted, and  
 33 repealed as herein provided.

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

37           Section 1. District Created and Boundaries thereof;  
 38 Validating Creation of District under chapter 298, Florida  
 39 Statutes.--That for the purpose of reclaiming and draining the  
 40 lands hereinafter described and protecting said lands from the  
 41 effects of water by means of the construction and maintenance of  
 42 canals, ditches, levees, dikes, pumping plants, and other  
 43 drainage works and improvements, and for the purpose of making  
 44 the lands within said District available and habitable for  
 45 settlement and agriculture, and for the public convenience,  
 46 welfare, utility, and benefit, and for the other purposes stated  
 47 in this Act, a drainage District is hereby created and  
 48 established in Palm Beach County, to be known as the Acme  
 49 Improvement District, the territorial boundaries of which shall  
 50 be as follows, to-wit:

51           All and Singular a certain parcel of Land, Lying and  
 52 Situate in Range 41 East, Township 44 South and part of  
 53 Range 41 East, Township 43 South, and part of Range 40  
 54 East, Township 44 South, part of Township 43 South,  
 55 Range 40 East, part of Township 45 South, Range 41 East,  
 56 and part of Hiatus, Palm Beach County, Florida.



57 All of Sections 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 14, 15,  
 58 16, 17, 18, 19, 20, 21, 22, 23, 26, 27, 28, 29, 33, 34  
 59 and that part of Sections 30, 31 and 32 lying North  
 60 Right of Way Limit of the Central and Southern Flood  
 61 Control District's Levee 40 and that portions of  
 62 Sections 12, 13, 24 and 25 Township 44 South, Range 41  
 63 East. Portion of Section 25 Township 44 South, Range 40  
 64 East, North Right of Way Limit of the Central and  
 65 Southern Flood Control District's Levee 40. Portion of  
 66 Sections 31, 32, 33, 34, and 35 lying South of the Right  
 67 of Way line of the West Palm Beach Canal, Township 43  
 68 South, Range 41 East, Section 39, Township 44 South,  
 69 Range 41 East and portions of Section 40 North of said  
 70 North Right of Way Limit of the Central and Southern  
 71 Flood Control District's Levee, and Section 3 and 4 of  
 72 Township 45 South, Range 41 East lying North of said  
 73 North Right of Way Limit of the Central and Southern  
 74 Flood Control District's Levee, Palm Beach County,  
 75 Florida:  
 76 More particularly described:  
 77 Commencing at the intersection of the East Line of  
 78 Section 35, Township 43 South, Range 41 East, and the  
 79 South Right of Way Line of the West Palm Beach Canal;  
 80 Thence Southerly following the East Line of aforesaid  
 81 section 35, to the Northeast corner Section 2, Township  
 82 44 South, Range 41 East.



83 Thence following Southerly along the east limit of  
84 aforesaid Section 2 to the Northeast corner Section 11,  
85 Township 44 East, Range 41 East,  
86 Thence following Southerly along the aforesaid Easterly  
87 limit of Section 11 to a point on the Easterly limit of  
88 aforesaid Section 11 to the Northwest Corner of the  
89 Southwest Quarter of Section 12, Township 44 South,  
90 Range 41 East.  
91 Thence Easterly along the north line of the aforesaid  
92 Southwest Quarter of Section 12 to an intersection of a  
93 line drawn 40 feet West and parallel to the East limit  
94 of aforesaid Southwest Quarter of Section 12,  
95 Thence Southerly along the 40 foot parallel line the  
96 aforesaid Section 12, a distance of 1592.15 feet to a  
97 point,  
98 Thence Easterly and parallel to the Southerly limit of  
99 aforesaid Section 12 a distance of 1572.99 feet to a  
100 point.  
101 Thence Southerly and parallel to the Easterly limits of  
102 aforesaid Section 12 a distance of 1031.44 feet more or  
103 less to the Northerly limit of Forest Hill Boulevard  
104 Right of Way,  
105 Thence Westerly along the Northerly limit of Forest Hill  
106 Boulevard on an arc to the left and with an arc length  
107 of 488.34 feet having a delta angle of 4 degrees 49  
108 minutes 59 seconds and a radius of 5789.27 feet with a  
109 radial bearing of North 9 degrees 6 minutes 10 seconds  
110 East to a point of compound curvature.



111 Thence continuing Westerly along an arc to the left with  
112 a radius of 5789.27 feet an arc length of 203.52 feet  
113 having a delta angle of 2 degrees 0 minutes 51 seconds  
114 and a center bearing of North 3 degrees 46 minutes 29  
115 seconds East, to a point.  
116 Thence Southerly a distance 173 feet more or less to the  
117 intersection of the Northerly limit of Section 13,  
118 Township 44 South, Range 41 East.  
119 Thence Southerly along a line 27.00 feet on a bearing of  
120 South 2 degrees 15 minutes 17 seconds West to a point of  
121 non tangential curvature.  
122 Thence following a curve to the right with an arc length  
123 of 741.42 feet having a radius of 4443.66 feet and a  
124 delta angle of 9 degrees 33 minutes 35 seconds and  
125 radial bearing of North 2 degrees 15 minutes 17 seconds  
126 East, to a point of tangency,  
127 Thence following a line 186.37 feet on a bearing of  
128 South 86 degrees 25 minutes 5 seconds East to a point,  
129 Thence continuing along a line 70.31 feet on a bearing  
130 North 89 degrees 2 minutes 7 seconds East to the  
131 intersection with the Westerly Right of Way Line of  
132 State Road 7 (US 441) as shown on Plat Wellington Green,  
133 A MUPD.PUD, of the Public Records of Palm Beach County,  
134 Florida in Plat Book 87 Pages 81 thru 90,  
135 Thence following a line a distance of 503.00 feet on a  
136 bearing of South 0 degrees 22 minutes 3 seconds East to  
137 a point,



138 Thence continuing along a line a distance of 1312.60  
139 feet on a bearing of South 1 degrees 53 minutes 53  
140 seconds West to a point,  
141 Thence following a line a distance of 827.17 feet on a  
142 bearing of South 1 degrees 53 minutes 57 seconds West to  
143 a point of intersection with the South line of the North  
144 half of the South Half of aforesaid Section 13.  
145 Thence Easterly following the aforesaid Southerly line  
146 of the North Half of the South Half of said Section 13 a  
147 distance of 5044.51 feet more or less to the West limit  
148 of said Section 13,  
149 Thence Southerly along the Westerly limit of aforesaid  
150 Section 13 to the Northwest corner of Section 24,  
151 Township 44 South, Range 41 East.  
152 Thence Southerly along the Westerly limit of aforesaid  
153 Section 24 to the Northwest corner of the Southwest  
154 Quarter of aforesaid Section 24.  
155 Thence Easterly along the Northerly limit of said  
156 Southwest quarter of said Section 24 to the Northeast  
157 corner of the Southwest quarter of aforesaid Section 24.  
158 Thence Southerly along the Easterly limit of the said  
159 Southwest Quarter of aforesaid Section 24 a distance of  
160 306.42 feet to a point.  
161 Thence Easterly along a line a distance of 606.10 feet  
162 on a bearing of North 88 degrees 52 minutes 2 seconds  
163 East to a point,



164 Thence following a line a distance of 1.68 feet on a  
165 bearing of North 1 degree 11 minutes 59 seconds West to  
166 a point,  
167 Thence following a line a distance of 652.54 feet on a  
168 bearing of North 88 degrees 52 minutes 2 seconds East to  
169 a point,  
170 Thence following a line a distance of 624.36 feet on a  
171 bearing of South 1 degree 12 minutes 58 seconds East to  
172 a point,  
173 Thence following a line a distance of 1087.73 feet on a  
174 bearing of North 88 degrees 52 minutes 2 seconds East to  
175 a point in the Westerly Limit of State Road 7 (US 441)  
176 as shown on Plat of Versailles P.U.D. of the Public  
177 Records of Palm Beach County, Florida in Plat Book 93  
178 Pages 17 thru 39.  
179 Thence Southerly following the Westerly limit of State  
180 Road 7 ( US 441 ) 165 foot Right of Way as per O.R.B.  
181 9508 Page 1202 and O.R.B. 9488 Page 1661 of the Public  
182 Records of Palm Beach County, Florida.  
183 Thence Easterly along the Northerly Limit of aforesaid  
184 Section 25 to a point measured 180.92 feet from the  
185 Northeasterly corner of said Section 25 said point being  
186 the Westerly Limit of State Road 7 (US 441) as per  
187 O.R.B. 5642 Page 1160.  
188 Thence Southerly along the Westerly Limit of State Road  
189 7 (US 441) as shown on Plat Shoppes at Wycliffe of the  
190 Public Records of Palm Beach County, Florida in Plat  
191 Book 83 Pages 41 thru 43 to a point of intersection with



192 the North East corner of Tract 'P' of Plat Wycliffe Plat  
193 One of the Public Records of Palm Beach County, Florida  
194 in Plat Book 62 Pages 8 thru 13.  
195 Thence Southerly along the Westerly Limit of State Road  
196 7 (US 441) Right of Way as per O.R.B. 5642 Page 1610 to  
197 the intersection of the Southerly Limit of aforesaid  
198 Section 25.  
199 Thence Westerly following the Southerly Limit of  
200 aforesaid Section 25 to the Southeasterly corner of  
201 Section 26 Township 44 South, Range 41 East.  
202 Thence Westerly following the Southerly Limit of  
203 aforesaid Section 26 to the Northeasterly corner of  
204 Section 34 Township 44 South, Range 41 East.  
205 Thence Southerly along the Easterly Limit of aforesaid  
206 Section 34 to the Southeasterly corner of aforesaid  
207 Section 34 to the Northeasterly corner of Section 39,  
208 Township 44 South, Range 41 East.  
209 Thence Southerly along the Easterly Limit of aforesaid  
210 Section 39 to the Northeasterly corner of Section 3,  
211 Township 45 South, Range 41 East.  
212 Thence following the Easterly Limit of aforesaid Section  
213 3 to the Southeast corner of Section 3.  
214 Thence Westerly along the Southerly Limit of said  
215 Section 3 to the intersection of the North Right of Way  
216 Limit of the Central and Southern Flood Control  
217 District's Levee 40.





218 Thence Northerly following the Northerly Limit of said  
 219 Levee 40 to the intersection of the Easterly Limit of  
 220 Section 4, Township 45 South, Range 41 East.  
 221 Thence Northerly along the Northerly Limit of said Levee  
 222 40 to the Southerly Limit of Section 40, Township 44  
 223 South, Range 41 East.  
 224 Thence Northerly along the Northerly Limit of said Levee  
 225 40 to the Southerly Limit of Section 33, Township 44  
 226 South, Range 41 East.  
 227 Thence Northerly along aforesaid Northerly Limit of said  
 228 Levee 40 to the intersection with the East Limit of  
 229 Section 31 Township 44 South, Range 41 East.  
 230 Thence Northerly along aforesaid Northerly Limit of said  
 231 Levee 40 to the intersection with the South Limit of  
 232 Section 30 Township 44 South, Range 41 East.  
 233 Thence Northerly along aforesaid Northerly Limit of said  
 234 Levee 40 to the intersection of the Easterly Limit of  
 235 Section 25 Township 44 South, Range 40 East.  
 236 Thence Northerly along aforesaid Northerly Limit of said  
 237 Levee 40 to the intersection of the Northerly Limit of  
 238 aforesaid Section 25 Township 44 South, Range 40 East.  
 239 Thence Easterly along aforesaid Northerly Limit of said  
 240 Section 25 to the Westerly limit of Section 30 Township  
 241 44 South, Range 41 East.  
 242 Thence Northerly along the Easterly Limit of Section 24,  
 243 Township 44 South, Range 40 East to the Southwesterly  
 244 corner of Section 13, Township 44 South, Range 40 East.



245 Thence Northerly along aforesaid Easterly Limit of said  
 246 Section 13 to the Southwesterly corner of Section 12,  
 247 Township 44 South, Range 40 East.

248 Thence Westerly along the said Southerly Limit of  
 249 Section 12 to the Southwest corner of said Section.

250 Thence Northerly along the Westerly Limit of said  
 251 Section 12 to the Southwest corner of Section 1,  
 252 Township 44 South, Range 40 East.

253 Thence Northerly along the Westerly Limit of Section 1  
 254 to the Southeast corner of Section 1 Hiatus.

255 Thence Northerly along the Westerly Limit of Section 1  
 256 Hiatus to the Southeast corner of Section 36, Township  
 257 43 South, Range 40 East.

258 Thence along the Westerly Limit of said Section 36 to  
 259 the intersection of the South Right of Way line of the  
 260 West Palm Beach Canal.

261 Thence following the aforesaid Southerly Limit of said  
 262 West Palm Beach Canal to the intersection of the  
 263 Westerly Limit of Section 31 Township 43 South, Range 41  
 264 East.

265 Thence following the aforesaid Southerly Limit of said  
 266 West Palm Beach Canal to the intersection of the  
 267 Westerly Limit of Section 32 Township 43 South, Range 41  
 268 East.

269 Thence following the aforesaid Southerly Limit of said  
 270 West Palm Beach Canal to the intersection of the  
 271 Westerly Limit of Section 33 Township 43 South, Range 41  
 272 East.



273 Thence following the aforesaid Southerly Limit of said  
 274 West Palm Beach Canal to the intersection of the  
 275 Westerly Limit of Section 34 Township 43 South, Range 41  
 276 East.

277 Thence following the aforesaid Southerly Limit of said  
 278 West Palm Beach Canal to the intersection of the  
 279 Westerly Limit of Section 35 Township 43 South, Range 41  
 280 East.

281 Thence following the aforesaid Southerly Limit of said  
 282 West Palm Beach Canal to the Point of Commencement.

283 Landowners within the existing boundaries of the Acme Improvement  
 284 District shall not be obligated or taxed to pay for the cost of  
 285 amending the District boundaries or to pay the cost of any  
 286 improvements made by the District to benefit the lands being  
 287 included within the boundaries of the District by this Act.

288 Section 2. Provisions of Other Laws Made Applicable.--The  
 289 Acme Improvement District hereby created shall be a public  
 290 corporation of this state. The provisions of the General  
 291 Drainage Laws of Florida applicable to drainage districts or  
 292 subdrainage districts which are embodied in chapter 298, Florida  
 293 Statutes, and all of the laws amendatory thereof, now existing  
 294 or hereafter enacted, so far as not inconsistent with this Act  
 295 are hereby declared to be applicable to said Acme Improvement  
 296 District. Said Acme Improvement District shall have all of the  
 297 powers and authorities mentioned in or conferred by said  
 298 chapters 298 and 189, Florida Statutes, and acts amendatory  
 299 thereof, and all other applicable general laws, except as herein  
 300 otherwise provided.



301           Section 3.

302           (1) Powers of the District.--The District shall have the  
303 power to sue and be sued by its name in any court of law or in  
304 equity; to make contracts to adopt and use a corporate seal and  
305 to alter the same at pleasure; to acquire by purchase, gift, or  
306 condemnation real and personal property, either or both, within  
307 or without the District, and to convey and dispose of such real  
308 and personal property, either or both, as may be necessary or  
309 convenient to carry out any of the purposes of this Act and  
310 chapter 298, Florida Statutes; to construct, operate, and  
311 maintain canals, ditches, drains, levees, and other works for  
312 drainage purposes; to acquire, purchase, operate, and maintain  
313 pumps, plants, and pumping systems for drainage purposes; to  
314 construct, operate, and maintain irrigation works, machinery,  
315 and plants; to construct, improve, pave, and maintain roadways  
316 and roads necessary and convenient for the exercise of any of  
317 the powers or duties of said District or the supervisors  
318 thereof; and in furtherance of the purposes and intent of this  
319 Act and chapter 298, Florida Statutes, to construct, improve,  
320 pave, and maintain roadways and roads necessary and convenient  
321 to provide access to and efficient development of areas made  
322 suitable and available for cultivation, settlement, and other  
323 beneficial use and development as a result of the drainage and  
324 reclamation operations of the District; to construct and  
325 maintain recreation areas and facilities; to acquire, construct,  
326 finance, and maintain water plants and systems to produce,  
327 purify, and distribute water for consumption; to acquire,  
328 construct, finance, and maintain sewer systems for the



329 collection and disposal of waste and to prevent water pollution  
330 in the District; to distribute from its water plants water for  
331 consumption to users within and without the District boundaries  
332 and to provide sewer collection and disposal of waste to lands  
333 within and without the District boundaries; however, the area  
334 without the District boundaries shall extend no farther east  
335 than State Road 7, no farther south than the existing District  
336 boundary, no farther north than State Road 80, and no farther  
337 west than the existing District boundary, but shall include  
338 Section 13, Township 44 South, Range 40 East, and the easterly  
339 boundary of L-40 along the southwesterly boundary of the  
340 District; the grant of power to the District to distribute water  
341 and to provide sewer collection and dispose of waste to the area  
342 within and without the District boundaries shall not preempt  
343 efforts by Palm Beach County to manage development in Palm Beach  
344 County consistent with the authority and power as contained in  
345 the Charter of Palm Beach County and through its comprehensive  
346 planning process as provided in chapter 163, Florida Statutes,  
347 and rules and regulations enacted thereunder, and in furtherance  
348 of such limitation, the Board of County Commissioners of Palm  
349 Beach County shall review and approve each proposed distribution  
350 of water and provision of sewer allocation and disposal of water  
351 to the lands without the District boundaries for a determination  
352 of consistency with the county's comprehensive plan, or element  
353 or portion thereof, or any land development regulations or codes  
354 or amendments thereto, and any such proposed distribution,  
355 provision, or disposal determined to be inconsistent with the  
356 plan, regulations, or codes or amendments thereto by the Board



357 of County Commissioners is prohibited; to construct and maintain  
358 a system of road and street lighting; to construct and maintain  
359 facilities for and take measures to control mosquitoes and other  
360 pests; to acquire, construct, and maintain conservation areas  
361 and sanctuaries for the storage of water for water control and  
362 irrigation purposes and for preservation of wildlife; to borrow  
363 money and issue negotiable or other bonds of said District as  
364 hereinafter provided; to borrow money, from time to time, and  
365 issue negotiable or other notes of said District therefor,  
366 bearing interest at not exceeding the maximum interest allowable  
367 by law in anticipation of the collection of taxes, levies, and  
368 assessments or revenues of said District, and to pledge or  
369 hypothecate such taxes, levies, assessments, and revenues to  
370 secure such bonds, notes, or obligations, and to sell, discount,  
371 negotiate, and dispose of the same; and to exercise all other  
372 powers necessary, convenient, or proper in connection with any  
373 of the powers or duties of said District stated in this Act.  
374 The powers and duties of said District shall be exercised by and  
375 through the Board of Supervisors thereof, which Board shall have  
376 the authority to employ engineers, attorneys, agents, employees,  
377 and representatives as the Board of Supervisors may from time to  
378 time determine, and to fix their compensation and duties. All  
379 powers and authority of the District shall extend and apply to  
380 the District as a whole and to each unit of development as from  
381 time to time may be designated by the Board of Supervisors.  
382 (2) Additional Powers of District.--In addition to the  
383 powers contained in subsection (1) herein, chapters 189 and 298,  
384 Florida Statutes, and as provided for herein and such other



385 applicable laws, the Acme Improvement District in Palm Beach  
386 County, formerly named the Acme Drainage District, shall have  
387 the authority and power to:

388 (a) Provide parks, preserves, playgrounds, recreation  
389 areas, and facilities and programs in the same manner and to the  
390 same extent as is provided by section 125.01(1)(f), Florida  
391 Statutes, which includes the authority to provide for the  
392 construction, operation, and maintenance of such parks,  
393 preserves, playgrounds, recreation areas, facilities, and  
394 programs through the District's maintenance taxes and user fees  
395 and such other legally available revenues; provide recreation  
396 and playground equipment; employ supervisory personnel; organize  
397 and sponsor community and athletic teams and events; provide  
398 liability insurance to cover such projects; lease parks,  
399 preserves, playgrounds, recreation areas, and facilities; and  
400 provide any other programs and elements of parks, preserves,  
401 playgrounds, recreation areas, and facilities, the enumeration  
402 of the same not being exclusive.

403 (b) Purchase, acquire by gift, or otherwise obtain land  
404 for the purpose of constructing capital improvements for the  
405 District and finance the same through the maintenance taxes and  
406 user fees of the District.

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

411 (d) Appoint advisory boards and committees consisting of  
412 landowners in the District for the purpose of recommending



413 policies, programs, and matters of public interest for the  
414 public good of the landowners and residents of the District.

415 (e) Require any individual or entity seeking to construct  
416 any structure upon or occupying District property or right-of-  
417 way, or connecting to or using the property of the District, to  
418 first obtain a permit from the District and comply with District  
419 rules, regulations, and specifications, and deny or revoke any  
420 permit or permit application if it finds that the matter for  
421 which the permit is sought or granted does not comply with  
422 District plans, rules, regulations, or policies. All costs,  
423 including construction, engineering, legal, and administration  
424 expenses of the District, must be paid by the applicant seeking  
425 the permit. This includes any structure to be constructed upon  
426 a lot, parcel, or land within the District to be connected to  
427 the works of the District.

428 (3) The Acme Improvement District shall have the power to  
429 participate in programs provided for under the provisions of  
430 Public Law 92-500 as they apply to the District. The District  
431 shall have the authority to adopt a system of changes to assure  
432 that each recipient of waste treatment services within the  
433 District's jurisdiction will pay its proportionate share of the  
434 costs of operations and maintenance including replacement, or  
435 any waste treatment services provided by the District, and to  
436 make provisions for payment to the District by the industrial  
437 users of the treatment works of that portion of the cost of  
438 construction of such treatment works which is allocable to the  
439 treatment of such industrial wastes to the extent attributable  
440 to the Federal Governments Share of the Cost of Construction.





441 Roads for exclusive use and benefit of a unit of development or  
442 other designated area and its residents.--It is hereby found and  
443 declared that among the many causes of deterioration in  
444 residential neighborhoods are the proliferation of crime,  
445 excessive automobile flow, and excessive noise from automobile  
446 traffic. It is to the benefit of the land in the District and  
447 its ultimate users and residents and will serve a public purpose  
448 to include provision in a water management plan for roads for  
449 the exclusive use and benefit of a unit of development and its  
450 residents. The Acme Improvement District, therefore, has the  
451 power:

452 (a) To provide, by resolution, in a water management plan  
453 for a unit of development, roads for the exclusive use and  
454 benefit of a unit of development and its landowners, residents,  
455 and invitees to control ingress and egress.

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

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

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

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

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



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

473  
474 The provisions of this section also apply to any designated area  
475 in the District as if that area were a unit of development, upon  
476 the written consent of the owners of seventy-five percent (75%)  
477 of the land within the designated area.

478        Section 4. Board of Supervisors; Organization; Terms of  
479 Office; Election; Vacancy.--Effective March 28, 1996, at 7 p.m.,  
480 the terms of office of the Board of Supervisors of the Acme  
481 Improvement District terminated, and the Village Council members  
482 of the Village of Wellington assumed the duties and  
483 responsibilities of the Board of Supervisors and thereafter have  
484 constituted the Board of Supervisors. The provisions of section  
485 5 of the Village of Wellington Charter shall govern the  
486 organization, terms of office, elections, and filling of  
487 vacancies for the Board of Supervisors.

488        Section 5. The supervisors of Acme Improvement District  
489 shall serve without compensation, per diem or otherwise, but  
490 shall be entitled to reimbursement for travel expenses as  
491 provided by law.

492        (1) The village manager shall have all the same  
493 authorities as those of the chief administrator of Acme  
494 Improvement District as may be necessary to effectuate the  
495 purposes of the village.



496           (2) The village, which controls and operates Acme  
497 Improvement District, a dependent District of village, hereby  
498 reauthorizes Acme Improvement District to establish rates, fees,  
499 charges, and surcharges on water and sewer utility services to  
500 consumers located outside the boundaries of the village and the  
501 District pursuant to the criteria set forth in section 180.191,  
502 Florida Statutes, and ratifies the prior imposition of such  
503 rates, fees, charges, and surcharges.

504           (3)(a) The village hereby provides that all unpaid water  
505 and sewer utility charges shall constitute a lien on the real  
506 property affected ninety (90) days following the date on which  
507 the water and sewer utility charges are due and payable. All  
508 unpaid water and sewer utility charges shall bear interest at  
509 the prevailing market rate of interest, but no less than a rate  
510 of five percent (5%) per annum from the date when the same  
511 became due and payable.

512           (b) If any water and sewer utility charges become  
513 delinquent by not being fully paid within ninety (90) days  
514 following the date on which the water and sewer utility charges  
515 are due and payable, and remain delinquent, the District shall  
516 cause to be prepared a notice of lien containing the amount of  
517 the delinquent charges, including the amount of the first  
518 penalty, a legal description of the unit of real property  
519 against which the lien is imposed, and the name of the owner of  
520 such real property as indicated on the real property records  
521 maintained by the property appraiser of the county. Said notice  
522 of lien shall be recorded in the public records of the county  
523 prior to the completion of the fiscal year for which the charges



524 are levied, or as soon thereafter as the District shall  
525 determine. A copy of the notice of lien shall be served on the  
526 owner of record as provided in section 713.18, Florida Statutes,  
527 within ten (10) days after the notice of lien is recorded.

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

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

539 (e) Upon full payment of the delinquent water and sewer  
540 utility charges, including the costs of enforcement of any lien,  
541 District shall promptly discharge its recorded lien by recording  
542 a release of lien in the public records of Palm Beach County.

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

546 (g) This section shall operate retroactively to apply to  
547 liens previously filed by the District for failure to pay  
548 delinquent water and sewer utility charges and to all other  
549 delinquent utility charges, whether or not a notice of lien has  
550 been filed by the District.



551           (h) Any unpaid water and sewer utility charges incurred by  
552 a former tenant of rental property shall not be the basis for  
553 any lien against the rental property or action against the  
554 present tenant or owner to recover such charges, except to the  
555 extent that the present tenant or owner has benefited directly  
556 from the service provided to the former occupant.

557           Section 6. Meetings of Landowners.--Each year during the  
558 month of January, a meeting of the landowners of said District  
559 shall be held for the purpose of receiving reports of the Board  
560 of Supervisors and considering any matters upon which the Board  
561 of Supervisors may request the advice and view of the  
562 landowners. The Board of Supervisors shall have the power to  
563 call special meetings of the landowners at any time to receive  
564 reports of the Board of Supervisors or consider and act upon any  
565 matter upon which the Board of Supervisors may request advice.  
566 Notice of all meetings of the landowners shall be given by the  
567 Board of Supervisors by causing publication thereof to be made  
568 for two (2) consecutive weeks prior to such meetings in a  
569 newspaper of general circulation published in Palm Beach County.  
570 The meetings of the landowners shall be held in some public  
571 place in said county, and the place, day, and hour of holding  
572 such meeting shall be stated in the notice. The landowners,  
573 when assembled, shall organize by electing a chair who shall  
574 preside at the meeting. The secretary of the Board of  
575 Supervisors shall be the secretary of such meeting. At all such  
576 meetings, each and every acre of land in the District shall  
577 represent one share, and each owner shall be entitled to one  
578 vote in person or by written proxy for every acre or part of an



579 acre of land owned by him or her in the District. At any  
580 landowners' meeting, a quorum shall constitute the owners of  
581 land in the District present in person or voting by proxy.  
582 Guardians may represent their wards; personal representatives  
583 may represent the estates of deceased persons; trustees may  
584 represent lands held by them in trust; and private corporations  
585 may be represented by their officers or duly authorized agents.  
586 Guardians, personal representatives, trustees, and corporations  
587 may vote by proxy.

588 Section 7. Taxes, Levied and Apportioned, and the  
589 Collection Thereof.--Taxes shall be levied and apportioned as  
590 provided for in the General Drainage Laws of Florida (chapter  
591 298, Florida Statutes, and amendments thereto and other  
592 applicable general laws). In lieu thereof, the following  
593 provision shall apply to said District.

594 (1) It shall be the duty of the Tax Collector of Palm  
595 Beach County to receive the "Drainage Tax Book" each year, and  
596 he or she is hereby empowered and it shall be his or her duty to  
597 promptly and faithfully collect the tax therein set out and to  
598 exercise all due diligence in so doing. He or she is further  
599 directed and ordered to demand and collect such taxes at the  
600 same time that he or she demands and collects county taxes due  
601 on the same lands. Where any tract or part thereof has been  
602 divided and sold or transferred, the Collector shall receive  
603 taxes on any part of any tract, piece, or parcel of land charged  
604 with such taxes and give his or her receipt accordingly. The  
605 above and foregoing "Drainage Tax Book" shall be the warranty  
606 and authority of the Collector for making such demand and



607 collection. The said Collector shall pay over and account for  
608 all monies collected thereon to the Treasurer of said District  
609 at the same time when he or she pays over county taxes. Said  
610 Collector shall verify by affidavit his or her said return. The  
611 Board of Supervisors may in its discretion determine it is for  
612 the best interest of the District that the annual tax levies be  
613 collected by the Treasurer of the District, and in the event  
614 said Board shall so determine, then the Treasurer of the  
615 District shall receive the "Drainage Tax Book" and he or she is  
616 hereby empowered and it shall be his or her duty to collect the  
617 tax in the same manner as the Tax Collector would, and the  
618 Treasurer shall be substituted for and perform all the duties  
619 and actions of the Tax Collector in the collection and  
620 enforcement of the annual taxes and tax liens, and the said  
621 Treasurer shall have the same powers as are by this Act vested  
622 in the Tax Collector. The said Tax Collector or Treasurer shall  
623 likewise collect the delinquent taxes of said District and  
624 demand payment therefor in the manner as provided for the  
625 collection of delinquent county taxes. The Tax Collector shall  
626 retain for his or her services one percent of the amount he or  
627 she collects on current taxes and two percent on the amount he  
628 or she collects on delinquent taxes. The Treasurer shall  
629 receive no extra compensation for collecting the annual tax.

630 (2) Levies of Taxes on Land Less Than One Acre.--In  
631 levying and assessing all taxes, each tract or parcel of land  
632 less than one acre in area shall be assessed as a full acre, and  
633 each tract or parcel of land more than one acre in area which  
634 contains a fraction of an acre shall be assessed at the nearest



635 whole number of acres, a fraction of one-half or more to be  
 636 assessed as a full acre.

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

653 Section 9. Forfeiture of Title to Tax Delinquent Lands to  
 654 District; Sale of Tax Forfeited Lands; Suits to Enforce  
 655 Liens.--The following shall apply to said District:  
 656 The fee simple title to all lands in said District against which  
 657 there are outstanding tax sale certificates held by said  
 658 District or its Board of Supervisors for more than two (2) years  
 659 from the date thereof shall be absolutely vested in said  
 660 District, and every right, title, or interest of every nature or  
 661 kind whatsoever of the former owner of said property, or anyone  
 662 claiming by, through, or under him or her, or anyone holding a





663 lien thereon, shall cease, terminate, and end, and said District  
664 may sell said lands in the manner provided in this section. No  
665 court in this state, either federal or state, shall have  
666 jurisdiction to entertain any suit brought by the former owner  
667 of said lands or anyone claiming by, through, or under him or  
668 her for the purpose of questioning or in any way litigating or  
669 contesting the title of said District or its grantees to said  
670 lands. Lands to which said District or its Board of Supervisors  
671 shall acquire title under the provisions of this Act or under  
672 the provisions of any other law may be sold in the manner  
673 following:

674 (1) Any lands to which the Board has acquired title, or  
675 may hereafter acquire title, may be sold by the Board at any  
676 time for the best price obtainable therefor.

677 (2) All sales of land shall be for cash or upon terms and  
678 security to be approved by the Board, but deed shall not be  
679 executed until full payment shall have been made.

680 (3) Before selling any land, it shall be the duty of the  
681 Board to cause a notice of intention to sell to be published in  
682 a newspaper published in Palm Beach County, Florida, once each  
683 week for three (3) successive weeks (three insertions being  
684 sufficient), the first publication of which shall be not less  
685 than thirty (30) nor more than forty-five (45) days prior to any  
686 sale, which said notice shall set forth the time and place of  
687 the sale and a description of the lands to be offered for sale,  
688 and it shall be the further duty of the Board to send registered  
689 mail at least fifteen (15) days before the date of sale a copy  
690 of such proposed notice to the last known address of the person,



691 firm, or corporation to whom the lands described in said notice  
692 were last assessed, if known. However, the failure of the  
693 person, firm, or corporation to whom said land was last assessed  
694 to receive such notice shall not invalidate the sale or affect  
695 the rights of the purchaser thereunder, nor shall the failure of  
696 the Board to give such notice by mail invalidate the sale or  
697 affect the rights of the purchaser thereunder, it being the  
698 intention that this provision for mailing of said notice shall  
699 be directory only.

700  
701 Provided, however, the District or its Board of Supervisors may,  
702 before any tax sale certificates held by said District or its  
703 Board of Supervisors become two (2) years old, foreclose the  
704 lien established by such certificate by an action in Chancery.  
705 The pleadings, process, proceedings, practice, and sales in  
706 cases brought for the foreclosure of such lien shall be the same  
707 as in actions for the enforcement of mortgages upon real estate.  
708 One or more parcels of land may be included in one suit.

709 Section 10. Uniform Acreage Tax for Payment of  
710 Expenses.--There is hereby levied by the Legislature of the  
711 State of Florida upon each and every acre of land within said  
712 Acme Improvement District, as defined in this Act, a uniform tax  
713 of twenty-five cents (\$0.25) per acre to be used by said  
714 District, through its said Board of Supervisors, for the purpose  
715 of paying expenses incurred or to be incurred in making surveys  
716 of the lands in said District, assessing benefits and damages  
717 and other expenses necessarily incurred, as may be estimated or  
718 determined by said Board of Supervisors, before said Board of



719 Supervisors shall be in funds under the subsequent provisions of  
720 this Act. Such tax shall become due and payable on the first  
721 day of November, A.D. 1953, and shall become delinquent ninety  
722 (90) days thereafter. Said tax shall be a lien upon the lands  
723 in said District from the date of the enactment of this Act and  
724 shall be collected in the same manner as the annual installment  
725 of taxes. If it shall appear to the Board of Supervisors to be  
726 necessary to obtain funds to pay any expenses incurred or to be  
727 incurred in organizing said District, making said surveys,  
728 preparing the Plan of Reclamation, or other expenses of the  
729 conduct and operation of said District before a sufficient sum  
730 can be obtained by the collection of the acreage tax levied by  
731 this section of this Act, said Board of Supervisors may borrow a  
732 sufficient sum of money for any of said purposes at a rate of  
733 interest not exceeding six percent (6%) per annum, and may issue  
734 negotiable notes or bonds therefor signed by the members of said  
735 Board of Supervisors, and may pledge any and all assessments of  
736 said acreage tax levied under the provisions of this section for  
737 the payment thereof. Said Board of Supervisors may issue to any  
738 person or persons performing work or services or furnishing  
739 anything of value in the organization of said District or making  
740 surveys of the same and assessing benefits or damages or  
741 preparing said Plan of Reclamation and other expenses  
742 necessarily incurred before the receipt of funds arising from  
743 assessments or benefits, negotiable evidence of debt bearing  
744 interest at the rate not exceeding six percent (6%) per annum.

745 Section 11. Sale of Bonds.--Bonds may be sold in block  
746 installments at different times, or an entire issue or series



747 may be sold at one time. Bonds may be sold at public or private  
748 sale after such advertisement, if any, as the Board of  
749 Supervisors may deem advisable, but not in any event at less  
750 than ninety percent (90%) of the par value thereof, together  
751 with accrued interest thereon. Bonds may be sold or exchanged  
752 for refunding bonds. Bonds payable from drainage taxes and  
753 revenue bonds may be delivered as payment from the District of  
754 the purchase price of any project or part thereof, or a  
755 combination of projects or parts thereof, or as the purchase  
756 price or exchange for any property, real or personal, or mixed,  
757 including franchises or services rendered by any contractor,  
758 engineer, or other person, all at one time or in blocks from  
759 time to time, in such manner and upon such terms as the Board of  
760 Supervisors in its discretion shall determine. The price or  
761 prices for any bonds sold, exchanged, or delivered may be:

- 762 (1) The money paid for the bonds;  
763 (2) The principal amount, plus accrued interest to the  
764 date of redemption or exchange, or outstanding obligations  
765 exchanged for refunding bonds; or  
766 (3) The amount of any indebtedness to contractors or other  
767 persons paid with such bonds, or the fair value of any  
768 properties exchanged for the bonds, as determined by the Board  
769 of Supervisors.

770 Authorization and Form of Bonds.--Bonds may be authorized  
771 by resolution or resolutions of the Board of Supervisors which  
772 shall be adopted by a majority of all the members thereof then  
773 in office. Such resolution or resolutions may be adopted at the  
774 same meeting at which they are introduced and need not be



775 published or posted. The Board of Supervisors may, by  
776 resolution, authorize the issuance of bonds and fix the  
777 aggregate amount of bonds to be issued, the purpose or purposes  
778 for which the moneys derived therefrom shall be expended, the  
779 rate or rates of interest in compliance with Florida Statutes,  
780 the denomination of the bonds, whether or not the bonds are to  
781 be issued in one or more series, the date or dates of maturity,  
782 which shall not exceed forty (40) years from their respective  
783 dates of issuance, the medium of payment, the place or places  
784 within or without the state where payment shall be made,  
785 registration privileges, redemption terms and privileges,  
786 whether with or without premium, the manner of execution, the  
787 form of the bonds, including any interest coupons to be attached  
788 thereto, the manner of execution of bonds and coupons, and any  
789 and all other terms, covenants, and conditions thereof, and the  
790 establishment of revenue or other funds. Such authorizing  
791 resolution may further provide that such bonds may be executed  
792 manually or by engraved, lithographed, or facsimile signature.  
793 The seal of the District may be affixed, lithographed, engraved,  
794 or otherwise reproduced in facsimile on such bonds. In case any  
795 officer whose signature shall appear on any bonds or coupons  
796 shall cease to be such officer before the delivery of such  
797 bonds, such signature or facsimile shall nevertheless be valid  
798 and sufficient for all purposes, the same as if he or she had  
799 remained in office until such delivery.

800 Interim Certificates; Replacement Certificates.--Pending  
801 the preparation of definitive bonds, the Board of Supervisors  
802 may issue interim certificates or receipts or temporary bonds,



803 in such form and with such provisions as the Board of  
804 Supervisors may determine, exchangeable for definitive bonds  
805 when such bonds shall have been executed and are available for  
806 delivery. The Board of Supervisors may also provide for the  
807 replacement of any bonds which shall become mutilated or be lost  
808 or destroyed.

809 Negotiability of Bonds.--Any bonds issued hereunder or  
810 temporary bond shall, in the absence of an express recital on  
811 the face thereof that it is non-negotiable, be fully negotiable  
812 and shall be and constitute negotiable instruments within the  
813 meaning and for all purposes of the law merchant and the laws of  
814 the state.

815 Defeasance.--The Board of Supervisors may make such  
816 provision with respect to the defeasance of the right, title,  
817 and interest of the holders of any of the bonds and obligations  
818 of the District in any revenues, funds, or other properties by  
819 which such bonds are secured as the Board of Supervisors deems  
820 appropriate and, without limitation, on the foregoing, may  
821 provide that when such bonds or obligations become due and  
822 payable or shall have been called for redemption, and the whole  
823 amount of the principal and interest and premium, if any, due  
824 and payable upon the bonds or obligations then outstanding shall  
825 be held in trust for such purpose, and provision shall also be  
826 made for paying all other sums payable in connection with such  
827 bonds or other obligations, then and in such event the right,  
828 title, and interest of the holders of the bonds in any revenues,  
829 funds, or other properties by which such bonds are secured shall  
830 thereupon cease, terminate, and become void, and the Board of



831 Supervisors may apply any surplus in any sinking fund  
832 established in connection with such bonds or obligations and all  
833 balances remaining in all other funds or accounts other than  
834 money held for the redemption or payment of the bonds or other  
835 obligations to any lawful purpose of the District as the Board  
836 of Supervisors shall determine.

837 Issuance of Additional Bonds.--If the proceeds of any bonds  
838 shall be less than the cost of completing the project in  
839 connection with which such bonds are issued, the Board of  
840 Supervisors may authorize the issuance of additional bonds, upon  
841 such terms and conditions as the Board of Supervisors may  
842 provide in the resolution authorizing the issuance thereof, but  
843 only in compliance with the resolution or other proceedings  
844 authorizing the issuance of the original bonds.

845 Refunding Bonds.--The District shall have the power to  
846 issue bonds to provide for the retirement or refunding of any  
847 bonds or obligations of the District that at the time of such  
848 issuance are or subsequently thereto become due and payable.  
849 Refunding bonds may be issued at any time when in the judgment  
850 of the Board of Supervisors such issuance will be advantageous  
851 to the District. The Board of Supervisors may, by resolution,  
852 confer upon the holders of such refunding bonds all rights,  
853 powers, and remedies to which the holders would be entitled if  
854 they continued to be the owners and had possession of the bonds  
855 for the refinancing of which said refunding bonds are issued,  
856 including, but not limited to, the preservation of the lien of  
857 such bonds on the revenues of any project or on pledged funds,  
858 without extinguishment, impairment, or diminution thereof. The



859 provisions of this Act pertaining to bonds of the District  
860 shall, unless the context otherwise requires, govern the  
861 issuance of refunding bonds, the form and other details thereof,  
862 the rights of the holders thereof, and the duties of the Board  
863 of Supervisors with respect to the same.

864 Revenue Bonds.--The District shall have the power to issue  
865 revenue bonds from time to time without limitation as to amount.  
866 Such revenue bonds may be secured by, or payable from, the gross  
867 or net pledge of the revenues to be derived from any project or  
868 combination of projects, from the rates, fees, or other charges  
869 to be collected from the users of any project or projects, from  
870 any revenue producing undertaking or activity of the District,  
871 or from any other source of pledged security.

872 Drainage Tax Bonds.--

873 (1) The District shall have the power to issue bonds  
874 payable from drainage taxes from time to time, provided that the  
875 principal amount of each such issue shall not exceed ninety  
876 percent (90%) of the benefits assessed upon the lands of the  
877 District.

878 (2) Such bonds may be secured by or be payable from  
879 drainage taxes which may be deposited in a special fund to which  
880 the District may assign taxes for the benefit of the holders of  
881 such assessment bonds or other obligations, or to a trustee for  
882 such bondholders, including the tax liens provided for in this  
883 Act, unless such tax liens have been theretofore pledged for any  
884 bonds or other obligations authorized hereunder. In the event  
885 of the creation of such special fund and the issuance of such  
886 drainage tax bonds, the proceeds of such tax liens deposited





887 therein shall be used only for the payment of the drainage tax  
 888 bonds issued as provided in this section. The District is  
 889 hereby authorized to covenant with the holders of such drainage  
 890 tax bonds that it will diligently and faithfully enforce and  
 891 collect all the drainage taxes and interest and penalties  
 892 thereon for which tax liens have been deposited in or assigned  
 893 to such fund, and to foreclose such tax liens so assigned to  
 894 such special fund, after such tax liens have become delinquent,  
 895 and deposit the proceeds derived from such foreclosure,  
 896 including interest and penalties, in such special fund, and to  
 897 make any other covenants deemed necessary or advisable in order  
 898 to properly secure the holders of such drainage tax bonds.

899 Bonds as Legal Investment or Security.--

900 (1) Notwithstanding any provisions of any other law to the  
 901 contrary, all bonds issued under the provisions of this Act  
 902 shall constitute a legal investment for savings banks, banks,  
 903 trust companies, insurance companies, personal representatives,  
 904 administrators, trustees, guardians, and other fiduciaries, and  
 905 for any board, body, agency, instrumentality, county,  
 906 municipality, or other political subdivision of the state, and  
 907 shall be and constitute security which may be deposited by banks  
 908 or trust companies as security for deposits of state, county,  
 909 municipal, or other public funds or by insurance companies as  
 910 required or voluntary statutory deposits.

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



915           Covenants.--Any resolution authorizing the issuance of  
916 bonds may contain such covenants as the Board of Supervisors may  
917 deem advisable, and all such covenants shall constitute valid  
918 and legally binding and enforceable contracts between the  
919 District and the bondholders, regardless of the time of issuance  
920 thereof. Such covenants may include, without limitation,  
921 covenants concerning the disposition of the bond proceeds, the  
922 use and disposition of project revenues, the pledging of  
923 revenues, taxes, and assessments, the obligations of the  
924 District with respect to the operation of the project and the  
925 maintenance of adequate project revenues, the issuance of  
926 additional bonds, the appointment, powers, and duties of  
927 trustees and receivers, the acquisition of outstanding bonds and  
928 obligations, restrictions on the establishing of competing  
929 projects or facilities, restrictions on the sale or disposal of  
930 the assets and property of the District, the priority of  
931 assessment liens, the priority of claims by bondholders on the  
932 taxing power of the District, the maintenance of deposits to  
933 assure the payment of revenues by users of District facilities  
934 and services, the discontinuance of District services by reason  
935 of delinquent payments, acceleration upon default, the execution  
936 of necessary instruments, the procedure for amending or  
937 abrogating covenants with the bondholders, and such other  
938 covenants as may be deemed necessary or desirable for the  
939 security of the bondholders.

940           Section 12. Full Authority for Issue and Sale of Bonds  
941 Authorized.--This Act shall, without reference to any other Act  
942 of the Legislature of Florida, be full authority for the



943 issuance and sale of the bonds in this Act authorized, which  
944 bonds shall have all the qualities of negotiable paper under the  
945 law merchant and shall not be invalid for any irregularity or  
946 defect in the proceedings for the issuance and sale thereof, and  
947 shall be incontestable in the hands of bona fide purchasers or  
948 holders thereof. No proceedings in respect to the issuance of  
949 any such bonds shall be necessary, except such as are required  
950 by this Act. The provisions of this Act shall constitute an  
951 irrepealable contract between the said Board of Supervisors and  
952 the said Acme Improvement District and the holders of any bonds  
953 and the coupons thereof issued pursuant to the provisions  
954 hereof. Any holder of any of said bonds or coupons may either  
955 in law or in equity by suit, action, or mandamus enforce and  
956 compel the performance of the duties required by this Act of any  
957 of the officers or persons mentioned in this Act in relation to  
958 the said bonds, or to the correct enforcement and application of  
959 the taxes for the payment thereof.

960 After the several bonds and coupons are paid and retired as  
961 herein provided, they shall be returned to the Treasurer, and  
962 they shall be canceled and an appropriate record thereof made in  
963 a book to be kept for that purpose, which record of paid and  
964 canceled bonds shall be kept at the office of the Treasurer and  
965 shall be open for inspection of any bondholder at any time.

966 Section 13. Approval of Board of Drainage Commissioners  
967 Not Required to Issue Bonds.--The Board of Supervisors may issue  
968 bonds under the provisions of this Act, without the approval of  
969 the Board of Drainage Commissioners of the State of Florida.



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

987        Section 15. Use of Bonds and Interest Coupons in Payment  
988 of Taxes Not Authorized.--The provisions of sections Florida  
989 Statutes relating to the use of bonds and obligations in payment  
990 of drainage taxes shall not be applicable to said District and  
991 its bonds, obligations, and taxes.

992        Section 16. Payment of Taxes in Advance Not  
993 Authorized.--The provisions of Florida Statutes relating to the  
994 payment of taxes in advance shall not be applicable to said  
995 District.

996        Section 17. Eminent Domain.--The said Board of Supervisors  
997 is hereby authorized and empowered to exercise the right of



998 eminent domain and may condemn for the use of said District any  
999 and all lands, easements, rights of way, riparian rights, and  
1000 property rights of every description, in or out of said  
1001 District, required for the public purposes and powers of said  
1002 Board as herein granted, and may enter upon, take, and use such  
1003 lands as it may deem necessary for such purposes.

1004 Section 18. Water a Common Enemy--It is hereby declared  
1005 that in said District, surface waters, which shall include  
1006 rainfall and the overflow of rivers and streams, are a common  
1007 enemy, and the said District and any individual or agency  
1008 holding a permit to do so from said District shall have the  
1009 right to dike, dam, and construct levees to protect the said  
1010 District or any part thereof, or the property of said individual  
1011 or agency against the same, and thereby divert the course and  
1012 flow of such surface waters and/or pump the water from within  
1013 such dikes and levees.

1014 Section 19. Unit Development; Powers of Supervisors to  
1015 Designate Units of District and Adopt System of Progressive  
1016 Drainage by Units; Plans of Reclamation and Financing  
1017 Assessments, etc., for Each Unit.--The Board of Supervisors of  
1018 Acme Improvement District shall have the power and is hereby  
1019 authorized in its discretion to drain and reclaim or more  
1020 completely and intensively to drain and reclaim the lands in  
1021 said District by designated areas or parts of said District to  
1022 be called "Units." The units into which said District may be so  
1023 divided shall be given appropriate numbers or names by said  
1024 Board of Supervisors so that said units may be readily  
1025 identified and distinguished. The Board of Supervisors shall



1026 have the power to fix and determine the location, area, and  
 1027 boundaries of lands to be included in each and all such units,  
 1028 the order of development thereof, and the method of carrying on  
 1029 the work in each unit. The unit system of drainage provided by  
 1030 this section may be conducted and all of the proceedings by this  
 1031 section and this Act authorized in respect to such unit or units  
 1032 may be carried on and conducted at the same time as or after the  
 1033 work of draining and reclaiming of the entire District has been  
 1034 or is being or shall be instituted or carried on under the  
 1035 provisions of this Act. If the Board of Supervisors shall  
 1036 determine that it is advisable to conduct the work of draining  
 1037 and reclaiming the lands in said District by units, as  
 1038 authorized by this section of this Act, said Board shall, by  
 1039 resolution duly adopted and entered upon its minutes, declare  
 1040 its purpose to conduct such work accordingly, and shall at the  
 1041 same time and manner fix the number, location, and boundaries of  
 1042 and description of lands within such unit or units and give them  
 1043 appropriate numbers or names. As soon as practicable after the  
 1044 adoption and recording of such resolution, said Board of  
 1045 Supervisors shall publish notice once a week for two (2)  
 1046 consecutive weeks in a newspaper published in Palm Beach County,  
 1047 Florida, briefly describing the units into which said District  
 1048 has been divided and the lands embraced in each unit, giving the  
 1049 name, number, or other designation of such units, requiring all  
 1050 owners of lands in said District to show cause in writing before  
 1051 said Board of Supervisors at a time and place stated in such  
 1052 notice why such division of said District into such units should  
 1053 not be approved, and said system of development by units should



1054 not be adopted and given effect by said Board, and why the  
1055 proceedings and powers authorized by this section of this Act  
1056 should not be had, taken, and exercised. At the time and place  
1057 stated in said notice, said Board of Supervisors shall hear all  
1058 objections or causes of objection (all of which shall be in  
1059 writing) of any landowner in said District to the matters  
1060 mentioned and referred to in such notice, and if no objections  
1061 are made, or if said objections, if made, shall be overruled by  
1062 said Board, then said Board shall enter in its minutes its  
1063 finding and order confirming said resolution and may thereafter  
1064 proceed with the development, drainage, and reclamation of said  
1065 District by units pursuant to such resolution and to the  
1066 provisions of this Act. If, however, said Board of Supervisors  
1067 shall find as a result of such objections, or any of them, or  
1068 the hearing thereon, that the division of said District into  
1069 such units as aforesaid should not be approved, or that said  
1070 system of development by units should not be adopted and given  
1071 effect, or that the proceedings and powers authorized by this  
1072 section of this Act should not be had, taken, or exercised, or  
1073 that any other matter or thing embraced in said resolution would  
1074 not be in the best interest of the landowners of said District  
1075 or would be unjust or unfair to any landowner therein or  
1076 otherwise inconsistent with fair and equal protection and  
1077 enforcement of the rights of every landowner in said District,  
1078 then said Board of Supervisors shall not proceed further under  
1079 such resolution, but said Board of Supervisors may, as a result  
1080 of such hearing, modify or amend said resolution so as to meet  
1081 such objections so made, and thereupon said Board may confirm



1082 said resolution as so modified or amended and may thereafter  
1083 proceed accordingly. The sustaining of such objections and the  
1084 rescinding of such resolutions shall not exhaust the power of  
1085 said Board under this section; however, at any time not less  
1086 than one (1) year after the date of the hearing upon any such  
1087 resolution, the Board of Supervisors may adopt other resolutions  
1088 under this section and thereupon proceed on due notice in like  
1089 manner as above. If said Board of Supervisors shall overrule or  
1090 refuse to sustain any such objections in whole or in part made  
1091 by any landowner in the District, or if any such landowner shall  
1092 deem himself or herself aggrieved by any action of the Board of  
1093 Supervisors in respect to any objections so filed, such  
1094 landowner may, within ten (10) days after the ruling of said  
1095 Board, file his or her bill of complaint in the Circuit Court  
1096 for Palm Beach County, Florida, in Chancery, against said  
1097 District, praying an injunction or other appropriate relief  
1098 against the action or any part of such action proposed by such  
1099 resolution or resolutions of said Board, and such suits shall be  
1100 conducted like other Chancery suits, except that said suits  
1101 shall have preference over all other pending actions except  
1102 criminal actions and writs of habeas corpus. Upon the hearing  
1103 of said cause, said Circuit Court shall have the power to hear  
1104 the objections and receive the evidence thereon of all parties  
1105 to such cause and approve or disapprove said resolutions and  
1106 action of said Board, in whole or in part, and to render such  
1107 decree in such cause as right and justice require. When said  
1108 resolutions creating said unit system shall be confirmed by the  
1109 Board of Supervisors (or by the Circuit Court for Palm Beach





1110 County, Florida, if such proposed action shall be challenged by  
1111 a landowner by the judicial proceedings hereinabove authorized),  
1112 said Board of Supervisors may adopt a plan or plans of  
1113 reclamation for and in respect to any or all such units, and to  
1114 have the benefits and damages resulting therefrom assessed and  
1115 apportioned by Commissioners appointed by the Circuit Court, and  
1116 the report of the said Commissioners considered and confirmed,  
1117 all in like manner as is provided by law in regard to Plans of  
1118 Reclamation for and assessments for benefits and damages of the  
1119 entire District. With respect to the Plan of Reclamation,  
1120 notices, appointment of Commissioners to assess benefits and  
1121 damages, report of Commissioners and notice and confirmation  
1122 thereof, the levy of assessments and taxes, including  
1123 maintenance taxes, and the issuance of bonds and all other  
1124 proceedings as to each and all of such units, said Board shall  
1125 follow and comply with the same procedure as is provided by law  
1126 with respect to the entire District, and said Board of  
1127 Supervisors shall have the same powers in respect to each and  
1128 all of such units as is vested in them with respect to the  
1129 entire District. All the provisions of this Act shall apply to  
1130 the drainage, reclamation, and improvement of each, any, and all  
1131 of such units, and the enumeration of or reference to specific  
1132 powers or duties of the Supervisors or any other officers or  
1133 other matters in this Act as hereinabove set forth shall not  
1134 limit or restrict the application of any and all of the  
1135 proceedings and powers herein to the drainage and reclamation of  
1136 such units as fully and completely as if such unit or units were  
1137 specifically and expressly named in every section and clause of



1138 this Act where the entire District is mentioned or referred to.  
1139 All assessments, levies, taxes, bonds, and other obligations  
1140 made, levied, assessed, or issued for or in respect to any such  
1141 unit or units shall be a lien and charge solely and only upon  
1142 the lands in such unit or units, respectively, for the benefit  
1143 of which the same shall be levied, made, or issued, and not upon  
1144 the remaining units or lands in said District. The Board of  
1145 Supervisors may at any time amend its said resolutions by  
1146 changing the location and description of lands in any such unit  
1147 or units, provided, further, that if the location of or  
1148 description of lands located in any such unit or units is so  
1149 changed, notice of such change shall be published as hereinabove  
1150 required in this section for notice of the formation or  
1151 organization of such unit or units, and all proceedings shall be  
1152 had and done in that regard as are provided in this section for  
1153 the original creation of such units or units, provided, however,  
1154 that no lands against which benefits shall have been assessed  
1155 may be detached from any such unit after the confirmation of the  
1156 Commissioners' Report of benefits in such unit or units or the  
1157 issuance of bonds or other obligations which are payable from  
1158 taxes or assessments for benefits levied upon the lands within  
1159 such unit or units. However, if, after the confirmation of the  
1160 Commissioners' Report of benefits in such unit or units, or the  
1161 issuance of bonds or other obligations which are payable from  
1162 taxes or assessments for benefits levied upon lands within such  
1163 unit or units, the Board of Supervisors finds the Plan of  
1164 Reclamation for any such unit or units insufficient or  
1165 inadequate for efficient development, the Plan of Reclamation



1166 may be amended or changed as provided in chapter 298, Florida  
1167 Statutes, and the unit or units may be amended or changed as  
1168 provided in this section, by changing the location and  
1169 description of lands in any such unit or units, by detaching  
1170 lands therefrom, or by adding lands thereto, upon the approval  
1171 of at least fifty-one percent (51%) of the landowners according  
1172 to acreage, in any such unit and of all of the holders of bonds  
1173 issued in respect to any such unit, and in such event all  
1174 assessments, levies, taxes, bonds, and other obligations made,  
1175 levied, assessed, incurred, or issued for or in respect to any  
1176 such unit or units may be allocated and apportioned to the  
1177 amended unit or units in proportion to the benefits assessed by  
1178 the Commissioners' Report for the amended Plan of Reclamation  
1179 and said report shall specifically provide for such allocation  
1180 and apportionment. The landowners and all of the bondholders  
1181 shall file their approval of or objections to such amended Plan  
1182 of Reclamation, and shall file their approval of or objections  
1183 to the amendment of such unit as provided in this section. No  
1184 lands shall be detached from any unit after the issuance of  
1185 bonds or other obligations for such unit except upon the consent  
1186 of all the holders of such bonds or other obligations. In the  
1187 event of the change of the boundaries of any unit as provided  
1188 herein and the allocation and apportionment to the amended unit  
1189 or units of assessments, levies, taxes, bonds, and other  
1190 obligations in proportion to the benefits assessed by the  
1191 Commissioner's Report for the amended Plan of Reclamation, the  
1192 holder of bonds or other obligations heretofore issued for the  
1193 original unit who consent to such allocations and apportionment



1194 shall be entitled to all rights and remedies against any lands  
1195 added to the amended unit or units as fully and to the same  
1196 extent as if such added lands had formed and constituted a part  
1197 of the original unit or units at the time of the original  
1198 issuance of such bonds or other obligations, and regardless of  
1199 whether the holders of such bonds or other obligations are the  
1200 original holders thereof or the holders from time to time  
1201 hereafter, and the rights and remedies of such holders against  
1202 the lands in the amended unit or units, including any lands  
1203 added thereto, under such allocation and apportionment, shall  
1204 constitute vested and irrevocable rights and remedies to the  
1205 holders from time to time of such bonds or other obligations as  
1206 fully and to the same extent as if such bonds or other  
1207 obligations had been originally issued to finance the  
1208 improvements in such amended unit or units under such amended  
1209 Plan of Reclamation.

1210 Section 4. The Acme Improvement District may amend its  
1211 master water management plan in the manner provided by chapter  
1212 298, Florida Statutes, as it may from time to time be amended,  
1213 and consistent with other applicable provisions of law.

1214 Section 5. If any provision of this act or the application  
1215 thereof to any person or circumstance is held invalid, the  
1216 invalidity shall not affect other provisions or applications of  
1217 the act which can be given effect without the invalid provision  
1218 or application, and to this end the provisions of this act are  
1219 declared severable.



1220           Section 6. This act shall be construed as a remedial act and  
1221 shall be liberally construed to promote the purpose for which it  
1222 is intended.

1223           Section 7. Chapters 28557 (1953), 30391 (1955), 57-568, 57-  
1224 1103, 59-706, 63-864, 70-856, 75-470, 77-619, 79-537, 82-349, 83-  
1225 490, 87-440, 90-416, 91-371, 92-342, 94-473, 94-474, and 2000-  
1226 419, Laws of Florida, are repealed.

1227           Section 8. The Acme Improvement District, an independent  
1228 special District created by a Special Act of the Legislature,  
1229 became a dependent District of the Village of Wellington on March  
1230 28, 1996. All Special Acts of the Acme Improvement District  
1231 became ordinances of the Village of Wellington on March 28, 1996.  
1232 The assets, liabilities, and written contracts of the Acme  
1233 Improvement District, including all rights, obligations, duties,  
1234 and relationships now existing by law or agreement, are  
1235 unaffected and remain in full force and effect and shall be those  
1236 of the District as a dependent District of the Village of  
1237 Wellington. All rights, claims, action, orders, and contracts of  
1238 the special District and all legal or administrative proceedings  
1239 involving the District shall continue in full force and effect  
1240 under the jurisdiction of the District as a dependent District of  
1241 the Village of Wellington.

1242           Section 9. To the extent not inconsistent with the Village  
1243 of Wellington Charter, all resolutions and policies of the Acme  
1244 Improvement District shall remain in effect until amended,  
1245 revised, or repealed by the Village Council.

1246           Section 10. Additional provisions which are necessary to  
1247 effect the transition and to provide for the operation of the



1248 | Acme Improvement District as a dependent District of the Village  
1249 | of Wellington shall be adopted by ordinance.

1250 |       Section 11. This act shall take effect upon becoming a  
1251 | law.

1252