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A bill to be entitled

An act relating to the Melbourne-Tillman Water Control District, Brevard County; amending ch. 2001-336, Laws of Florida; amending district boundaries; amending the powers and duties of the Melbourne-Tillman Water Control District, a dependent special district in Brevard County, to authorize the district to sell, lease, or otherwise dispose of real property; providing the procedure for such sale, lease, or other disposition; providing an effective date.

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

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

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

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

Township 29 South, Range 37 East:



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

Township 28 South, Range 36 East:

The South 1/2 of Sections 1 through 5, the Southeast 1/4 of Section 6, and all of Sections 7 through 36. All of Sections 20 and 29 located within Township 28 South, Range 36 East shall be annexed into the City of Palm Bay.

Township 28 South, Range 37 East:

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



61 beginning, the West 1/2, Northeast 1/4 and a portion
 62 of the Southeast 1/4 described as the North 1/2 of the
 63 Southeast 1/4 and Lot 4 and the West 1/2 of Lot 3, all
 64 within Section 34, the West 1/2 of the Northwest 1/4
 65 and Northwest 1/4 of the Southwest 1/4 of Section 35,
 66 and all of Sections 18 through 20, and 28 through 33.

67
 68 (b) Tracts 1, 2, 3 & 4 of the Garner Acres Plat, a
 69 replat of a portion of Central Highlands, as recorded
 70 in Plat Book 47, Page 13, of the Public Records of
 71 Brevard County, Florida, lying in Section 8.

72
 73 (c) Tax I.D. Parcels 503, 505, 507 & 508 lying in
 74 Section 8.

75
 76 (d) Lot 29, Florida Indian River Land Company, as
 77 recorded in Plat Book 1, Page 164, of the Public
 78 Records of Brevard County, Florida, lying in Section
 79 17.

80
 81 The District shall constitute a dependent special district under
 82 the laws of the state.

83 Section 32. Disposition of real property.--

84 (1) The Board of Directors is authorized to sell, lease,
 85 or otherwise convey or dispose of any lands or any interests or
 86 rights in lands to which the District has title, or to which it
 87 may hereafter acquire title, whenever the Board of Directors
 88 determines it is in the best interest of the District to do so
 89 at the best price and terms obtainable, for such terms and
 90 conditions as the Board of Directors may in its discretion



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91 determine. The power to sell, lease, or otherwise convey granted
92 herein specifically includes the power by the District to enter
93 into public or private partnerships regarding District lands
94 upon such terms and conditions as the Board of Directors may in
95 its discretion determine. However, any conveyance or agreement
96 must be for a public purpose.

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

102 (b) Before selling or leasing any land or any interest or
103 rights in and to any land, it shall be the duty of the District
104 to cause a notice of intention to sell or lease to be published
105 in a newspaper of general circulation published in Brevard
106 County no less than once each week for 2 successive weeks. The
107 first publication shall be not less than 15 days nor more than
108 30 days prior to the meeting at which the proposed sale or lease
109 will be considered. The notice shall set forth a description of
110 the lands or interests or rights in lands offered for sale or
111 lease.

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

115 (d) All deeds of conveyance or leases held by the District
116 or by its Board of Directors shall convey or lease only the
117 interest of the District or its Board of Directors in the
118 property covered thereby.

119 (2) The Board of Directors may exchange lands or interests
120 or rights in lands owned by the District, or lands or interests



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121 or rights in lands for which title is otherwise vested in the
122 District, for other lands or interests or rights in lands within
123 the state owned by any person. The Board of Directors shall fix
124 the terms and conditions of any such exchange and may pay or
125 receive any sum of money that the Board of Directors considers
126 necessary to equalize the values of exchanged properties. Before
127 any exchange of property is effected, notice of the meeting at
128 which said exchange is considered shall be published in a
129 newspaper of general circulation published in Brevard County
130 prior to the adoption by the Board of Directors of a resolution
131 authorizing the exchange of properties. Notice shall be
132 published at least once not less than 7 days nor more than 14
133 days prior to the meeting at which the resolution will be
134 considered.

135 (3) In the event that the District seeks to purchase
136 property, it may utilize the procedures set forth in section
137 166.045, Florida Statutes, and any amendments thereto.

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