



1 A bill to be entitled

2 An act relating to the Homosassa Special Water District in
3 Citrus County; codifying, reenacting, amending, and
4 repealing special acts related to the District; creating a
5 District charter; creating an independent special
6 district; providing a District boundary; providing powers,
7 functions, and duties of the District; providing for
8 amendment of the charter; providing for the District
9 purpose; providing for financial disclosure, meeting
10 notices, reporting, public records maintenance, and per
11 diem expenses; providing District powers, functions, and
12 duties; providing for a District governing board;
13 providing for a chair and secretary-treasurer; providing
14 for general obligation bonds; providing for revenue bonds;
15 providing for refunding bonds; providing for levy of ad
16 valorem taxes; providing for payment of bonds; providing
17 for authority to levy and collect tax on real and personal
18 property for administrative costs, expenditure generally;
19 providing for construction costs; providing for special
20 assessments for construction, reconstruction, repair, or
21 maintenance of improvements; providing for exemption from
22 taxes and assessments; providing for liberal construction;
23 providing for severability; providing an effective date.

24
25 Be It Enacted by the Legislature of the State of Florida:

26
27 Section 1. Pursuant to section 189.429, Florida Statutes,
28 this act constitutes the codification of all special acts



29 relating to the Homosassa Special Water District, ("District").
 30 It is the intent of the Legislature in enacting this law to
 31 provide a single, comprehensive special act charter for the
 32 District, including all current legislative authority granted to
 33 the District by its several legislative enactments and any
 34 additional authority granted by this act and chapter 189,
 35 Florida Statutes, as the same may be amended from time to time.
 36 It is further the intent of this act to preserve all District
 37 authority.

38 Section 2. Chapters 24429 (1947), 25726 (1949), 59-1177,
 39 63-1222, 70-630, 73-431, 76-346, 76-347, 77-528, 79-440, 80-475,
 40 80-476, 81-360, 82-279, 83-386, 84-410, 85-399, 86-456, 88-463,
 41 88-484, 88-533, 89-436, 89-464, 89-499, 90-418, 90-419, 92-241,
 42 92-337, and 96-525, Laws of Florida, relating to the Homosassa
 43 Special Water District, are codified, reenacted, and repealed as
 44 provided in this act.

45 Section 3. The charter of the Homosassa Special Water
 46 District is re-created and reenacted to read:

47 Section 1. Creation, jurisdiction, and purpose.--

48 (1) The District is hereby created and incorporated as an
 49 independent special district, pursuant to chapter 189, Florida
 50 Statutes, to be known as the Homosassa Special Water District,
 51 in Citrus County, which special district shall be a public body
 52 corporate and politic.

53 (2) District boundaries shall embrace and include the
 54 territory consisting of the following:

55 All of Sections 25, 26, 27, 28, 33, 34, 35 and 36 in
 56 Township 19 South, Range 16 East; all of Sections 15,



57 | 20, 21, 22, 27, 28, 29, 30, 31, 32 and 33 in Township
58 | 19 South, Range 17 East; all of Sections 2, 3, 4 and
59 | 11 in Township 20 South, Range 16 East; and all of
60 | Sections 4, 5, 6, 7, 8 and 9 in Township 20 South,
61 | Range 17 East; LESS AND EXCEPT that certain
62 | subdivision known as Spring Gardens as recorded in
63 | Plat Book 11, Page 98, Public Records of Citrus
64 | County, Florida; AND Block 169, Unit No. 4 of
65 | Homosassa, as recorded in Plat Book 1, Page 46, Public
66 | Records of Citrus County, Florida; AND that part of
67 | the NW ¼ of the NW ¼ of Section 29, Township 19
68 | South, Range 18 East, that lies South of the Southerly
69 | right-of-way line of Grover Cleveland Boulevard, LESS
70 | AND EXCEPT those portions described in the following
71 | deeds: Warranty Deed dated August 29th, 1977, filed
72 | August 30, 1977, and recorded in O.R. Book 474, page
73 | 285, public records of Citrus County, Florida;
74 | Warranty Deed dated April 27, 1979, filed May 1, 1979,
75 | and recorded in O.R. Book 536, page 862, public
76 | records of Citrus County, Florida; Warranty Deed dated
77 | June 16, 1980, filed December 3, 1980, and recorded in
78 | O.R. Book 567, page 1144, public records of Citrus
79 | County, Florida; AND all that part of Unit No. 2, of
80 | Homosassa, Florida, according to the map or plat
81 | thereof recorded in Plat Book 1, Page 44, public
82 | records of Citrus County, Florida, lying North and
83 | West of State Road 490 and South of the County Road
84 | known as Spring Cove Road, LESS AND EXCEPT the tract



85 of land as described in Deed from River Gulf Co.,
86 Inc., to A.R. Walker and Martha L. Walker, his wife,
87 dated July 3, 1967, and recorded in O.R. Book 217,
88 Page 367, public records of Citrus County, Florida;
89 AND a parcel of land described as: Begin at the S.W.
90 corner of Unit No. 2 of Homosassa, as recorded in Plat
91 Book 1, Page 44, public records of Citrus County,
92 Florida, thence N 0°22'53" W along the West line of
93 Unit No. 2 of Homosassa a distance of 599.89 ft. to
94 the South right-of-way line of a County Road known as
95 Spring Cove Road, thence N 88°08'19" E along the South
96 right-of-way line of Spring Cove Road a distance of
97 626.83 ft. to the N.W. corner of lands described in
98 O.R. Book 217, Page 367, public records of Citrus
99 County, Florida, thence S 30°08'46" W along the West
100 boundary of lands described in O.R. Book 217, Page
101 367, and a Southerly projection thereof a distance of
102 350 feet, thence N 88°08'46" E, a distance 200 feet to
103 the Northwesterly right-of-way line of State Road 490,
104 thence S 30°08'46" W along the Northwesterly right-of-
105 way line of State Road 490 a distance of 488.90 feet
106 to the South line of said Unit No. 2 of Homosassa,
107 thence N 76°10'29" W along the South line of said Unit
108 No. 2 of Homosassa a distance of 413.05 feet to the
109 Point of Beginning; AND a parcel of land described as:
110 Commence at the NW corner of the SW ¼ of Section 27,
111 Township 19 South, Range 17 East, thence S 0°20'05" W
112 along the West line of said SW ¼ a distance of 2.86



113 feet, thence N 89°09'10" E 207.66 feet, thence N
 114 80°30'50" E 327.26 feet, thence N 54°04'10" E 351.97
 115 feet, thence N 63°15' E 330.22 feet, thence N
 116 88°37'10" E 896.99 feet to the Northwesterly right-of-
 117 way line of State Road 490, thence S 30°37'20" W along
 118 said right-of-way line a distance of 29.48 feet to the
 119 POINT OF BEGINNING, said point also being on the South
 120 right-of-way line of a proposed County Road, thence
 121 continue S 30°37'20" W along aforementioned
 122 Northwesterly right-of-way line of State Road 490, a
 123 distance of 200 feet, thence S 88°37'10" W parallel to
 124 the aforementioned South right-of-way line of a
 125 proposed County Road, a distance of 200 feet, thence N
 126 30°37'20" E 200 feet to said South right-of-way line
 127 of a proposed County Road, thence N 88°37'10" E along
 128 said South right-of-way line a distance of 200 feet to
 129 the point of beginning; AND the South 60 feet of
 130 Sections 23 and 24 of Township 19 South, Range 17
 131 East; AND the North 60 feet of Sections 25 and 26,
 132 Township 19 South, Range 17 East; AND the South 60
 133 feet of Sections 19, 20 and 21, Township 19 South,
 134 Range 18 East, LESS AND EXCEPT that portion lying
 135 easterly of the East right-of-way line of State Road
 136 491; AND the North 60 feet of Sections 28, 29 and 30,
 137 Township 19 South, Range 18 East, LESS AND EXCEPT that
 138 portion lying easterly of the East right-of-way line
 139 of State Road 491; AND Lots 1, 2 and 3 of Block E, of
 140 GROVER CLEVELAND ESTATES, according to a plat thereof



141 as recorded in Plat Book 12, Page 2 of the Public
 142 Records of Citrus County, Florida; AND Lots 1, 2, 3,
 143 together with Lots 6 through 23, according to the
 144 subdivision of HALLS RIVER ESTATES, as recorded in
 145 Plat Book 3, Page 11, Public Records of Citrus County,
 146 Florida; AND Lot 1, Block A, HAZELTON HILLS, legally
 147 described as: Commence at the SW corner of NW ¼ of
 148 Section 25, Township 19 South, Range 17 East, thence S
 149 89°44'45" East along the South line of said NW ¼ of
 150 the NW ¼ a distance of 320.59 feet, thence N 0°11'55"
 151 East 996.92 feet to the Point of Beginning, thence
 152 continue North 00°00'55" East 83.08 feet, thence S
 153 89°44'45" East parallel to said South line a distance
 154 of 150 feet, thence S 00°00'55" West 83.08 feet,
 155 thence N 89°44'45" West parallel to South line a
 156 distance of 150 feet to the Point of Beginning; AND
 157 commence at the NW corner of Section 29, Township 19
 158 South, Range 18 East, thence S 00°46'57" West along
 159 the West line of said Section 29, a distance of 31.68
 160 feet to the South right-of-way line of a paved County
 161 Road, thence S 88°59'06" East along said South right-
 162 of-way line a distance of 521.49 feet to the Point of
 163 Beginning, thence continue S 88°59'06" East along said
 164 right-of-way line a distance of 487.14 feet, thence
 165 leaving said South right-of-way line S 04°43'30" West
 166 537.91 feet, thence N 89°13'50" West 437.26 feet,
 167 thence N 00°35'20" West 538.87 feet to the Point of
 168 Beginning; AND commence at the NW corner of Section



169 29, Township 19 South, Range 18 East, thence S
 170 00°46'57" West along the West line of said Section 29,
 171 a distance of 31.68 feet to the South right-of-way
 172 line of a County Road, thence along said right-of-way
 173 line South 88°59'06" East a distance of 521.49 feet,
 174 thence leaving said right-of-way line South 00°35'20"
 175 East 538.87 feet to the Point of Beginning, thence S
 176 89°15'50" East 295.00 feet, thence S 00°46'57" West
 177 731.95 feet to the South line of said NW ¼ of the NW ¼
 178 of Section 29, thence S 89°26'13" West 295.00 feet,
 179 thence N 00°46'57" East 738.82 feet to the Point of
 180 Beginning; AND begin at the SW corner of the SE ¼ of
 181 the SE ¼ of Section 24, Township 19 South, Range 17
 182 East, thence North along the West line of SE ¼ of SE ¼
 183 500 feet to the Point of Beginning, thence continue
 184 North along the West line for 209 feet, thence East
 185 209 feet, thence South 209 feet, thence West 209 feet
 186 to the Point of Beginning, together with an easement
 187 20 feet wide extending from the above parcel along the
 188 West line of SE ¼ of SE ¼ of the County Road known as
 189 Chicken Farm Road; AND Tract 45, HOMOSASSA HIGHLANDS,
 190 as recorded in Plat Book 7, Page 33, Public Records of
 191 Citrus County, Florida; AND a subdivision of that part
 192 of the SW ¼ of Section 26, Township 19 South, Range 17
 193 East, lying North of U.S. Highway #19 and South and
 194 West of Green Acres Addition #6, Unit #3, as recorded
 195 in Plat Book 8, Pages 94 through 100, Public Records
 196 of Citrus County, Florida, being more particularly



197 described as follows: Commence at the NW corner of the
 198 SW ¼ of Section 26, Township 19 South, Range 17 East,
 199 thence S 0°31'51" East along the West line of said
 200 Section 26 a distance of 587 feet to the Point of
 201 Beginning, said point being on the South right-of-way
 202 line of Chelsea Road, as shown on the plat of Green
 203 Acres Addition #6, Unit #3, Plat Book 8, Pages 94
 204 through 100, thence East along said right-of-way line
 205 937.53 feet to a point on the West right-of-way line
 206 of Morningside Drive as shown on said plat, thence
 207 South along said right-of-way line 1818.72 feet to al
 208 point on the North right-of-way line of Green Acres
 209 Boulevard as shown on said plat, thence N 89°41'25"
 210 West along said right-of-way line 645.32 feet, thence
 211 S 44°57'05" West along said right-of-way line 256 feet
 212 to the Northeasterly right-of-way line of U.S. Highway
 213 #19, said point being 146 feet from, measured at a
 214 right angle to the centerline of said U.S. Highway
 215 #19, thence N 45°02'55" West along said right-of-way
 216 line 132.46 feet to a point on the West line of said
 217 Section 26, thence N 0°31'51" West along said West
 218 line a distance of 1927.89 feet to the Point of
 219 Beginning, less and except Lots 3 to 17, inclusive;
 220 AND Blocks 40, 52, 53 and 62, of Unit #1 of Homosassa,
 221 as recorded in Plat Book 1, page 42 and 43, public
 222 records of Citrus County, Florida, together with Block
 223 132 and 133, of Unit #3 of Homosassa, as recorded in
 224 Plat Book 1, Page 45, Public Records of Citrus County,



225 Florida, and Block 166 and 167, of Unit #4 of
226 Homosassa, as recorded in Plat Book 1, Page 46, Public
227 Records of Citrus County, Florida, more particularly
228 described as follows: Beginning at a point formed by
229 the intersection of the southerly right-of-way of
230 Grover Cleveland Blvd. with the westerly right-of-way
231 of Indiana Ave., thence easterly along the southerly
232 right-of-way of Grover Cleveland Blvd. a distance of
233 2810 feet to the centerline of Missouri Ave., thence
234 southerly along the centerline of Missouri Ave. a
235 distance of 570 feet to the northerly right-of-way of
236 Fourth St., thence westerly along the northerly right-
237 of-way of Fourth St., a distance of 1,060 feet to the
238 easterly right-of-way of Grand Parkway East, thence
239 northerly along said easterly right-of-way a distance
240 of 325 feet to the northerly right-of-way of Fifth
241 St., thence westerly along said northerly right-of-way
242 of Fifth St. 1,750 feet to the westerly right-of-way
243 of Indiana Ave., thence northerly along said westerly
244 right-of-way 245 feet to the southerly right-of-way
245 line of Grover Cleveland Blvd., and the point or place
246 of beginning; AND begin at the intersection of the
247 Easterly right-of-way line of Marion Avenue and the
248 northerly right-of-way line of Grand Parkway South as
249 shown on the Plat of Villa Sites Addition to Homosassa
250 as recorded in Plat Book 1, Pages 53 and 54,
251 inclusive, Public Records of Citrus County, Florida,
252 thence N 89°58'20" West along the Northerly right-of-



253 way of said Grand Parkway South a distance of 30 feet
254 to the West line of Section 34, Township 19 South,
255 Range 17 East, thence S 0°01'40" West along said line
256 a distance of 150 feet, thence S 89°58'20" East a
257 distance of 30 feet to the intersection of said
258 Easterly right-of-way line and said Southerly right-
259 of-way line of Grand Parkway South, thence S 89°58'20"
260 East along said South right-of-way of Grand Parkway
261 South a distance of 990 ft., to the Southwesterly
262 right-of-way line of Kenosha Avenue as shown on said
263 Plat, thence S 44°58'20" East along said Southwesterly
264 right-of-way line a distance of 197.97 feet, thence S
265 89°58'20" East a distance of 100 feet, thence N
266 45°01'40" East a distance of 28.28 feet, thence S
267 89°58'20" East a distance of 51.89 feet to a point on
268 the East line of the NW ¼ of the NW ¼ of Section 34,
269 Township 19 South, Range 17 East, as shown on said
270 Plat, thence N 0°00'08" West along said East line a
271 distance of 378.73 feet to the NE corner of said NW ¼
272 of the NW ¼, thence S 89°38'40" West along the North
273 line of said NW ¼ of the NW ¼ a distance of 204.52
274 feet to the most Easterly corner of Lot 1, Block 1 of
275 said Plat of Villa Sites Addition, thence S 45°01'40"
276 West along the Southeasterly boundary of said Lot 1, a
277 distance of 151.87 feet, to the aforementioned
278 Northerly right-of-way line of Grand Parkway South,
279 thence N 89°58'30" West along said right-of-way line a
280 distance of 990 feet to the Point of Beginning.



281
282 (3) The powers, functions, and duties of the District
283 regarding ad valorem taxation, bond issuance, other revenue-
284 raising capabilities, budget preparation and approval, liens and
285 foreclosure of liens, use of tax deeds and tax certificates as
286 appropriate for non-ad valorem assessments, and contractual
287 agreements shall be as set forth in this act and in chapters 189
288 and 197, Florida Statutes, or any other applicable general or
289 special law, as they may be amended from time to time.

290 (4) The District charter created by this act may be
291 amended only by special act of the Legislature.

292 (5) The purpose of the District shall be to supply water
293 within the District for public, domestic, industrial, and fire
294 protection and to fix and collect rates and charges for the
295 services and facilities furnished by the water supply and
296 distribution system and to fix and collect charges for making
297 connections with the system.

298 (6) District requirements for financial disclosure,
299 meeting notices, reporting, public records maintenance, and per
300 diem expenses for District Commissioners and employees shall be
301 as set forth in chapters 112, 189, and 286, Florida Statutes, as
302 they may be amended from time to time.

303 Section 2. District powers, functions, and duties.--

304 (1) In addition to any powers, functions, and duties set
305 forth in this act, the District shall likewise exercise such
306 powers, functions, and duties as may be set forth in chapter
307 189, Florida Statutes, as the same may be amended from time to
308 time.



309 (2) The District is hereby authorized and empowered:

310 (a) To levy ad valorem taxes and non-ad valorem
311 assessments, as provided by this act and chapter 197, Florida
312 Statutes, on all taxable property within the territorial
313 boundaries of the District.

314 (b) To utilize the method provided in chapter 197, Florida
315 Statutes, as the same may be amended from time to time, for
316 collecting non-ad valorem assessments, fees, or service charges.

317 (c) To sue and be sued.

318 (d) To make and enter into contracts and agreements
319 necessary or incidental to the performance of the duties imposed
320 and the execution of the powers granted under this act.

321 (e) To adopt and use a common seal and to alter same.

322 (f) To acquire by grant, loan, purchase, gift, or devise
323 or by the exercise of the right of eminent domain all property,
324 real or personal, or any estate or interest therein necessary,
325 desirable, or convenient for the purposes of this act and to
326 sell, convey, lease, rent, or assign all or any part thereof and
327 to exercise all of its powers and authority with respect
328 thereto. The exercise of eminent domain shall be as provided for
329 by applicable general law.

330 (g) To appoint and employ a superintendent, an attorney,
331 and such other agents and employees as the District deems
332 advisable.

333 (h) To plan, develop, purchase or otherwise acquire,
334 construct, reconstruct, improve, extend, enlarge, equip, repair,
335 maintain, and operate a water supply and distribution system
336 within the territorial limits of the District.



337 (i) To fix and collect rates and charges for the services
338 and facilities furnished by its water supply and distribution
339 system and to fix and collect charges for making connections to
340 its system.

341 (j) To issue revenue bonds, pursuant to section 189.4085,
342 Florida Statutes, as the same may be amended from time to time,
343 and otherwise by this act and general law, to pay the cost of
344 purchasing or otherwise acquiring, constructing, reconstructing,
345 improving, extending, enlarging, or equipping its water supply
346 and distribution system.

347 (k) To issue refunding bonds, pursuant to section
348 189.4085, Florida Statutes, as the same may be amended from time
349 to time, or otherwise by general law, to refund any bonds then
350 outstanding which shall have been issued under the provisions of
351 this act.

352 (l) To do all acts or things necessary or convenient to
353 carry out the powers expressly granted in this act.

354 Section 3. District governing board.--

355 (1) The governing body of the District shall be a board of
356 five Commissioners elected pursuant to chapter 189, Florida
357 Statutes, by the electors of the District in a nonpartisan
358 election held at the time and in the manner prescribed for
359 holding general elections. Each member of the board shall be
360 elected for a term of 4 years and shall serve until his or her
361 successor assumes office, except that the Commissioner who will
362 be elected in December of the year 2003 and the three
363 Commissioners who will be elected in December of the year 2005



364 will be elected for terms of 3 years in order to make District
365 elections consistent with the Florida General Elections.

366 (2) The office of each Commissioner is designated as a
367 seat on the board, distinguished from each of the other seats by
368 a numeral: 1, 2, 3, 4, or 5. Each candidate must designate, at
369 the time he or she qualifies, the seat on the board for which he
370 or she is qualifying. The name of each candidate who qualifies
371 shall be included on the ballot in a way that clearly indicates
372 the seat for which he or she is a candidate. The candidate for
373 each seat who receives the most votes shall be elected to the
374 board.

375 (3) Each member of the board must be a registered elector
376 of and reside within the District boundaries at the time he or
377 she qualifies for election and continually throughout his or her
378 term.

379 (4) In the event of a vacancy, due to any cause, on the
380 Board of Commissioners, the vacancy shall be filled for the
381 remainder of the term by special election within 30 days after
382 the occurrence of the vacancy unless the vacancy occurs within
383 90 days after a regular election.

384 (5) The procedures for conducting District elections and
385 for qualification of electors shall be pursuant to section
386 189.405, Florida Statutes, and general law, as the same may be
387 amended from time to time. Commissioners shall assume their
388 respective duties on the 1st Tuesday after the 1st Monday in
389 January after the date of such election.

390 (6) Special elections may be held under the call of the
391 Chair at any time as directed by the Commissioners. Once called



392 by the Chair, the election will occur in all respects pursuant
393 to the provisions of the Florida Election Code.

394 (7) Commissioners shall receive compensation up to the
395 amount of \$200 per month. The compensation to be received from
396 District funds shall be set by resolution of the Commissioners
397 for performance of their duties but may not be increased to more
398 than \$200 per month per Commissioner without the prior approval
399 of a majority of the qualified electors of the District voting
400 in a referendum called for such purpose. Commissioners shall be
401 reimbursed by the District for any expenses incurred in the
402 performance of their duties pursuant to chapter 112, Florida
403 Statutes, as the same may be amended from time to time.

404 (8) Any Commissioner may resign voluntarily and also shall
405 be deemed to have resigned by ceasing to be a resident and
406 qualified elector within the District.

407 (9) The board shall hold meetings pursuant to sections
408 189.416 and 189.417, Florida Statutes, as the same may be
409 amended from time to time.

410 (10) A majority of the members of the Board of
411 Commissioners shall constitute a quorum for the transaction of
412 the business of the District. The affirmative vote of a
413 majority of the governing board members present and voting shall
414 be necessary to transact business.

415 (11) The District shall prepare and submit reports,
416 budgets, and audits as provided in sections 189.415 and 189.418,
417 Florida Statutes, as the same may be amended from time to time.

418 Section 4. Chair, Secretary-Treasurer.--At the first
419 meeting of the Commissioners, and annually thereafter, they



420 shall organize and designate one of the Commissioners to act as
421 Chair and appoint a resident of the District, who need not be a
422 Commissioner, to act as Secretary-Treasurer. The Secretary-
423 Treasurer shall be custodian of the official proceedings,
424 records, and funds of the District and upon order of the Board
425 of Commissioners shall furnish bond for the performance of the
426 Secretary-Treasurer's duties and accounting for the funds of the
427 District. Disbursement of funds of the District shall be made
428 only upon orders authorized by the Board, signed by the Chair
429 and countersigned by the Secretary-Treasurer.

430 Section 5. General obligation bonds.--

431 (1) The District is hereby authorized to issue by
432 resolution general obligation bonds with an aggregate principal
433 amount not exceeding \$450,000, payable from rates, rentals,
434 fees, and charges provided for hereunder and, to the extent
435 necessary, ad valorem taxes levied as hereinafter provided, for
436 the purpose of paying the cost of purchasing or otherwise
437 acquiring, constructing, reconstructing, improving, extending,
438 enlarging, or equipping its water supply and distribution
439 system, provided, however, that any such bonds shall have been
440 approved by the majority of the votes cast in an election in
441 which a majority of the freeholders who are qualified electors
442 residing in the District shall have participated. Any such
443 election shall be held and the result thereof determined and
444 declared in the manner provided by the election code of 1951 and
445 chapter 189, Florida Statutes, or as such may be amended from
446 time to time.



447 (2) The bonds of each issue authorized pursuant to this
448 act shall be dated, shall mature at such time not exceeding 50
449 years after their date or dates, and shall bear interest at such
450 rate or rates not exceeding 5 1/2 percent per annum. Such bonds
451 may be made redeemable before maturity at the option of the
452 District upon such terms and conditions as the District may fix
453 prior to their issuance. The District shall determine the form
454 of the bonds, including interest coupons to be attached thereto,
455 and the manner of execution thereof and shall fix the
456 denomination of the bonds and the place of payment of principal
457 and interest. This payment place may be at any bank or trust
458 company within or without the state. All bonds issued under the
459 provisions of this act shall be general obligations of the
460 District and shall have and are hereby declared to have all of
461 the qualities and incidents of negotiable instruments under the
462 negotiable instruments law of Florida. The District may sell
463 such bonds in such manner, at such time or times, and for such
464 price as it may determine to be in the best interests of the
465 District and, in the resolution providing for the issuance of
466 such bonds, provisions may be made for the custody and
467 application of the proceeds therefrom as may be deemed necessary
468 or advantageous for safeguarding such proceeds.

469 Section 6. Revenue bonds.--

470 (1) The District is hereby authorized to provide by
471 resolution at one time, or from time to time, for the issuance
472 of District revenue bonds for the purpose of paying all or a
473 part of the cost of acquisition, construction, equipping,
474 repairing, extending, maintaining, and reconstructing a water



475 supply and distribution system. The revenue bonds of each issue
476 shall be dated, shall bear interest at such rate or rates not
477 exceeding 6 percent per annum, shall mature at such time or
478 times, not exceeding 40 years after their date or dates, as may
479 be determined by the District, and may be made redeemable before
480 maturity, at the option of the District, at such price or prices
481 and under such terms and conditions as may be fixed by the
482 District prior to the issuance of the revenue bonds. The
483 District shall determine the form of the revenue bonds,
484 including any interest coupons to be attached thereto, and the
485 manner of execution of the revenue bonds and coupons, and shall
486 fix the denomination or denominations of the revenue bonds and
487 the place or places of payment of principal and interest, which
488 may be at any bank or trust company within or without the state.
489 In case any officer whose signature or a facsimile of whose
490 signature shall appear on any revenue bonds or coupons shall
491 cease to be such officer before the delivery of such revenue
492 bonds, such signature or such facsimile shall nevertheless be
493 valid and sufficient for all purposes the same as if that
494 officer had remained in office until such delivery. All revenue
495 bonds issued under the provisions of this section shall have and
496 are hereby declared to have all the qualities and incidents of
497 negotiable instruments under the negotiable instruments laws of
498 Florida. The revenue bonds may be issued in coupon or
499 registered form, or both, as the District may determine, and
500 provisions may be made for the registration of any coupon bonds
501 as to principal alone and also as to both principal and interest
502 and for the reconversion into coupon bonds of any bonds



503 registered as to both principal and interest. The issuance of
504 such revenue bonds shall not be subject to any limitations or
505 conditions contained in any other law, and the District may sell
506 such revenue bonds in such manner and for such price as it may
507 determine to be in the best interest of the District, but no
508 such sale shall be made at a net interest cost to the District
509 in excess of 6 percent per annum, excluding, however, from such
510 computations the amount of any premium to be paid on redemption
511 of any revenue bonds prior to maturity. Prior to the
512 preparation of definitive bonds, the District may, under like
513 restrictions, issue interim receipts or temporary bonds with or
514 without coupons, exchangeable for definitive bonds when such
515 revenue bonds have been executed and are available for delivery.
516 The District may also provide for the replacement of any bonds
517 that are be mutilated, destroyed, or lost.

518 (2) Such revenue bonds may be payable from the revenues
519 derived from the operation of the system or of any combination
520 thereof and from any other funds legally available therefor,
521 including the proceeds from any special assessments levied by
522 the District. The revenue bonds shall be entitled to such
523 priorities on such revenues as the District shall provide. The
524 issuance of such revenue bonds shall not directly, indirectly,
525 or contingently obligate the District to levy ad valorem taxes
526 for their payment and the District shall not convey or mortgage
527 such facilities or any part thereof as security for payment of
528 the revenue bonds.

529 (3) At the discretion of the District, each or any issue
530 of such revenue bonds may be secured by a trust agreement by and



531 between the District and a corporate trustee, which may be any
532 trust company or bank having the powers of a trust company
533 within or outside of the state. Such trust agreement may pledge
534 or assign the revenues to be received by the District. The
535 resolution providing for the issuance of revenue bonds or such
536 trust agreement may contain such provisions for protecting and
537 enforcing the rights and remedies of the bondholders as may be
538 reasonable, proper, and not in violation of law, including
539 covenants setting forth District duties in relation to the
540 acquisition, construction, improvement, maintenance, operation,
541 repair, and insurance of the system and the custody,
542 safeguarding, and application of all moneys. It shall be lawful
543 for any bank or trust company incorporated under the laws of
544 Florida to act as such depository and to furnish such
545 indemnifying bonds or to pledge such securities as may be
546 required by the District. Such resolution or such trust
547 agreement may restrict the individual rights of action by
548 bondholders as is customary in trust agreements securing bonds
549 or debentures of corporations. In addition to the foregoing,
550 such resolution or such trust agreement may contain such other
551 provisions as the District may deem reasonable and proper for
552 the security of the bondholders. Except as otherwise provided
553 in this section, the District may provide, by resolution or by
554 trust agreement, for the payment of the bond proceeds or
555 revenues to such officer, board, or depository as determined by
556 the District. The District may also provide the method of
557 disbursement thereof, with such safeguards and restrictions as
558 it may determine. All expenses incurred in carrying out such



559 trust agreement may be treated as part of the cost of operation
560 of the system affected by such trust agreement.

561 (4) A resolution or trust agreement providing for the
562 issuance of the revenue bonds may also contain such limitations
563 upon the issuance of additional revenue bonds as the District
564 may deem proper, and such additional revenue bonds shall be
565 issued under such restrictions or limitations as may be
566 prescribed by such resolution or trust agreement.

567 (5) Revenue bonds may be issued under the provisions of
568 this act without obtaining the consent of any commission, board,
569 bureau, or agency of the state or county and without any other
570 proceeding or the happening of any condition or thing other than
571 those proceedings, conditions, or things which are specifically
572 required by act.

573 (6) The proceeds of the revenue bonds shall be used solely
574 for the payment of the cost of the project for which such
575 revenue bonds were issued and shall be disbursed in the manner
576 provided in the resolution or in the trust agreement authorizing
577 the bond issuance. If the proceeds of the revenue bonds of any
578 issue shall exceed the amount required for the purpose for which
579 the same shall have been issued, the surplus shall be set aside
580 and used only for paying the principal of and interest on such
581 bonds.

582 (7) Any holder of revenue bonds issued under this act or
583 any of the coupons appertaining thereto and the trustee under
584 any trust agreement, except to the extent that the rights herein
585 given may be restricted by such trust agreement, may, either at
586 law or in equity, by suit, action, mandamus, or other



587 proceedings, protect and enforce any and all rights under the
588 laws of Florida or granted hereunder or under such trust
589 agreement or the resolution authorizing the issuance of such
590 bonds and may enforce and compel the performance of all duties
591 required by this section or by such trust agreement or
592 resolution to be performed by the District or by any officer
593 thereof.

594 Section 7. Refunding bonds.--The District is hereby
595 authorized to provide by resolution for the issuance of
596 refunding revenue bonds for the purpose of refunding any revenue
597 bonds then outstanding and issued under the provisions of this
598 act. The District is further authorized to provide by
599 resolution for the issuance of bonds for the combined purpose of
600 paying the cost of any acquisition, construction, repair,
601 extensions, additions, equipping, and reconstruction of any
602 system facilities and refunding revenue bonds of the District
603 which were previously issued under the provisions of this act
604 and which remain outstanding. The issuance of such obligations,
605 the maturities and other details thereof, the rights and
606 remedies of the holders thereof, and the rights, powers,
607 privileges, duties, and obligations of the District with respect
608 to the same shall be governed by the foregoing provisions of
609 this act.

610 Section 8. Levy of ad valorem taxes, payment of
611 bonds.--The District is hereby authorized and required to levy
612 annually a tax upon all taxable property within the District
613 sufficient to pay the principal of and interest on all bonds
614 issued under this act as the same shall respectively become due



615 and payable and to create a sinking fund to pay the principal
616 thereof at or before maturity; however, any yearly revenues
617 received in excess of the amount required to pay the current
618 expenses of administration, operation, maintenance, renewals,
619 and replacements of said water supply and distribution system
620 shall be applied to pay such interest and principal and only
621 such portion or amount of the annual tax as would otherwise be
622 required shall be actually so levied and collected. A certified
623 copy of the resolution or resolutions making provisions for the
624 levy of taxes as aforesaid shall be filed with both the Board of
625 County Commissioners of Citrus County and the State Comptroller.

626 Section 9. Authority to levy and collect tax on real and
627 personal property for administrative costs, expenditure
628 generally.--As provided in this act, the District is hereby
629 authorized each year to levy and collect an annual tax on all
630 taxable real and personal property in the District at a rate not
631 exceeding 3 mills per annum, the proceeds of which shall be used
632 and applied to the payment of the cost of administration of the
633 District or may be expended for preliminary expenses in
634 connection with the acquisition of such water supply and
635 distribution system and placing the same in operation and may
636 further be expended for the maintenance, improvement,
637 enhancement, repair, extension, enlargement, reconstruction,
638 ownership, operation, management, and control of said water
639 supply and distribution system.

640 Section 10. Construction contracts.--All work done by the
641 District in the construction, reconstruction, repair,
642 maintenance, improvement, or enlargement of such water supply



643 and distribution system involving the expenditure of more than
644 \$5,000 shall be done by contract entered into following
645 advertisement for bids received on a stated date pursuant to
646 notice for sealed bids published at least once each week for 2
647 consecutive weeks in a newspaper or journal of general
648 circulation among contractors in the State of Florida, and all
649 such contracts shall be secured by performance bonds in an
650 amount not less than 80 percent of the contract price, furnished
651 by a surety company or companies authorized to do business in
652 the State of Florida.

653 Section 11. Special assessments for construction,
654 reconstruction, repair, or maintenance of improvements.--

655 (1) The District may provide for the construction,
656 reconstruction, repair, and/or maintenance of improvements to
657 the system of a local nature and of special benefit to the
658 properties served thereby. Such special assessments shall be
659 levied upon the property to be benefited by such improvements at
660 a rate of assessment based on the special benefit accruing to
661 such property.

662 (2) Special assessments against property deemed to be
663 benefited by improvements as provided for herein shall be
664 assessed upon the property specially benefited by the
665 improvement and proportioned by the benefits to be derived
666 therefrom, said special benefits to be determined and prorated
667 according to the front footage of the respective property
668 specially benefited by said improvement or by such other method
669 as the board may prescribe.



670 (3) When the District may determine to make any
671 improvement authorized herein, and to defray the whole or any
672 part of the expense thereof by special assessments, the District
673 shall so declare by resolution, stating the nature of the
674 proposed improvement, designating the areas to be so improved,
675 the location of the improvements, and the part or portion of the
676 expense thereof to be paid by special assessments, the manner in
677 which said assessments shall be made, when said assessments are
678 to be paid, what part, if any, shall be apportioned to be paid
679 from other funds designated by the District; and said resolution
680 shall designate the lands upon which the special assessment
681 shall be levied and in describing said lands, it shall be
682 sufficient to describe them as "all lots and lands adjoining and
683 contiguous to or bounding and abutting upon such improvements or
684 specially benefited thereby and further designated by the
685 assessment plan hereinafter provided for." Such resolution
686 shall also state the total estimated cost of the improvement.
687 Such estimated cost may include the cost of construction or
688 reconstruction, repair, and maintenance, the cost of all labor
689 and materials, the cost of all lands, property, rights,
690 easements, and franchises acquired, financing charges, interest
691 prior to and during construction and for 1 year after completion
692 of construction, cost of plans and specifications, surveys of
693 estimates of costs and of revenues, cost of engineering and
694 legal services, and all other expenses necessary or incident to
695 determining the feasibility or practicability of such
696 construction or reconstruction, repair, and maintenance,



697 administrative expense, and such other expense as may be
698 necessary or incident to the financing herein authorized.

699 (4) Upon adoption of the resolution provided for herein,
700 the District shall cause the resolution to be published once a
701 week for 2 consecutive weeks in a newspaper of general
702 circulation published in Citrus County.

703 (5) Upon adoption of the resolution, the District shall
704 cause to be made a preliminary assessment roll in accordance
705 with the method of assessment provided for in the resolution.
706 The assessment roll shall be completed as promptly as possible
707 and shall show the lots and lands assessed and the amount of the
708 benefit to and the assessment against each lot or parcel of land
709 and, if said assessment is to be paid in installments, the
710 number of annual installments in which the assessment is
711 divided.

712 (6) Upon completion of the preliminary assessment roll,
713 the District shall by resolution fix a time and place at which
714 the owners of the property to be assessed, or any other persons
715 interested therein, may appear before the District and be heard
716 as to the propriety and advisability of making such
717 improvements, as to the costs thereof, as to the manner of
718 payment therefor, and as to the amount thereof to be assessed
719 against each property so improved. A written notice of such
720 public hearing shall be given to such property owners 10 days
721 prior to such hearing identifying the date, time, and place of
722 such hearing. The notice shall include the amount of the
723 assessment and shall be served by mail to each such property
724 owner at the owner's last known address. The District shall



725 ascertain the names and addresses of such property owners from
726 the Property Appraiser or from such other source as the District
727 deems reliable, proof of such mailing to be made by a District
728 affidavit, and such proof shall be filed with the Secretary-
729 Treasurer of the board, provided that failure to mail said
730 notice or notices shall not invalidate any of the proceedings
731 hereunder. The District shall also provide notice of the time
732 and place of such hearing by publications placed in a newspaper
733 of general circulation in Citrus County at least two times, at
734 least 1 week apart, provided that the last publication shall be
735 at least 1 week prior to the date of the hearing. The notice
736 shall describe the areas to be improved and shall advise all
737 persons interested that the description of each property to be
738 assessed and the amount to be assessed to each piece or parcel
739 of property may be ascertained at the District offices and are
740 open to public inspection. Such service of publication shall be
741 verified by proof of publication and filed with the Secretary-
742 Treasurer of the District.

743 (7) At the time and place named in the notice provided for
744 above, the Board of Commissioners shall meet and hear testimony
745 from affected property owners as to the propriety and
746 advisability of making the improvements and funding them with
747 special assessments on property. Following the testimony, the
748 board shall make a final decision on whether to levy the special
749 assessments. Thereafter, the board shall meet as an equalizing
750 board to hear and consider any and all complaints as to the
751 special assessments and shall adjust and equalize the
752 assessments based on equity and fairness. When so equalized and



753 approved by resolution of the board, a final assessment roll
754 shall be filed with the office of the Clerk of the Circuit Court
755 of Citrus County, and such assessment shall stand confirmed and
756 remain legal, valid, and binding first liens upon the property
757 against which such assessments are made until paid. However,
758 upon completion of the improvement, the District shall credit to
759 each of the assessments the difference in the assessment as
760 originally made, approved, and confirmed and the proportionate
761 part of the actual cost of the improvement to be paid by special
762 assessments as finally determined upon the completion of the
763 improvement, but in no event shall the final assessments exceed
764 the amount of benefits originally assessed. Promptly after such
765 confirmation, the assessment shall be recorded by the Clerk of
766 the Circuit Court in Citrus County. From the date of such
767 recording, the assessments shall constitute liens upon the
768 properties assessed, coequal with the lien of general county and
769 district taxes, including ad valorem taxes, and shall be
770 superior in rank and priority to all of the liens, titles, and
771 claims. The assessment shall be collectible and shall be
772 entitled to sale and forfeiture in the same manner and with the
773 same attorney's fee, interest, and penalties for default in
774 payments as general county taxes. Collection may also be
775 effected by foreclosure in a court of equity, according to the
776 laws then existing for the foreclosure of mortgages, and it
777 shall be lawful to join in any such bill or complaint for
778 foreclosure on any one or more lots or parcels of land, by
779 whomsoever owned, if assessed for the same improvement made
780 under the provisions of this section. Failure to pay any



781 installment of principal or interest of any assessment when due
782 shall, without notice of other proceedings, cause all
783 installments of principal remaining unpaid to be forthwith due
784 and payable with interest due thereon at date of default.

785 (8) Citrus County, the District, and each school district,
786 municipality, or other political subdivision owning property
787 abutting upon the improvement for which special assessments are
788 made shall possess the same power and be subject to the same
789 duties and liabilities with respect to the assessments under
790 this section affecting the real estate of such county, district,
791 municipality, or political subdivision which private owners of
792 real estate possess or are subject to hereunder. Such real
793 estate shall be subject to the liens of assessments in all cases
794 to the same extent as if it had, at the time the lien attached,
795 been owned by a private owner.

796 (9) All such assessment liens shall be due and payable at
797 the office of the Tax Collector of Citrus County 30 days after
798 the date of the recording of the assessment roll. All
799 assessment liens not paid within said period shall become
800 payable in not more than 10 equal annual installments, the
801 number to be determined by the District at the time of the
802 confirmation and approval of the assessment roll with interest
803 at not more than 10 percent per annum from the date due; but any
804 assessment lien becoming so payable in installments may be paid
805 in full at any time, together with interest accrued thereon to
806 the last day of the calendar quarter in which such payment is
807 made.



808 (10) After the equalization, approval, and confirmation of
809 the special assessments levied for the proposed improvements,
810 the District may utilize any method allowable by law for the
811 funding of the special assessments. These methods may include
812 third-party financing with any reputable lender, the issuance of
813 special assessment bonds of the District for the payment of such
814 portion of the cost assessed against the properties specifically
815 benefited thereby and for the reimbursement of any fund of the
816 District from which any part of such cost has previously been
817 paid. The amount of such bonds authorized to be issued
818 hereunder shall not exceed in the aggregate the total amount of
819 the assessment liens pledged for their payment and shall mature
820 at such time or times not later than 6 months after the last
821 installment of the special assessment liens pledged to the
822 payment thereof, as may be determined by the District.

823 (11) The bonds issued under this section shall be payable
824 solely from the special assessments, the installments thereof,
825 and interest and penalties thereof which have been pledged to
826 their payment and shall not be deemed to constitute a general
827 obligation of the District for the payment of which the full
828 faith, credit, and taxing powers thereof are pledged. The
829 issuance of such bonds shall not directly, indirectly, or
830 contingently obligate the District to levy or pledge any form of
831 ad valorem taxation.

832 (12) All collections of assessments contained in any one
833 assessment roll and the interest and penalties thereon shall be
834 deposited in a separate fund properly designated, and such fund
835 shall be pledged to, and used solely for, the payment of the



836 cost of the improvements or for the payment of the principal of
837 and interest on any revenue bonds or special assessment bonds
838 issued under this section for the construction of the
839 improvements for which said assessments were made until all of
840 said bonds and the interest thereon shall have been fully paid.
841 If bonds are issued for more than one improvement, all
842 assessments collected for all such improvements may by District
843 resolution be placed in one fund, which shall be maintained,
844 pledged, and applied for the payment of the principal of and
845 interest on said bonds.

846 (13) If any special assessment made under the provisions
847 of this act shall be either in whole or in part annulled,
848 vacated, or set aside by the judgment of any court, or if the
849 District shall be satisfied that any such assessment is so
850 irregular or defective that the same cannot be enforced or
851 collected, or if the District shall have omitted to make such
852 assessment when it might have done so, the District shall take
853 necessary steps to cause a new assessment to be made for the
854 whole or any part of any improvement or against any property
855 benefited by any improvement, following the provisions of this
856 act. In the event such second assessment shall be annulled, the
857 board may obtain and make additional assessments until a valid
858 assessment shall be levied.

859 (14) All assessments and charges made pursuant to this act
860 may be pledged to the payment of the principal of and interest
861 on any revenue bonds or special assessment bonds issued by the
862 District.



863 (15) The District may make allowances and grant credit to
864 property owners for improvements previously made by such
865 property owners to the extent the District determines such
866 existing improvements to be of value and utility as a part of
867 the improvements for which such assessment is made and may
868 prescribe a plan for fixing and determining such allowances and
869 credits.

870 (16) In fixing and enforcing the assessments provided for
871 herein, where any land has been surveyed, subdivided, or platted
872 into small tracts designated as lots or blocks or otherwise, and
873 the owner of the surveyed, subdivided, or platted land
874 recognizes such survey, subdivision, or plat, the land embraced
875 in such may be described by reference to such whether or not any
876 plat thereof has been recorded.

877 (17) If the owner or owners of any lot or parcel of land
878 assessed under the provisions of this section and all those
879 having any interest therein by way of mortgage or other lien or
880 leasehold rights or otherwise shall in writing request that such
881 assessment be divided so that a part of the same shall be the
882 assessment on and constitute a lien on one portion of such lot
883 or parcel and the remainder shall be the assessment on and
884 constitute a lien or liens against the remainder of such parcel
885 or separate parts thereof, the District, in its discretion,
886 shall have the power to divide such assessment in accordance
887 with such request, and thereafter the separate parts of such
888 assessment shall be the assessments and constitute separate
889 liens upon the parts of the lot or parcel, respectively, into
890 which the same shall have been so divided. Any resolution making



891 such division shall recite a finding of the District that such
892 division is equitable and is based upon the benefits accruing to
893 each portion as divided.

894 (18) No irregularity or illegality in connection with any
895 of the proceedings herein authorized shall affect the validity
896 of such proceedings, the special assessments levied thereunder,
897 or any bonds or contracts issued or executed pursuant thereto
898 unless such irregularity or illegality shall substantially
899 affect the rights of the District, its inhabitants, or the
900 owners of the properties assessed for such improvements.

901 (19) A copy of any assessment roll, certified as correct
902 by the Tax Collector of Citrus County, shall be admitted as
903 evidence and shall be prima facie proof of the amount of the
904 assessment and the property upon which said assessment is
905 levied.

906 (20) When any part of an improvement to be made hereunder
907 lies in part within the limits of an incorporated city or town,
908 the board shall nevertheless be authorized to make such
909 improvement with respect to the part lying within such city or
910 town and to provide for assessing the cost thereof as herein
911 provided if the governing body of such city or town shall by
912 resolution or ordinance consent to the adoption and confirmation
913 of the resolution passed or to be passed by the board offering
914 the improvement.

915 Section 12. Exemption from taxation and
916 assessments.--Pursuant to sections 189.403 and 196.199, Florida
917 Statutes, as the same may be amended from time to time, the
918 District shall not be required to pay any taxes or assessments



919 upon its assets or properties or upon the income therefrom.

920 Section 4. This act shall be construed as remedial and
 921 shall be liberally construed to promote the purpose for which it
 922 is intended.

923 Section 5. In the event any section or provision of this
 924 act is determined to be invalid or unenforceable, such
 925 determination shall not affect the validity or enforceability of
 926 each other section and provision of this act.

927 Section 6. Chapters 24429 (1947), 25726 (1949), 59-1177,
 928 63-1222, 70-630, 73-431, 76-346, 76-347, 77-528, 79-440, 80-475,
 929 80-476, 81-360, 82-279, 83-386, 84-410, 85-399, 86-456, 88-463,
 930 88-484, 88-533, 89-436, 89-464, 89-499, 90-418, 90-419, 92-241,
 931 92-337, and 96-525, Laws of Florida, are repealed.

932 Section 7. This act shall take effect upon becoming a law.
 933