

CHAMBER ACTION

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

3
4 **Committee Substitute**

5 Remove the entire bill and insert:

6 A bill to be entitled

7 An act relating to the West Villages Improvement
8 District, City of North Port, Sarasota County;
9 providing a short title; providing a district charter;
10 creating an independent special district; providing a
11 district boundary; providing for amendment only by
12 special act; providing powers, functions, and duties;
13 providing for a governing board, elections,
14 qualifications, terms of office, staggering terms of
15 office, removal from office, and filling vacancies;
16 providing for election of a chair, vice chair, and
17 secretary-treasurer; providing a quorum; providing
18 requirements for meetings and notice; providing
19 requirements for reports, budgets, and audits;
20 providing for liberal construction; authorizing the
21 levy of non-ad valorem assessments; specifying method
22 of collection and enforcement of non-ad valorem
23 assessments; authorizing property appraiser's and tax

24 collector's fees or commissions; providing for
 25 collection and enforcement of fees, costs, and
 26 expenses; providing for issuance of revenue bonds,
 27 assessment bonds, bond anticipation notes, and general
 28 obligation bonds; providing for the applicability of
 29 provisions of chapters 189 and 298, Florida Statutes,
 30 and other general laws; providing for severability;
 31 providing an effective date.

32
 33 Be It Enacted by the Legislature of the State of Florida:

34
 35 Section 1. Popular name.--This act may be cited as the
 36 "West Villages Improvement District Act."

37 Section 2. District; creation, jurisdiction, and
 38 purpose.--

39 (1) The West Villages Improvement District, herein
 40 referred to as the "district," is hereby created and
 41 incorporated as an independent special district, pursuant to
 42 chapter 189, Florida Statutes, to be known as the West Villages
 43 Improvement District, in the City of North Port, Sarasota
 44 County, which independent special district shall be a public
 45 body corporate and politic.

46 (2) The district's territorial boundary shall embrace and
 47 include that real property described in following section 17.

48 (3) The district is created for all purposes as shall be
 49 liberally construed from and set forth in this act, under
 50 sections 189.401-189.429, Florida Statutes, provided that
 51 section 189.4045(2), Florida Statutes, is specifically excluded

52 and not applicable to the district or the City of North Port,
 53 and chapter 298, Florida Statutes, as the same may be amended
 54 from time to time, and may perform such acts as shall be
 55 necessary, convenient, incidental, or proper for the provision,
 56 acquisition, development, operation, and maintenance of those
 57 public infrastructure works and services authorized herein,
 58 including all facilities necessary and incidental thereto.

59 (4) The district charter created by this act may be
 60 amended only by special act of the Legislature. Any expansion of
 61 the powers or the boundaries of the district within the City of
 62 North Port shall require prior approval of the City of North
 63 Port Commission or its designee.

64 (5) The definition of terms and phrases shall be as set
 65 forth in chapters 189 and 298, Florida Statutes, unless
 66 otherwise herein defined.

67 Section 3. District powers, functions, and duties.--

68 (1) In addition to any powers, functions, and duties set
 69 forth in this act, the district shall have the authority to
 70 exercise such powers, functions, and duties as may be set forth
 71 in chapter 298, Florida Statutes.

72 (2) The district is hereby authorized and empowered as
 73 follows:

74 (a) To adopt by resolution bylaws for the regulation of
 75 its affairs and the conduct of its business.

76 (b) To adopt by resolution rules as necessary for
 77 implementation, regulation, and enforcement as are consistent
 78 with the purposes of the district and this act.

79 (c) To adopt an official seal reflecting the name and
80 nature of the district.

81 (d) To acquire by grant, loan, purchase, gift, transfer,
82 exchange, dedication, lease, devise, or, when reasonably
83 necessary for the implementation of district-authorized public
84 infrastructure works, facilities, or services by means of the
85 exercise of the right of eminent domain pursuant to the laws of
86 the state and in accordance with section 12 of this act, all
87 property, real or personal, or any easement, license, estate, or
88 interest therein necessary, desirable, or convenient for the
89 purposes of this act, and to sell, convey, transfer, gift,
90 lease, rent, dedicate, forfeit, abandon, exchange, or assign all
91 or any part thereof to or with other entities, including
92 governmental entities and agencies, and to exercise all of its
93 powers and authority with respect thereto. The district shall
94 not have the right of eminent domain outside of the boundaries
95 of the district. Notwithstanding anything contained herein, the
96 district shall not obtain fee simple title to any real property
97 within the district except by dedication on an approved plat,
98 with the approval of the City of North Port Commission or its
99 designee, or if otherwise required by another governmental
100 entity or agency. Any property interests owned by the district
101 which are used for nonpublic or private commercial purposes
102 shall be subject to all ad valorem taxes, intangible personal
103 property taxes, or non-ad valorem assessments, as would be
104 applicable if said property were privately owned.

105 (e) To finance, plan (consistent with City of North Port
106 Comprehensive Plan and implementing ordinances, studies, and

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107 plans), design, acquire, construct, install, operate, equip,
 108 upgrade, reclaim, replace, extend, renovate, mitigate, and
 109 maintain canals, swales, outfalls, dams, control structures,
 110 pumps and pumping systems, aerators, seawalls, berms, ditches,
 111 telemetry and monitoring equipment, retention areas, holding
 112 basins, marshes, wetlands, uplands, drains, levees, lakes,
 113 ponds, and other works or elements for modern comprehensive
 114 water management drainage, environmental, mitigation
 115 preservation, erosion, quality, and control purposes, and further
 116 that the district shall agree, at the request of the City of North
 117 Port Commission or its designee, subject to a developer's
 118 agreement with the City of North Port (neither party's consent to
 119 said developer's agreement shall be unreasonably withheld), to
 120 donate and turn over operation of all or any portion of said water
 121 management system to the City of North Port.

122 (f) To regulate, modify, control, and redirect the supply
 123 and level of water within the district if consistent with City
 124 of North Port and Southwest Florida Water Management District
 125 rules and regulations, including the division of waters from one
 126 area, lake, pond, river, stream, basin, or water control
 127 facility to another; to control and restrict the development and
 128 use of natural or artificial streams or bodies of water, lakes,
 129 or ponds; and to take of measures determined by the board to be
 130 necessary or desirable to prevent or alleviate land erosion,
 131 flooding, or water quality problems or issues, provided all such
 132 activity shall be carried out in accordance with applicable
 133 federal, state, and local government rules and regulations.

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134 (g) To finance the implementation of appropriate studies,
135 whether by the district or in conjunction with other agencies or
136 entities, to assist in implementing the district's powers,
137 authorities, and purposes as set forth herein and to facilitate
138 the orderly management of the district and its works and
139 facilities.

140 (h) To finance, plan (consistent with City of North Port
141 Comprehensive Plan and implementing ordinances, studies, and
142 plans), design, acquire, construct, install, operate, equip,
143 upgrade, replace, extend, renovate, and maintain irrigation
144 works, machinery, plants, and appurtenances.

145 (i) To finance, plan (consistent with City of North Port
146 Comprehensive Plan and implementing ordinances, studies, and
147 plans), design, acquire, construct, install, operate, equip,
148 upgrade, replace, extend, renovate, and maintain roadways; and
149 to include either as a component of such roads or independently
150 by themselves, parkways, bridges, landscaping, irrigation,
151 bicycle and jogging paths, street lighting, entry features,
152 traffic signals, road striping, and all other customary elements
153 or appurtenances of a modern road system for the exclusive use
154 and benefit of the district, a unit of development, and/or its
155 landowners, residents, and invitees in order to control ingress
156 and egress; to finance and maintain said roads and their
157 associated elements and components as a part of a plan of
158 improvements; to construct and maintain security structures to
159 control the use of said roads; to make provision for access by
160 fire, police, and emergency vehicles and personnel for the
161 protection of life and property; to include, in the annual

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162 assessment of non-ad valorem assessments as authorized,
 163 sufficient funds to finance and maintain said roads as a part of
 164 a plan of improvements, and to adopt, by resolution of the
 165 board, rules and regulations for the control of traffic, noise
 166 levels, crime, and the use of the roads by those authorized.
 167 Provided that in the event the district should construct all or
 168 any portion of a major thoroughfare or transportation route as
 169 identified in section 163.3177(6)(b), Florida Statutes, the
 170 district will not be permitted to limit said thoroughfare or
 171 transportation route for the exclusive use and benefit of the
 172 district, a unit of development, and/or its residents without
 173 the written consent of the applicable local general government.
 174 Notwithstanding anything to the contrary herein, construction of
 175 roads by the district shall not be in conflict with City of
 176 North Port rules, master plans, plans, specifications, or
 177 regulations. The district shall agree, at the request of the City
 178 of North Port Commission or its designee, subject to applicable
 179 impact fee ordinances and a developer's agreement with the City of
 180 North Port (neither party's consent to said developer's agreement
 181 shall be unreasonably withheld), to donate and turn over operation
 182 of all or any portion of any public roadway system to the City of
 183 North Port.

184 (j) To finance, plan (consistent with City of North Port
 185 Comprehensive Plan and implementing ordinances, studies, and
 186 plans), design, acquire, construct, install, operate, equip,
 187 upgrade, replace, extend, renovate, and maintain entry features,
 188 garages, parking facilities, district offices, buildings,
 189 facilities, and structures.

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190 (k) To finance, plan (consistent with City of North Port
 191 Comprehensive Plan and implementing ordinances, studies, and
 192 plans), design, acquire, construct, install, operate, equip,
 193 upgrade, replace, extend, renovate, reclaim, mitigate, protect,
 194 remove exotics, and maintain improvements, works, landscaping,
 195 systems, structures, buildings, and facilities for community or
 196 public preserves, uplands, wetlands, playgrounds, parks,
 197 gymnasiums, stadiums, ballfields, greenways, waterways, and
 198 facilities for indoor and outdoor recreational, sport, cultural,
 199 and educational uses.

200 (l) To finance, plan (consistent with City of North Port
 201 Comprehensive Plan and implementing ordinances, studies, and
 202 plans), design, acquire, construct, install, operate, set, and
 203 charge by resolution access, user, or connection fees and
 204 charges, equip, upgrade, replace, store, extend, renovate, and
 205 maintain water plants and systems, plus appurtenances, to
 206 produce, desalinate, purify, sell, and distribute water for
 207 consumption, irrigation, or other purposes; provided that the
 208 exercise of such construction, operation, fee establishment, and
 209 production powers by the district shall require the prior approval
 210 of the City of North Port Commission or its designee, and further
 211 that the district shall agree, at the request of the City of North
 212 Port Commission or its designee, subject to a utility developer's
 213 agreement with the City of North Port (neither party's consent to
 214 said developer's agreement shall be unreasonably withheld), to
 215 donate and turn over operation of all or any portion of said water
 216 system to the City of North Port.

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217 (m) To finance, plan (consistent with City of North Port
 218 Comprehensive Plan and implementing ordinances, studies, and
 219 plans), design, acquire, construct, install, operate, set, and
 220 charge by resolution access, user, or connection fees and
 221 charges, equip, upgrade, replace, extend, renovate, and maintain
 222 sewer systems, plus appurtenances, for the collection, disposal,
 223 and reuse of effluent, waste, residue, or other byproducts of
 224 such system, prevent pollution, and improve water quality;
 225 provided that the exercise of such construction, operation, and
 226 fee establishment powers by the district shall require the prior
 227 approval of the City of North Port Commission or its designee, and
 228 further that the district shall agree, at the request of the City
 229 of North Port Commission or its designee, subject to a utility
 230 developer's agreement with the City of North Port (neither party's
 231 consent to said developer's agreement shall be unreasonably
 232 withheld), to donate and turn over operation of all or any portion
 233 of said wastewater system to the City of North Port.

234 (n) To finance, plan (if not inconsistent with other
 235 responsible agencies or authorities), design, acquire,
 236 construct, install, operate, equip, upgrade, replace, extend,
 237 renovate, and maintain improvements and facilities for and take
 238 measures to control mosquitoes or other insects and arthropods
 239 of public health importance.

240 (o) To finance, plan (consistent with City of North Port
 241 Comprehensive Plan and implementing ordinances, studies, and
 242 plans), design, acquire, construct, install, operate, equip,
 243 upgrade, replace, extend, renovate, and maintain lands, works,
 244 systems, landscaping, and facilities for preservation areas,

245 conservation areas, environmental areas, mitigation areas, and
 246 wildlife habitat or sanctuaries, including the maintenance of
 247 any plant or animal species, and any related interest in real or
 248 personal property. The district shall allow the City of North
 249 Port access to all such improvements and shall allow access by
 250 the public when appropriate.

251 (p) To finance, plan (consistent with City of North Port
 252 Comprehensive Plan and implementing ordinances, studies, and
 253 plans), design, acquire, construct, install, operate, equip,
 254 upgrade, replace, extend, renovate, and maintain additional
 255 systems and facilities for school buildings and related
 256 structures which may be donated to a public school district,
 257 subject to a developer's agreement (neither party's consent to
 258 said developer's agreement shall be unreasonably withheld), for
 259 use in the educational system; provided that donation of any
 260 land and the exercise of such construction powers by the
 261 district shall require the prior approval of the School Board of
 262 Sarasota County and the City of North Port City Commission or
 263 its designee.

264 (q) To levy non-ad valorem assessments; prescribe, fix,
 265 establish, and collect rates, fees, rentals, fares, or other
 266 charges, and to revise the same from time to time, for property,
 267 facilities, and services made available, furnished, or to be
 268 furnished by the district; and to recover the cost of making or
 269 authorizing the connection to any district facility or system or
 270 installing works or improvements on or within district property
 271 interests. However, no rates, fares, charges, or fees shall be
 272 established until after a public hearing of the board at the

273 district at which all affected persons shall be given an
 274 opportunity to be heard.

275 (r) To provide for the discontinuance of service and
 276 reasonable penalties, including reasonable attorney's fees,
 277 against any user or property for any such rates, fees, rentals,
 278 fares, or other charges that become delinquent and require
 279 collection.

280 (s) To enter into agreements with any person, firm,
 281 entity, partnership, or corporation (public, private, or
 282 governmental) for the furnishing by such person, firm, entity,
 283 partnership, or corporation of any facilities and services of
 284 the type provided for, authorized, or necessarily implied as
 285 being authorized in this act.

286 (t) To borrow money and issue negotiable or other bonds of
 287 said district as hereinafter provided; and to borrow money, from
 288 time to time, and issue negotiable or other notes of said
 289 district therefore, bearing interest at not exceeding the
 290 maximum interest allowable by law, in anticipation of the
 291 collection of levies, fees, penalties, charges, fares, and
 292 assessments or revenues of said district, and to pledge or
 293 hypothecate such non-ad valorem assessments, levies,
 294 assessments, and revenues to secure such bonds, notes, or
 295 obligations, and to sell, discount, negotiate, and dispose of
 296 the same.

297 (u) To provide for safety enhancements, including, but not
 298 limited to, security, guardhouses, fences, and gates, and
 299 electronic intrusion detection systems; except that the district
 300 shall not be authorized or empowered to exercise any police

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301 power, but may contract with the appropriate local general
 302 purpose government agencies for an increased level of such
 303 service. Notwithstanding anything to the contrary, nothing
 304 herein shall allow the district to limit the level of law
 305 enforcement provided by federal, state, or local governmental
 306 agencies.

307 (v) To provide, at the request of local general purpose
 308 governments consistent with the plans of the local general
 309 purpose government, systems and facilities for fire prevention
 310 and control and emergency medical services, including the
 311 construction or purchase of fire stations, water mains and
 312 plugs, fire trucks, and other vehicles and equipment consistent
 313 with any adopted local general purpose government ordinances,
 314 rules, or regulations and, further, that the district shall
 315 agree, at the request of the local general purpose government,
 316 subject to a developer's agreement with the City of North Port
 317 (neither party's consent to said developer's agreement shall be
 318 unreasonably withheld), to donate and turn over operation of all
 319 or any portion of said facilities to the local general purpose
 320 government.

321 (w) To submit for and obtain permits, plus make and enter
 322 into contracts and agreements as are necessary or incidental to
 323 the performance of the duties imposed and the execution of the
 324 powers granted under this act, and to employ such consulting and
 325 other engineers, superintendents, managers, administrators,
 326 construction and financial experts, attorneys, and such
 327 employees and agents as may, in the judgment of the district, be
 328 necessary, and to fix their compensation.

329 (x) To require any individual or entity desiring to
 330 construct any structure in, over, under, upon, or occupying
 331 district property or right-of-way or connecting to or utilizing
 332 the works of the district to first obtain written authorization
 333 from the district and comply with all City of North Port and
 334 district plans, rules, regulations, policies, and
 335 specifications, provided that said written authorization shall
 336 be issued upon compliance with such applicable City of North
 337 Port and district plans, rules, regulations, policies, and
 338 specifications. The board of supervisors shall be permitted the
 339 discretion to deny or revoke any written authorization or
 340 application for same if they find that the matter for which the
 341 authorization is sought or granted does not comply with the City
 342 of North Port and district plans, rules, regulations, or
 343 policies. All fees and costs, including construction, review,
 344 inspection, copying, engineering, legal, and administrative
 345 expenses of the district, shall be paid by the applicant seeking
 346 the authorization. Any such district written authorization shall
 347 not be deemed or construed as being an alternative to or in
 348 place of the applicant's obligation to also obtain all other
 349 governmental building and construction permits and approvals.
 350 Any conflict between City of North Port and district plans,
 351 rules, regulations, policies, and specifications shall be
 352 resolved in favor of the City of North Port.

353 (y) To include in a plan of improvements, the engineer's
 354 report, or the authorizing and implementing documents under
 355 chapter 170, Florida Statutes, which shall include, but are not
 356 limited to, all applicable resolutions, assessment maps, and/or

357 assessment rolls (the "chapter 170 authorizing documents"), all
 358 or one or more of the various powers and functions, including
 359 individual parts or components thereof, of the district or any
 360 combination of same and to construct and finance said individual
 361 or combination of such powers and functions, including
 362 individual parts or components thereof. It is the intent of this
 363 section that a plan of improvements, the engineer's report, or
 364 chapter 170 authorizing documents may provide for a single
 365 benefit to the land authorized by the laws pertaining to the
 366 district or one or more of all of said benefits or combination
 367 thereof as long as there are benefits accruing to the land.

368 (z) To provide in a plan of improvements, the engineer's
 369 report, or chapter 170 authorizing documents that in assessing
 370 the benefits and damages to be incurred by lands of the district
 371 from the implementation, provision, or construction of a plan of
 372 improvements or improvements or services pursuant to chapter 170
 373 authorizing documents, the varying types of existing or proposed
 374 land uses of the land within the unit or affected by such
 375 construction or implementation, as the case may be, may be
 376 considered and be entitled to so assess the benefits and
 377 damages. The district may levy non-ad valorem assessments based
 378 upon the benefits assessed in such manner, taking into account
 379 the varying existing or proposed land uses of the land affected
 380 by such construction as shall provide for the equitable
 381 apportionment of such assessments. Such assessments may be
 382 levied on the basis of lots, units, acreage, parcels, equivalent
 383 connection, or uses or as otherwise set forth in the engineer's
 384 report or in the chapter 170 authorizing documents.

385 (aa) To establish and create such departments, committees,
 386 boards, or other agencies, including a public relations
 387 committee, as from time to time the board of supervisors may
 388 deem necessary or desirable in the performance of the acts or
 389 other things necessary to the exercise of the powers provided in
 390 this act, and to delegate to such departments, committees,
 391 boards, or other agencies such administrative duties and other
 392 powers as the board of supervisors may deem necessary and to
 393 exercise all other powers necessary convenient or proper in
 394 connection with any of the powers or duties of said district
 395 stated in this act by and through the board of supervisors.
 396 Notwithstanding anything contained herein, no such departments,
 397 committees, boards, or other agencies shall have the power or
 398 authority to supersede any powers or authorities of the City of
 399 North Port.

400 (bb) Notwithstanding any authority contained within this
 401 section, the development, operation, or maintenance of any
 402 district facilities or services shall comply with the adopted
 403 comprehensive plan, unified land development code, zoning code,
 404 and any other city codes of the City of North Port.

405 (cc) To establish, or otherwise make available, a plan for
 406 retirement, disability, dental, death, hospitalization, and
 407 other appropriate benefits for employees of the district.

408 (dd) To invest surplus funds of the district consistent
 409 with the Investment of Local Government Surplus Funds Act, part
 410 IV, chapter 218, Florida Statutes.

411 (ee) To submit to the City of North Port the plan of
 412 improvement for major government infrastructure capital elements

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413 that may eventually be dedicated or donated to the City of North
 414 Port so that the city can rely on and incorporate said plan of
 415 improvement into the City's Capital Improvement Plan.

416 (ff) To apply for, obtain, and utilize any grants from
 417 other entities consistent with the powers of the district;
 418 provided, however, that district shall coordinate with and
 419 obtain timely authorization from the City of North Port
 420 Commission or its designee prior to the submittal of any grant
 421 application.

422 (gg) Following methodology consistent with the county's
 423 concurrency management regulations, and notwithstanding any
 424 authority contained within this section, the district shall not
 425 construct any improvements within the district, pursuant to any
 426 development order, where that development would cause the level
 427 of service on any concurrency regulated facility in
 428 unincorporated Sarasota County to drop below the level of
 429 service adopted as of the effective date of this act, or
 430 subsequently reduced level of service, in the Sarasota County
 431 Comprehensive Plan pursuant to chapter 163, Florida Statutes,
 432 without paying its fair share contribution to improving that
 433 facility, and Sarasota County shall have the right under section
 434 163.3215, Florida Statutes, to contest any such development
 435 order on the basis that it fails to require the district to pay
 436 its fair share contribution. The fair share contribution shall
 437 include both the contribution to the county from the fair share
 438 collected by the City of North Port pursuant to the county's
 439 impact fee ordinance and interlocal agreements between Sarasota
 440 County and the City of North Port, as well as direct

441 contributions made to the county by the district. Nothing
 442 contained herein shall be construed as limiting the obligations
 443 of the district or property owners therein as set forth in
 444 Florida Statutes and applicable rules.

445 (hh) The district shall have the power to collect fair
 446 share contributions from Sarasota County should Sarasota County
 447 approve any development order in unincorporated Sarasota County
 448 that creates impacts to concurrency regulated facilities within
 449 the district, which would cause the level of service on any
 450 concurrency regulated facility in the district to drop below the
 451 level of service adopted by the City of North Port for such
 452 facility as of the effective date of this act, or subsequently
 453 reduced level of service.

454 (3) To include in a plan of improvements, the engineer's
 455 report , chapter 170 authorizing documents, or otherwise
 456 provide, for the exercise of the district's powers, services,
 457 facilities, and improvements beyond the territorial boundaries
 458 of the district, when necessary and appropriate in order to
 459 provide a benefit on behalf of lands located within the district
 460 and pursuant to an approved plan of improvements or chapter 170
 461 authorizing documents. Any such construction must be in
 462 accordance with the city's master plans and requirements. Any
 463 such construction within unincorporated Sarasota County must be
 464 in accordance with the county's comprehensive plan, master
 465 plans, and thoroughfare plan. The West Villages Improvement
 466 District shall cooperate and coordinate its activities with the
 467 units of general-purpose local government in which it is
 468 located, including the City of North Port and Sarasota County.

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469 The district is authorized to enter into interlocal agreements
 470 with the City of North Port, Sarasota County, the Englewood
 471 Water District, or any other units of government. Whenever the
 472 district intends to utilize its powers to construct or cause to
 473 be constructed infrastructure projects or programs within the
 474 district, the district shall provide copies of all plans and
 475 infrastructure permit applications to the Sarasota County
 476 Planning Director and Development Services Business Center at
 477 such time as the district submits such plans or permit
 478 applications to the City of North Port or other permitting
 479 authority but in any event no less than 30 days before the City
 480 of North Port or other permitting authority issues permits for
 481 those projects. The district shall allow the county 20 days from
 482 submittal to the county to comment on those plans and permit
 483 applications, but as to construction or improvements that are
 484 not within unincorporated Sarasota County, the county's approval
 485 is not required for the district to proceed with the project.
 486 Sarasota County shall not unduly interfere with the district's
 487 exercise of its powers conferred by this act.

488 Section 4. Board of supervisors; election, organization,
 489 powers, duties, and terms of office.--

490 (1) There is hereby created a Board of Supervisors of the
 491 West Villages Improvement District, which shall be the governing
 492 body of said district.

493 (2) Said board of supervisors shall consist of five
 494 persons who, except as herein otherwise provided, shall each
 495 hold office for terms of 5 years each and until their successors
 496 shall be duly elected and qualified.

497 (3) The first board of supervisors of the district shall
 498 be composed of five persons, one of whom shall hold office for 6
 499 years, one of whom shall hold office for 5 years, one of whom
 500 shall hold office for 4 years, one of whom shall hold office for
 501 3 years, and one of whom shall hold office for 2 years, which
 502 terms shall terminate in June of their applicable final year.
 503 Within 120 days after this act becomes a law, a special meeting
 504 of landowners of the West Villages Improvement District shall be
 505 held for the purpose of electing the first board of supervisors
 506 for the West Villages Improvement District as herein provided.
 507 Notice of such special meeting of landowners shall be given by
 508 causing publication thereof to be made once a week for 2
 509 consecutive weeks prior to such meeting in the newspaper of
 510 general paid circulation that the City of North Port publishes
 511 notices of city meetings, and prior to the meeting, provision of
 512 2 weeks advance written notice to the City of North Port City
 513 Manager including the agenda and any backup material. Such
 514 special meeting of landowners shall be held in a public place in
 515 the City of North Port, and the place, date, and hour of holding
 516 such meeting and the purpose thereof shall be stated in the
 517 notice. The landowners when assembled shall organize by electing
 518 a chair who shall preside at the meeting and a vice chair,
 519 secretary, and treasurer. At such meeting, each and every acre,
 520 or any fraction thereof, of land in the district shall represent
 521 one vote and each owner shall be entitled to one vote in person
 522 or by written proxy for every acre of land, or any fraction
 523 thereof, owned by such owner in the district. Candidates must be
 524 citizens of the United States and shall be nominated prior to

525 commencement of the initial election. The landowners shall first
 526 vote for the supervisor who is to hold office for that seat with
 527 an initial term of 6 years as herein provided, and the person
 528 receiving the highest number of votes for such supervisor office
 529 shall be declared and elected as the supervisor for said seat.
 530 The landowners shall next vote for the supervisor who is to hold
 531 office for that seat with a term of 5 years as provided herein,
 532 and the person receiving the highest number of votes for such
 533 supervisor shall be declared and elected as such supervisor for
 534 said seat. Said landowners shall continue to so vote for each
 535 remaining seat until the supervisor who is to hold office for
 536 the term of 2 years as herein provided is elected for said seat.
 537 The landowners present or voting by proxy at the meeting shall
 538 constitute a quorum.

539 (4) Each year during the month of June, beginning with
 540 June of the second year following the first election, a
 541 supervisor shall be elected, as hereinafter provided, by the
 542 landowners of said district to take the place of the retiring
 543 supervisor. All vacancies or expirations on said board shall be
 544 filled as provided by this act. All supervisors of the district
 545 shall be citizens of the United States. Following the initial
 546 election of supervisors in order to be eligible for election, a
 547 candidate for an office of supervisor shall be required to file
 548 a written notice of intention to be a candidate in said office
 549 of the district at least 30 calendar days but not earlier than
 550 90 calendar days before but not including the day of the annual
 551 meeting of the landowners. In case of a vacancy in the office of
 552 any supervisor, the remaining supervisors within 90 calendar

553 days of the vacancy shall fill such vacancy until the expiration
 554 of that seat's outstanding term when a successor shall be
 555 elected by the landowners.

556 (5) As soon as practicable after their election and the
 557 taking of oaths of office, the board of supervisors of the
 558 district shall organize by choosing a chair and vice chair of
 559 the board of supervisors and by electing some suitable persons
 560 secretary and treasurer, who may or may not be members of the
 561 board. The board of supervisors shall adopt a seal which shall
 562 be the seal of the district.

563 (6) Each supervisor shall hold office until his or her
 564 successor shall be elected and qualified. Whenever any election
 565 shall be authorized or required by this act to be held by the
 566 landowners at any particular or stated time or day, and if for
 567 any reason such election shall not or cannot be held at such
 568 time or on such day, then in such event and in all and every
 569 such event, the power or duty to hold such election shall not
 570 cease or lapse, but such election shall be held thereafter as
 571 soon as practicable and consistent with this act.

572 (7) The supervisors shall not receive any compensation for
 573 their services.

574 Section 5. Meetings of landowners.--

575 (1) Each year during the month of June, a meeting of the
 576 landowners of the district shall be held, when necessary, for
 577 the purpose of electing a supervisor and hearing reports of the
 578 board of supervisors and considering any matters upon which the
 579 board of supervisors may request the advice and views of the
 580 landowners. The board of supervisors shall have the power to

581 call special meetings of the landowners at any time to consider
 582 and act upon any matter upon which the board of supervisors may
 583 request action, direction, or advice. Notice of all meetings of
 584 the landowners shall be given by the board of supervisors by
 585 causing publication thereof to be made for 2 consecutive weeks
 586 prior to such meeting in the newspaper of general paid
 587 circulation that the City of North Port publishes notices of
 588 city meetings, and prior to the meeting, provision of 2 weeks
 589 advance written notice to the City of North Port City Manager
 590 including the agenda and any backup material. The meetings of
 591 the landowners shall be held in a public place in the City of
 592 North Port, and the place, day, and hour of holding such
 593 meetings shall be stated in the notice. The landowners when
 594 assembled shall organize by electing a chair who shall preside
 595 at the meeting. The secretary of the board of supervisors shall
 596 be the secretary of such meeting. At all such meetings each and
 597 every acre, or any fraction thereof, of land in the district
 598 shall represent one vote, and each owner shall be entitled to
 599 one vote in person or by written proxy for every acre, or any
 600 fraction thereof, of land owned by such owner in the district.
 601 The person receiving the highest number of votes for a
 602 supervisor position shall be declared and elected as such
 603 supervisor. Those landowners present or voting by proxy at the
 604 meeting, including the initial meeting, shall constitute a
 605 quorum at any meeting of the landowners.

606 (2) Guardians may represent their wards, and personal
 607 representatives may represent the estates of deceased persons.
 608 Trustees may represent lands by them in trust, and private and

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609 municipal corporations may be represented by their officers or
 610 duly authorized agents. Guardians, personal representatives,
 611 trustees, and corporations may vote by proxy.

612 Section 6. Installment assessments, levied and
 613 apportioned, and the collection thereof.--

614 (1) The board of supervisors shall determine, order, and
 615 levy the amount of the annual installments of the non-ad valorem
 616 assessments levied under section 298.305, Florida Statutes,
 617 which shall become due and collected during each year at the
 618 same time that county taxes are due and collected, which levy
 619 shall be evidenced to and certified by the board to the Tax
 620 Collector of Sarasota County, pursuant to sections 197.3631,
 621 197.3632, and 197.3635, Florida Statutes. Said non-ad valorem
 622 assessments shall be extended by the county tax collector on the
 623 tax roll and shall be collected by the tax collector and the net
 624 proceeds thereof paid to said district. Said non-ad valorem
 625 assessments shall be a lien until paid on the property against
 626 which it is assessed, and enforceable in like manner as county
 627 taxes.

628 (2) As an alternative, in addition to, or in combination
 629 with the above levy and assessment procedure for non-ad valorem
 630 assessments, the district shall have, and the board of
 631 supervisors may exercise, the power to determine, order, levy,
 632 impose, collect, and enforce special assessments pursuant to
 633 chapter 170, Florida Statutes. Such special assessments may, in
 634 the discretion of the district, be collected and enforced
 635 pursuant to the provisions of sections 197.3631, 197.3632, and

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636 197.3635, Florida Statutes, chapter 170, Florida Statutes, or as
637 otherwise determined by the board.

638 Section 7. Maintenance assessment.--

639 (1) In lieu of any maintenance assessment provision of
640 chapter 298, Florida Statutes, when in order to operate,
641 maintain, and preserve the improvements made, constructed,
642 installed, acquired, or received pursuant to this act and to
643 repair, upgrade, replace, extend, and restore the same, when
644 needed, and for the purpose of defraying the expenses, including
645 administration, of the district, the board of supervisors may
646 levy annually an assessment on specified property in the
647 district, to be known as a "maintenance assessment." Said
648 maintenance assessment shall be evidenced to and certified by
649 the board to the Tax Collector of Sarasota County, in the same
650 fashion and manner of other district non-ad valorem assessments
651 and shall be collected by the tax collector in the same manner
652 and time as county taxes and the proceeds therefrom paid to said
653 district. Said assessments shall be a lien until paid on the
654 property against which assessed and enforceable in like manner
655 as county taxes.

656 (2) Provisions may be made for the financing, acquisition,
657 replacement, and maintenance of capital improvements necessary
658 for the operation of the district as a part of the maintenance
659 assessment.

660 Section 8. Compensation of property appraiser and tax
661 collector.--The property appraiser and tax collector shall be
662 entitled to compensation for services performed in connection
663 with assessments of said district as provided by general law.

664 Section 9. Acreage assessment for payment of initial
 665 formation and organization expenses.--There is hereby authorized
 666 by the Legislature upon each and every acre of land within the
 667 territorial boundary of the district, the authority through its
 668 said board of supervisors and for the purpose of paying expenses
 669 incurred or to be incurred in organizing the district, the
 670 authority to levy such non-ad valorem assessments as may be
 671 determined by said board of supervisors, before said board of
 672 supervisors shall otherwise be able to obtain funds under the
 673 provisions of this act or the general laws of the state. Such
 674 organizing assessments shall become due and payable as
 675 determined by the board of supervisors and shall become
 676 delinquent 90 days thereafter. Said assessment shall be a lien
 677 upon the lands in said district from the date of the enactment
 678 of this act and may be collected in the same manner as the
 679 annual installment of non-ad valorem assessments or as otherwise
 680 determined by the board of supervisors. If it shall appear to
 681 the board of supervisors to be necessary to obtain funds to pay
 682 any expenses incurred or to be incurred in organizing said
 683 district, preparing a plan of improvements or chapter 170
 684 authorizing documents, or other expenses of the conduct and
 685 operation of the district before a sufficient sum can be
 686 obtained by the collection of the organization assessment
 687 authorized by this section of this act, said board of
 688 supervisors may also borrow a sufficient sum of money for any of
 689 said purposes at a statutory lawful rate of the interest and may
 690 issue negotiable notes or bonds therefor and may pledge any and

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691 all assessments of the formation assessment that may be levied
 692 under the provisions of this section for the repayment thereof.

693 Section 10. Bonds may be issued, sale and disposition of
 694 proceeds; interest; levy to pay bonds; bonds and duties of
 695 treasurer.--

696 (1) The provision of this section shall constitute full
 697 and complete authority for the issuance of bonds by the
 698 district.

699 (2) Provided that any and all loans or bonds of the
 700 district are non-recourse as to the City of North Port, the
 701 board of supervisors may issue bonds not to exceed 90 percent of
 702 the total amount of the non-ad valorem assessments levied under
 703 the provisions of section 298.305, Florida Statutes, or equal to
 704 the total amount levied under chapter 170, Florida Statutes,
 705 bearing interest from date at a rate not to exceed the statutory
 706 lawful maximum per annum, payable annually or semiannually, to
 707 mature at annual intervals within 40 years commencing after a
 708 period of not later than 10 years, to be determined by the board
 709 of supervisors, with both principal and interest payable at some
 710 convenient place designated by the board of supervisors to be
 711 named in said bonds, which bonds shall be signed by the chair of
 712 the board of supervisors, attested with the seal of the district
 713 and by the signature of the secretary of the board. All of said
 714 bonds shall be executed and delivered to the district or its
 715 agent, which shall sell the same in such quantities and at such
 716 dates as the board of supervisors may deem necessary to meet the
 717 payments for the works, services, and improvements in and of the
 718 district. A sufficient amount of the non-ad valorem assessment

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719 shall be appropriated by the board of supervisors for the
720 purpose of paying the principal, premium, if any, and interest
721 of said bonds, and the same shall, when collected, be preserved
722 in a separate fund for that purpose and no other. All bonds not
723 paid at maturity shall bear interest at a rate of not to exceed
724 the statutory lawful maximum per annum from maturity until paid,
725 or until sufficient funds have been deposited at the place of
726 payment, and said interest shall be appropriated by the board of
727 supervisors out of the penalties and interest collected on
728 delinquent assessments or other available funds of the district.
729 Provided, however, that it may, in the discretion of said board,
730 be provided that at any time, after such date as shall be fixed
731 by the said board, said bonds may be redeemed before maturity at
732 the option of said board, or their successors in office, by
733 being made callable prior to maturity at such times and upon
734 such prices and terms and other conditions as said board shall
735 determine. If any bond so issued subject to redemption before
736 maturity shall not be presented when called for redemption, it
737 shall cease to bear interest from and after the date so fixed
738 for redemption.

739 (3) The board of supervisors of said district shall have
740 authority to issue refunding bonds to take up any outstanding
741 bonds and any interest accrued thereon when, in the judgment of
742 said board, it shall be for the best interest of said district
743 so to do. The said board is hereby authorized and empowered to
744 issue refunding bonds to take up and refund all bonds of said
745 district outstanding that are subject to call and prior
746 redemption, and all interest accrued to the date of such call or

747 prior redemption, and all bonds of said district that are not
 748 subject to call or redemption, together with all accrued
 749 interest thereon, where the surrender of said bonds can be
 750 procured from the holders thereof at prices satisfactory to the
 751 board or can be exchanged for such outstanding bonds with the
 752 consent of the holder thereof. Such refunding bonds may mature
 753 at any time or times in the discretion of said board, not later,
 754 however, than 40 years from the date of issuance of said
 755 refunding bonds. Said refunding bonds shall bear such date of
 756 issue and such other details as the board shall determine, and
 757 may, in the discretion of said board, be made callable prior to
 758 maturity at such times and upon such prices and terms and other
 759 conditions as said board shall determine. All the other
 760 applicable provisions of this act not inconsistent therewith
 761 shall apply fully to said refunding bonds and the holders
 762 thereof shall have all the rights, remedies, and security of the
 763 outstanding bonds refunded, except as may be provided otherwise
 764 in the resolution of the board authorizing the issuance of such
 765 refunding bonds. Any funds available in the sinking fund for the
 766 payment of the principal, premium, if any, and interest of
 767 outstanding bonds may be retained in the fund to be used for the
 768 payment of principal, premium, if any, and interest of the
 769 refunding bonds, in the discretion of the board of supervisors.
 770 Any expenses incurred in buying any or all bonds authorized
 771 under the provisions of this section and the interest thereon
 772 and a reasonable compensation for paying same, shall be paid out
 773 of the funds in the hands of the district, and collected for the
 774 purpose of meeting the expenses of administration. It shall be

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775 the duty of the said board of supervisors in making the annual
 776 non-ad valorem assessment levy as heretofore provided to take
 777 into account the maturing bonds and interest on all bonds and
 778 expenses and to make provisions in advance for the payment of
 779 same.

780 (4) In addition to the other powers provided the district,
 781 and not in limitation thereof, the district shall have the
 782 power, at any time, and from time to time after the issuance of
 783 any bonds of the district shall have been authorized, to borrow
 784 money for the purposes for which such bonds are to be issued in
 785 anticipation of the receipt of the proceeds of the sale of such
 786 bonds and to issue bond anticipation notes in a principal sum
 787 not in excess of the authorized maximum amount of such bond
 788 issue.

789 (5) The district shall have the power to issue revenue
 790 bonds from time to time without limitation as to amount for the
 791 purpose of financing its systems and facilities. Such revenue
 792 bonds may be secured by, or payable from, the gross or net
 793 pledge of the revenues to be derived from any project or
 794 combination of projects; from the rates, fees, or other charges
 795 to be collected from the users of any project or projects; from
 796 any revenue-producing undertaking or activity of the district;
 797 from special assessments; or from any other source or pledged
 798 security. Such bonds shall not constitute an indebtedness of the
 799 district, and the approval of qualified electors shall not be
 800 required unless such bonds are additionally secured by the full
 801 faith and credit and assessing power of the district.

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802 (6) Prior to the issuance of bonds under the provisions of
803 this act, the board of supervisors may from time to time issue
804 warrants or negotiable notes or other evidences of debt of the
805 district, all of which shall be termed "floating indebtedness"
806 in order to distinguish the same from the bonded debt provided
807 for. The notes or other evidences of indebtedness shall be
808 payable at such times and shall bear interest at a rate not
809 exceeding the lawful statutory maximum per annum, and may be
810 sold or discounted at such price or on such terms as the board
811 may deem advisable. The board shall have the right, in order to
812 provide for the payment thereof, to pledge the whole or any part
813 of the assessments or revenues provided for in this act, whether
814 the same shall be theretofore or thereafter levied, and said
815 board shall have the right to provide that the floating debt
816 shall be payable from the proceeds arising from the sale of
817 bonds, or from the proceeds of any such assessment, or both.
818 After the issuance of any bonds of the district under the
819 provisions of this act, the power to create such floating debt
820 and pledge the assessments or revenue therefor shall continue.

821 (7)(a) Pursuant to this act, the district shall have the
822 power from time to time to issue general obligation bonds to
823 finance or refinance capital projects or to refund outstanding
824 bonds in an aggregate principal amount of bonds outstanding at
825 any one time not in excess of 35 percent of the assessed value
826 of the taxable property within the district as shown on the
827 pertinent property appraiser valuation records at the time of
828 the authorization of the general obligation bonds for which the
829 full faith and credit of the district is pledged. Except for

830 refunding bonds, no general obligation bonds shall be issued
 831 unless the bonds are issued to finance or refinance a capital
 832 project and the issuance has been approved at an election held
 833 in accordance with the requirements for such election as
 834 prescribed by the State Constitution. Such elections shall be
 835 called to be held in the district with the expenses of calling
 836 and holding an election to be at the expense of the district.

837 (b) The district may pledge its full faith and credit for
 838 the payment of the principal and interest on such general
 839 obligation bonds and for any reserve funds provided therefor and
 840 met unconditionally and irrevocably pledge its assessments or
 841 revenues on all taxable property within the district, to the
 842 extent necessary for the payment thereof, without limitations as
 843 to greater amount.

844 (c) If the board determines to issue general obligation
 845 bonds for more than one capital project, the approval of the
 846 issuance of the bonds for each and all such projects may be
 847 submitted to the electorate on one and the same ballot. The
 848 failure of the electors to approve the issuance of bonds for any
 849 one or more of the capital projects shall not defeat the
 850 approval of bonds for any capital project which has been
 851 approved by the electors.

852 (d) In arriving at the amount of general obligation bonds
 853 permitted to be outstanding at any one time pursuant to
 854 paragraph (a), there shall not be included any general
 855 obligation bonds which are additionally secured by the pledge
 856 of:

857 1. Special assessments levied in the amount sufficient to
 858 pay the principal and interest on a general obligation bond so
 859 additionally secured, which assessments have been equalized and
 860 confirmed by resolution or ordinance of the board pursuant to
 861 section 170.08, Florida Statutes.

862 2. Water revenues, sewer revenues, or water and sewer
 863 revenues of the district to be derived from user fees that have
 864 been approved by the City of North Port Commission or its
 865 designee and in an amount sufficient to pay the principal and
 866 interest on the general obligation bond so additionally secured.

867 3. Any combination of assessments and revenues described
 868 in subparagraphs 1 and 2.

869 (8) In case the proceeds of the original assessment and
 870 levy made under the provisions of section 298.305, Florida
 871 Statutes, or chapter 170, Florida Statutes, is not sufficient to
 872 pay the principal, premium, if any, and interest of all bonds
 873 issued, then the board of supervisors shall make such additional
 874 levy or levies upon the benefits assessed as are necessary for
 875 this purpose, and under no circumstances shall any levies be
 876 made that will in any manner or to any extent impair the
 877 security of said bonds or the fund available for the payment of
 878 the principal and interest of the same.

879 (9) After the several bonds are paid and retired as herein
 880 provided, they shall be returned and canceled and an appropriate
 881 record thereof made in a book to be kept for that purpose, which
 882 record of paid and canceled bonds shall be kept at the office of
 883 the treasurer and shall be open for inspection by any bondholder
 884 at any time.

885 (10) Any issue of bonds may be secured by a trust
 886 agreement by and between the district and a corporate trustee or
 887 trustees, which may be any trust company or bank having the
 888 powers of a trust company within or without the state. The
 889 resolution authorizing the issuance of the bonds or such trust
 890 agreement may pledge the revenues to be received from any
 891 projects of the district and may contain such provisions for
 892 protecting and enforcing the rights and remedies of the
 893 bondholders as the board may approve, including, without
 894 limitation, covenants setting forth the duties of the district
 895 in relation to the acquisition, construction, reconstruction,
 896 improvement, maintenance, repair, operation, and insurance of
 897 any projects; the fixing and revising of the rates, fees, and
 898 charges; and the custody, safeguarding, and application of all
 899 moneys and for the employment of consulting engineers in
 900 connection with such acquisition, construction, reconstruction,
 901 improvement, maintenance, repair, or operation.

902 (11) Bonds of each issue shall be dated; shall bear
 903 interest at such rate or rates, including variable rates, which
 904 interest may be tax exempt or taxable for federal income tax
 905 purposes; shall mature at such time or times from their date or
 906 dates; and may be made redeemable before maturity at such price
 907 or prices and under such terms and conditions as may be
 908 determined by the board.

909 (12) No bonds issued by the district shall be required to
 910 be validated under chapter 75, Florida Statutes, or other
 911 provision of law.

912 Section 11. Unit development; powers of supervisors to
 913 designate units of development and adopt systems of progressive
 914 development by units; plan of improvements and financing
 915 assessments, for each unit.

916 (1) Upon written petition signed by the owners of 51
 917 percent of the acreage in any area, the board of supervisors of
 918 the district shall have the power and is hereby authorized in
 919 its discretion to exercise such powers authorized in this act,
 920 the lands in said designated area or part of the district to be
 921 called a "unit." The units into which said district may be so
 922 divided shall be given appropriate numbers or names by said
 923 board of supervisors, so that said units may be readily
 924 identified and distinguished. The board of supervisors shall
 925 have the power to fix and determine the location, area, and
 926 boundaries of and lands to be included in each and all such
 927 units with the consent of the owners of 51 percent of the
 928 acreage in any area, and the method of carrying on the work in
 929 each unit. If the board of supervisors shall determine that it
 930 is advisable to conduct the work of the district by units, as
 931 authorized by this section, said board shall, by resolution duly
 932 adopted and entered upon its minutes, declare its purpose to
 933 conduct such work accordingly and, upon petition of the owners
 934 of 51 percent of the acreage in any area, shall at the same time
 935 and manner fix the number, location, and boundaries of and
 936 description of lands within such unit or units and give
 937 appropriate numbers or names, which unit or units may overlay or
 938 overlap one or more other units. As soon as practicable after
 939 the adoption and recording of a resolution as to any unit, said

940 board of supervisors shall publish a notice once a week for 2
 941 consecutive weeks in the newspaper of general paid circulation
 942 that the City of North Port publishes notices of city meetings,
 943 and by provision of 2 weeks advance written notice to the City
 944 of North Port City Manager, briefly describing the unit or units
 945 into which the district has been divided and the lands embraced
 946 in each unit, giving the name, number, or other designation of
 947 such units, requiring all owners of lands in the district to
 948 show cause in writing before said board of supervisors at a time
 949 and place to be stated in such notice why such division of said
 950 district into such unit or units should not be approved, and why
 951 the proceedings and powers authorized by this section of this
 952 act should not be had, taken, and exercised. At the time and
 953 place stated in said notice, said board of supervisors shall
 954 hear all objections or causes of objection, all of which shall
 955 be in writing, of any landowner in the district to the matters
 956 mentioned and referred to in such notice, and if no objections
 957 are made, or if said objections, if made, shall be overruled by
 958 said board, then said board shall enter in its minutes its
 959 finding and order confirming said resolution and may thereafter
 960 proceed with the development of the district by unit or units
 961 pursuant to such resolution and to the provisions of this act.
 962 If, however, said board of supervisors shall find as a result of
 963 such objections, or any of them, or the hearing thereon, that
 964 the division of the district into such unit or units as
 965 aforesaid should not be approved, or that the proceedings and
 966 powers authorized by this section of this act should not be had,
 967 taken, or exercised, or that any other matter or thing embraced

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968 in said resolution would not be in the best interest of the
969 landowners of said unit or units or would be unjust or unfair to
970 any landowner therein or otherwise inconsistent with fair and
971 equal protection and enforcement of the rights of every
972 landowner in said unit or units, then the board of supervisors
973 shall not proceed further under such resolution, but said board
974 of supervisors may, as a result of such hearing, modify or amend
975 said resolution so as to meet such objections so made, and
976 thereupon said board may confirm said resolution as so modified
977 or amended and may thereafter proceed accordingly. If said board
978 of supervisors shall overrule or refuse to sustain any such
979 objections in whole or in part made by any landowner in the
980 district, or if any such landowner shall deem himself or herself
981 aggrieved by any action of the board of supervisors in respect
982 to any objections so filed, such landowner may, within 10 days
983 after the ruling of said board, file his or her complaint in the
984 Circuit Court for Sarasota County, against said district,
985 praying an injunction or other appropriate relief against the
986 action or any part of such action proposed by such resolution or
987 resolutions of said board, and such suits shall be conducted
988 like other suits, except that said suits shall have preference
989 over all other pending actions except criminal actions and writs
990 of habeas corpus. Upon the hearing of said cause, the circuit
991 court shall have the power to hear the objections and receive
992 the evidence thereon of all parties to such cause and approve or
993 disapprove said resolutions and action of the board in whole or
994 in part, and to render such decree in such cause as right and
995 justice require.

996 (2) When said resolutions creating said unit or units
 997 shall be confirmed by the board of supervisors (or by the
 998 Circuit Court for Sarasota County, if such proposed action shall
 999 be challenged by a landowner by the judicial proceedings
 1000 hereinabove authorized), the board of supervisors may adopt a
 1001 plan of improvements or chapter 170 authorizing documents for
 1002 and in respect to any or all such units, and to have the
 1003 benefits and damages resulting therefrom assessed and
 1004 apportioned as is provided by law in regard to a plan of
 1005 improvements or chapter 170 authorizing documents for and
 1006 assessments for benefits and damages of the entire district.
 1007 With respect to the plan of improvements, notices, appointment
 1008 of engineer to prepare a report assessing the benefits and
 1009 damages, the engineer's report and notice and confirmation
 1010 thereof, the levy of assessments, including maintenance
 1011 assessments, the issuance of bonds, the exercise or use of
 1012 chapter 170, Florida Statutes, proceedings and all other
 1013 proceedings as to each and all of such units, said board shall
 1014 follow and comply with the same procedure as is provided by law
 1015 with respect to the entire district; and said board of
 1016 supervisors shall have the same powers in respect to each and
 1017 all of such units as is vested in them with respect to the
 1018 entire district. All the provisions of this act shall apply to
 1019 the improvement of each, any, and all of such units, and the
 1020 enumeration of or reference to specific powers or duties of the
 1021 supervisors or any other officers or other matters in this act
 1022 as hereinabove set forth, shall not limit or restrict the
 1023 application of any and all of the proceedings and powers herein

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1024 for such units as fully and completely as if such unit or units
 1025 were specifically and expressly named in every section and
 1026 clause of this act where the entire district is mentioned or
 1027 referred to. All assessments, levies, bonds, and other
 1028 obligations made, levied, assessed, or issued for or in respect
 1029 to any such unit or units shall be a lien and charge solely and
 1030 only upon the lands in such unit or units, respectively, for the
 1031 benefit of which the same shall be levied, made, or issued, and
 1032 not upon the remaining units or lands in the district. The board
 1033 of supervisors, upon an affirmative vote of a simple majority of
 1034 qualified electors, as defined in chapter 189, Florida Statutes,
 1035 within said unit voting in a referendum, or upon approval of the
 1036 landowners of 51 percent of the acreage in said unit if there
 1037 are no residents in said unit, may at any time amend its
 1038 resolutions by changing the location and description of lands in
 1039 any such unit or units and provided, further, that if the
 1040 location or description of lands located in any such unit or
 1041 units is so changed, notice of such change shall be published as
 1042 hereinabove required in this section for notice of the formation
 1043 or organization of such unit or units; provided, however, that
 1044 no lands against which benefits shall have been assessed may be
 1045 detached from any such unit after the final adoption of the
 1046 engineer's report of benefits or chapter 170 authorizing
 1047 document, in such unit or units or the issuance of bonds or
 1048 other obligations which are payable from assessments for
 1049 benefits levied upon the lands within such unit or units.
 1050 (3) Provided, however, that if, after adoption of the
 1051 engineer's report of benefits chapter 170, authorizing document,

1052 in such unit or units, or the issuance of bonds or other
 1053 obligations which are payable from assessments for benefits
 1054 levied upon lands within such unit or units, the board of
 1055 supervisors finds the plan of improvements, the engineer's
 1056 report , or chapter 170 authorizing documents for any such unit
 1057 or units insufficient or inadequate for efficient development,
 1058 same may be amended or changed as provided in this act, chapter
 1059 170 or chapter 298, Florida Statutes, and the unit or units may
 1060 be amended or changed as provided in this section, by changing
 1061 the location and description of lands in any such unit or units,
 1062 by detaching lands therefrom or by adding land thereto, upon the
 1063 approval of at least 51 percent of the landowners according to
 1064 acreage, in any such unit, and provided that in such event all
 1065 assessments, levies, fees, bonds, and other obligations made,
 1066 levied, assessed, incurred, or issued for or in respect to any
 1067 such unit or units may be allocated and apportioned to the
 1068 amended unit or units in proportion to the benefits assessed by
 1069 the engineer's report, for the amended plan of improvements and
 1070 said report shall specifically provide for such allocation and
 1071 apportionment. The landowners shall file their approval of or
 1072 objections to such amended plan of improvements within the time
 1073 provided in section 298.301, Florida Statutes, or, when used
 1074 such applicable deadline provision, if any, of chapter 170,
 1075 Florida Statutes, and shall file their approval of or objections
 1076 to the amendment of such unit as provided in this section.

1077 (4) No assessable lands shall be detached from any unit
 1078 after the issuance of bonds or other obligations for such unit
 1079 except upon the consent of a majority the holders, based on face

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1080 value of the outstanding bonds, of such bonds or other
 1081 obligations. In the event of the change of the boundaries of any
 1082 unit as provided herein and the allocation and apportionment to
 1083 the amended unit or units of assessments, levies, fees, bonds,
 1084 and other obligations in proportion to the benefits assessed,
 1085 the holder of the bonds or other obligations heretofore issued
 1086 for the original unit who consents to such allocation and
 1087 apportionment shall be entitled to all rights and remedies
 1088 against any lands added to the amended unit or units as fully
 1089 and to the same extent as if such added lands had formed and
 1090 constituted a part of the original unit or units at the time of
 1091 the original issuance of such bonds or other obligations, and
 1092 regardless of whether the holders of such bonds or other
 1093 obligations are the original holders thereof or the holders from
 1094 time to time hereafter, and the rights and remedies of such
 1095 holders against the lands in the amended unit or units,
 1096 including any lands added thereto, under such allocation and
 1097 apportionment, shall constitute vested and irrevocable rights
 1098 and remedies to the holders from time to time of such bonds or
 1099 other obligations as fully and to the same extent as if such
 1100 bonds or other obligations had been originally issued to finance
 1101 the improvements in such amended unit or units.

1102 (5) Upon the formation of a unit, the board is authorized
 1103 to levy a one-time organizational special assessment tax per
 1104 acre on the lands in a unit sufficient to prepare a plan of
 1105 improvements or chapter 170 authorizing documents and have the
 1106 benefits assessed as provided herein.

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1107 (6) The territorial limits of a unit may be expanded to
 1108 include additional land by agreement between the district and
 1109 all of the landowners of the land to be included in the unit,
 1110 provided that at the time of the execution of the agreement, the
 1111 additional land is contained within the jurisdictional
 1112 boundaries of the district. Land included in the unit by
 1113 agreement shall thereafter be subject to the payment of all
 1114 assessments or fees levied by the district in the unit and shall
 1115 be subject to the provisions of all laws under which the
 1116 district operates. The agreement shall be in recordable form and
 1117 filed in the official records.

1118 (7) The district shall not amend any plan of improvement
 1119 for any unit in which any real property has been sold to the
 1120 general public at large for residential and non-commercial
 1121 purposes, in such a way that said amendment results in any
 1122 increase in the principal amount of debt then authorized for
 1123 that unit, without an affirmative vote of a simple majority of
 1124 qualified electors, as so defined in chapter 189, Florida
 1125 Statutes, within said unit voting in a referendum.

1126 Section 12. Eminent domain.--The said board of supervisors
 1127 is hereby authorized and empowered when reasonably necessary for
 1128 the implementation of district authorized public infrastructure
 1129 works, facilities, or services, to exercise within the district
 1130 with prior approval by resolution of the governing body of the
 1131 district and the municipality or outside the district's
 1132 territorial boundaries and within the City of North Port with
 1133 prior approval, by resolution, of the City of North Port City
 1134 Commission, (which approval shall not be unreasonably withheld),

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1135 the right and power of eminent domain, pursuant to the
 1136 provisions of chapters 73 and 74, Florida Statutes, over any
 1137 property within the district and the City of North Port, except
 1138 municipal, county, state, and federal property, for the uses and
 1139 purposes of the district relating solely to water, sewer,
 1140 district roads, and water management, specifically including,
 1141 without limitation, the power for the taking of easements for
 1142 the drainage of the land of one person over and through the land
 1143 of another.

1144 Section 13. Definition of 51 percent of acreage in any
 1145 area.--When the consent of 51 percent of the acreage is required
 1146 in any described geographical area for any purpose, in
 1147 determining the acreage in the area, the lands and rights-of-way
 1148 of the district and all lands which are or will be exempt or
 1149 excluded from payment of the district assessments shall not be
 1150 included in the acreage to determine the 51 percent consent
 1151 requirements.

1152 Section 14. Amending plan of improvements, engineer's
 1153 report, or chapter 170 authorizing documents.--In addition and
 1154 as an alternative to the provisions of chapters 298 and 170,
 1155 Florida Statutes, a plan of improvements, the engineer's report,
 1156 or chapter 170 authorizing document may be amended, modified,
 1157 corrected and changed from time to time in the following manner:

1158 (1) The intent of this section, in part, is to give the
 1159 board of supervisors power with broad latitude to make
 1160 additional and such other improvements to the plan of
 1161 improvements or chapter 170 authorizing documents which the
 1162 board of supervisors considers appropriate to implement the

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1163 purpose and intent of the plan of improvements or chapter 170
 1164 authorizing documents and which, in the opinion of the board,
 1165 results in a benefit to the land and will not increase the cost
 1166 in excess of the total benefits assessed as provided herein. The
 1167 district may accept for operation maintenance additional
 1168 facilities which are within or outside its boundaries and
 1169 supplement a plan of improvements or chapter 170 authorizing
 1170 documents.

1171 (2) As an alternate procedure, the board of supervisors
 1172 shall have the power to change, alter, or amend a previously
 1173 approved or adopted plan of improvements, engineer's report, or
 1174 chapter 170 authorizing documents by duly adopted resolution;
 1175 provided the district engineer certifies that all land subject
 1176 to the previously approved or adopted plan of improvements or
 1177 chapter 170 authorizing documents will receive the same or
 1178 greater benefits as previously assessed and that the estimated
 1179 cost of constructing the plan of improvements, including the
 1180 changes or amendments to it, the engineer's report, or chapter
 1181 170 authorizing documents do not exceed the total benefits
 1182 assessed. Said resolution shall be filed with the secretary of
 1183 the district and shall be binding upon the owners of lands
 1184 subject to the plan of improvements, the engineer's report, or
 1185 chapter 170 authorizing documents, as applicable, including
 1186 their successors and assigns.

1187 (3) When a plan of improvements, engineer's report, or
 1188 chapter 170 authorizing document is amended, modified, or
 1189 changed by any authorized procedure, the approval or consent of
 1190 the holders of the bonds issued in respect to such plan,

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1191 engineer's report, or chapter 170 authorizing document shall not
 1192 be required and amendments, modifications, and changes may be
 1193 made to the plan of improvements, engineer's report, or chapter
 1194 170 authorizing document without bondholders' approval or
 1195 consent.

1196 (4) The district shall not amend any plan of improvement
 1197 for any unit in which any real property has been sold to the
 1198 general public at large for residential and non-commercial
 1199 purposes, in such a way that said amendment results in any
 1200 increase in the principal amount of debt then authorized for
 1201 that unit, without an affirmative vote of a simple majority of
 1202 qualified electors, as so defined in chapter 189, Florida
 1203 Statutes, within said unit voting in a referendum.

1204 Section 15. Meetings and notices.--Except as otherwise
 1205 specifically set forth in the act, the board of supervisors
 1206 shall hold their meetings pursuant to sections 189.416 and
 1207 189.417, Florida Statutes.

1208 Section 16. Reports, budgets, audits.--The district shall
 1209 prepare and submit reports, budgets, and audits as provided in
 1210 sections 189.415 and 189.418, Florida Statutes.

1211 Section 17. Territorial boundaries.--The territorial
 1212 boundaries of the district shall be as follows, to wit:

1213
 1214 LANDS LOCATED IN TOWNSHIP 39 SOUTH, RANGE 20 EAST,
 1215 SARASOTA COUNTY,
 1216 FLORIDA:

1217

1218 That part of Section 21, lying Southwesterly of County
 1219 Road No. 777 (West River Road). All that part of
 1220 Section 28, lying West of County Road No. 777 (West
 1221 River Road). All of Section 29, less and except the
 1222 following: Right-of-way for U. S. Highway No. 41
 1223 (State Road No. 45). All of Section 30, less and
 1224 except the following: Right-of-way for U. S. Highway
 1225 No. 41 (State Road No. 45); That portion conveyed to
 1226 Florida Power and Light Company consisting of
 1227 approximately 4.66 acres in the SW1/4 as described in
 1228 Official Record Book 1036, Page 802, Public Records of
 1229 Sarasota County, Florida; That portion lying West of
 1230 lands described in Official Record Book 1036, Page
 1231 802, South of the westerly extension of the North line
 1232 of said lands described in Official Records Book 1036,
 1233 Page 802, and North of the northerly Right of Way line
 1234 of U.S. Highway No.41. All of Section 31, less and
 1235 except the following: Right-of-way of U. S. Highway
 1236 No. 41 (State Road No. 45). All of Section 32, less
 1237 and except the following: Right-of-way of U. S.
 1238 Highway No. 41 (State Road No. 45); That portion
 1239 conveyed in Official Record Book 2785, Page 634 of the
 1240 Public Records of Sarasota County, Florida, (Sarasota
 1241 County Hospital Board); That portion conveyed in
 1242 Official Record Book 1571, Page 2172 of the Public
 1243 Records of Sarasota County, Florida, (Manatee
 1244 Community College); Right-of-way for Pine Street
 1245 Extension as recorded in Official Record Book 2536,

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1246 pages 811-974 of The Public Records of Sarasota
1247 County, Florida; That portion conveyed in Official
1248 Record Book 2785, Page 641 of the Public Records of
1249 Sarasota County, Florida, (120' wide perpetual Non-
1250 Exclusive easement); That portion lying South of lands
1251 conveyed in Official Record Book 1571, Page 2172 and
1252 East of lands described in Official Record Book 2785,
1253 Page 641, Public Records of Sarasota County, Florida.
1254 That portion of Section 33, lying North of U.S.
1255 Highway No. 41 (State Road No.45) and West of County
1256 Road #777 (West River Road); also that portion of
1257 Section 33, lying South of U.S. Highway No. 41 (State
1258 Road No. 45), West of a 200 ft. wide access easement
1259 described in Official Records Book 2389, Page 528,
1260 Public Records of Sarasota County, Florida, and North
1261 of lands conveyed in Official Records Book 1571, Page
1262 2172, Public Records of Sarasota County, Florida;
1263 also that portion of Section 33, lying South of U.S.
1264 Highway No. 41 (State Road No. 45), described as
1265 follows: COMMENCE at the East Quarter Corner of
1266 Section 33, Township 39 South, Range 20 East, Sarasota
1267 County Florida; thence S.00°16'02"W., along the East
1268 line of said Section 33, a distance of 289.08 feet to
1269 a point on the Southerly Right of Way Line of U.S.
1270 Highway No.41, (State Road No. 45) per Florida
1271 Department of Transportation Right of Way Map Section
1272 17010-2508, same being a point on a curve to the right
1273 having a radius of 3011.73 feet, a central angle of

1274 | 24°58'49", a chord bearing of N.66°51'56"W., and a
 1275 | chord length of 1032.71 feet; thence along the arc of
 1276 | said curve and said Southerly Right of Way of U.S. No.
 1277 | 41, an arc length of 1313.08 feet to the point of
 1278 | tangency of said curve; thence N.54°22'31"W., along
 1279 | said southerly Right of Way, a distance of 66.57 feet
 1280 | to the POINT OF BEGINNING, same being the Northwest
 1281 | corner of Lands described in Official Records
 1282 | Instrument No.1998166153, per Public Records of
 1283 | Sarasota County, Florida; thence along the Westerly
 1284 | line of said Lands described in Official Records
 1285 | Instrument No.1998166153 the following three (3)
 1286 | courses and distances; (1) S.35°37'26"W., a distance
 1287 | of 161.93 feet to the point of curvature of a curve to
 1288 | the right having a radius of 559.97 feet, a central
 1289 | angle of 29°49'56", a chord bearing of S.50°32'24"W.,
 1290 | and a chord length of 288.28 feet; (2) thence along
 1291 | the arc of said curve an arc length of 291.56 feet to
 1292 | the end of said curve; (3) thence S.00°01'27"W., a
 1293 | distance of 1074.23 feet; thence N.48°24'50"W.,
 1294 | leaving said Westerly Line, a distance of 2914.38 feet
 1295 | to the Northeast corner of Lands described as Manatee
 1296 | Community College per Official Records Book 1571, Page
 1297 | 2172, same being the point of curvature of a curve to
 1298 | the left having a radius of 4577.37 feet, a central
 1299 | angle of 06°20'23", a chord bearing of N.60°40'02"W.,
 1300 | and a chord length of 506.22 feet; thence along the
 1301 | arc of said curve and Northerly Line of Lands

1302 described as Manatee Community College, an arc length
 1303 of 506.48 feet to the end of said curve, same being
 1304 the Southeast corner of lands described in Official
 1305 Records Book 2389, Page 529, Public Records of
 1306 Sarasota County, Florida; thence N.65°18'18"E., along
 1307 the Easterly Line of said lands, a distance of 188.09
 1308 feet; thence continue N.00°00'19"W., along said
 1309 Easterly Line, a distance of 144.96 feet to the
 1310 Northeast corner of said Lands; thence N.65°21'46"W
 1311 along the Northerly Line of said Lands, a distance of
 1312 400.68 feet to the Northwest corner of said Lands,
 1313 same being a point on the Easterly Line of a 200 foot
 1314 wide access Easement per Official Records Book 1571,
 1315 Pages 2172 through 2175 and Official Records Book
 1316 2389, Pages 528 through 530, Public Records of
 1317 Sarasota County, Florida; thence N.00°30'25"E., along
 1318 the Easterly Line of said 200 foot wide access
 1319 Easement, a distance of 786.89 feet to the Southerly
 1320 Right of Way of U.S. No. 41, same being a point on a
 1321 curve to the right having a radius of 5597.58 feet, a
 1322 central angle of 03°08'33", a chord bearing of
 1323 S.69°13'16"E., and a chord length of 306.97 feet;
 1324 thence along the arc of said curve an arc length of
 1325 307.01 feet to the end of said curve; thence continue
 1326 along said Southerly Right of Way Line the following
 1327 fourteen (14) courses and distances; (1)
 1328 S.22°19'13"W., a distance of 10.00 feet to the point
 1329 of curvature of a curve to the right having a radius

1330 | of 5587.58 feet, a central angle of 00°45'15", a chord
 1331 | bearing of S.67°16'21"E., and a chord length of 73.55
 1332 | feet; (2) thence along the arc of said curve an arc
 1333 | length of 73.55 feet;(3) thence N.23°06'16"E., a
 1334 | distance of 10.00 feet to the point of curvature of a
 1335 | curve to the right having a radius of 5597.58 feet, a
 1336 | central angle of 08°17'44", a chord bearing of
 1337 | S.62°44'52"E., and a chord length of 809.74 feet;(4)
 1338 | thence along the arc of said curve an arc length of
 1339 | 810.45 feet;(5) thence S.31°08'57"W., a distance of
 1340 | 10.00 feet to the point of curvature of a curve to the
 1341 | right having a radius of 5587.58 feet, a central angle
 1342 | of 00°45'12", a chord bearing of S.58°13'22"E., and a
 1343 | chord length of 73.47 feet;(6) thence along the arc of
 1344 | said curve an arc length of 73.47 feet; (7) thence
 1345 | N.32°24'25"E., a distance of 10.00 feet to the point
 1346 | of curvature of a curve to the right having a radius
 1347 | of 5597.58 feet, a central angle of 03°28'13", a chord
 1348 | bearing of S.56°06'38"E., and a chord length of 338.98
 1349 | feet; (8) thence along the arc of said curve an arc
 1350 | length of 339.03 feet to the end of said curve; thence
 1351 | (9) S.56°35'34"E.; a distance of 155.08 feet;(10)
 1352 | thence S.54°22'31"E., a distance of 1102.52 feet;
 1353 | (11) thence S.51°00'40"E., a distance of 101.66 feet;
 1354 | (12) thence S.54°20'43"E., a distance of 199.02 feet;
 1355 | (13) thence S.48°43'03"E., a distance of 100.71 feet;
 1356 | (14) thence S.54°22'31"E., a distance of 447.75 feet
 1357 | to the POINT OF BEGINNING. That portion of the North

1358 Half of the Southwest Quarter of the Northwest Quarter
 1359 of Section 34, lying West of River Road (County Road
 1360 No.777); also that portion of the Southeast Quarter of
 1361 Section 34, lying West of the Myakka River, South of
 1362 the South line of lands described in Official Record
 1363 Instrument No. 2000002794, Public Records of Sarasota
 1364 County, Florida (River Road Office Park, Inc.), and
 1365 easterly of the maintained right of way line of a
 1366 paved road running from River Road to the South line
 1367 of the Northeast Quarter of said Section 34, (Old
 1368 River Road), less and except the following: That
 1369 portion described in Official Record Instrument No.
 1370 1999111833, Public Records of Sarasota County,
 1371 Florida, (Right of Way for County Road No.777). All of
 1372 Section 35 lying West of the Myakka River. Also, a
 1373 portion of Sections 32, 33 and 34, Township 39 South,
 1374 Range 20 East, Sarasota County, Florida, being more
 1375 particularly described as follows: BEGIN at the
 1376 Southeast corner of Section 32, Township 39 South,
 1377 Range 20 East; thence N.89°04'43"W., along the South
 1378 line of said Section 32, a distance of 410.14 feet to
 1379 the Southeast corner of the lands described in
 1380 Official Records Book 2785 at Page 634, of the Public
 1381 Records of Sarasota County, Florida; thence
 1382 N.00°30'25"E., along the East line of said lands
 1383 described in Official Records Book and Page, same
 1384 being the West line of a 120.00 foot wide Perpetual
 1385 Non-exclusive Easement per Official Records Book 2785

1386 | at Page 641, a distance of 1400.76 feet to a point on
 1387 | the westerly extension of the southerly boundary line
 1388 | of lands described in Official Records Book 1571 at
 1389 | Page 2172, of the Public Records of Sarasota County,
 1390 | Florida; thence along the westerly extension and
 1391 | boundary of said lands described in Official Records
 1392 | Book 1571, at Page 2172 the following two (2) courses:
 1393 | (1) S.89°29'35"E., a distance of 1960.21 feet; (2)
 1394 | thence N.00°30'25"E., a distance of 2062.70 feet to
 1395 | the Northeast corner of said lands; thence
 1396 | S.48°24'50"E., a distance of 2914.38 feet to the
 1397 | Southwest corner of lands described in Official
 1398 | Records Instrument 1998166154, of the Public Records
 1399 | Sarasota County, Florida; thence along the boundary of
 1400 | said lands described in Official Records Instrument
 1401 | 1998166154 the following three (3) courses: (1)
 1402 | S.89°58'33"E., a distance 676.50 feet; (2) thence
 1403 | N.00°01'27"E., a distance of 752.33 feet; (3) thence
 1404 | N.28°06'22"E., a distance of 362.06 feet to a point on
 1405 | the southerly right of way line of U.S. Highway No.
 1406 | 41, as per Florida Department of Transportation Right
 1407 | of Way Map, Section 17010-2508, said point being on a
 1408 | curve concave to the northeast and having a radius of
 1409 | 3011.73 feet, a central angle of 14°28'18", a chord
 1410 | bearing of S.72°07'12"E. and a chord distance of
 1411 | 758.67 feet; thence in an easterly direction, along
 1412 | the arc of said curve, an arc distance of 760.69 feet
 1413 | to a point on the West line of Section 34, Township

1414 39 South, Range 20 East, Sarasota County, Florida;
 1415 thence S.00°16'02"W., along the West line of said
 1416 Section 34, and leaving said southerly right of way
 1417 line, a distance of 379.82 feet; thence S.89°37'27"E.,
 1418 a distance of 1329.90 feet to a point on the westerly
 1419 right of way line of County Road #777 (South River
 1420 Road) as per Florida Department of Transportation
 1421 Right of Way Map, Section 17550-2601; thence along
 1422 said westerly right of way line, the following six (6)
 1423 courses; (1) S.00°07'30"W., a distance of 5.48 feet;
 1424 (2) thence S.89°23'52"E., a distance of 9.74 feet; (3)
 1425 thence S.36°39'07"E., a distance of 64.18 feet to the
 1426 point of curvature of a circular curve to the right,
 1427 having a radius of 5599.32 feet, a central angle of
 1428 02°00'54", a chord bearing of S.35°38'40"E. and a
 1429 chord distance of 196.90 feet; (4) thence
 1430 southeasterly, along the arc of said curve, an arc
 1431 distance of 196.91 feet to the end of said curve; (5)
 1432 thence N.55°21'47"E., radial to the last described
 1433 curve, a distance of 20.00 feet to a point on a curve
 1434 concentric with the last described curve and having a
 1435 radius of 5619.32 feet, a central angle of 15°31'30",
 1436 a chord bearing of S.26°52'28"E. and a chord distance
 1437 of 1517.98 feet; (6) thence in a southerly direction
 1438 along the arc of said curve, an arc distance of
 1439 1522.64 feet to the Northeast corner of lands
 1440 described in Official Records Instrument 2000002794,
 1441 of the Public Records Sarasota County, Florida; thence

1442 S.78°41'04"W., along the northerly line of said lands
 1443 described in Official Records Instrument 2000002794, a
 1444 distance of 2240.20 feet to the Southeast corner of
 1445 Section 33, Township 39 South, Range 20 East, Sarasota
 1446 County, Florida; thence N.89°39'52"W., along the South
 1447 line of said Section 33, a distance of 5318.90 feet to
 1448 the POINT OF BEGINNING.

1449
 1450 LANDS LOCATED IN TOWNSHIP 40 SOUTH, RANGE 20 EAST,
 1451 SARASOTA COUNTY, FLORIDA:

1452
 1453 All of Section 3, less and except the following: That
 1454 portion conveyed in Order of Taking recorded in
 1455 Official Record Book 2679, Page 2750-2754, of the
 1456 Public Records of Sarasota County, Florida (County
 1457 Road No 777); That portion conveyed in Official Record
 1458 Instrument No. 2000002794 of the Public Records of
 1459 Sarasota County, Florida, (River Road Office Park,
 1460 Inc.); The maintained right-of-way of County Road
 1461 No.777 (South River Road). All of Section 4, Less and
 1462 except the following: That portion described in
 1463 Official Record Instrument No. 2000002794, of the
 1464 Public Records of Sarasota County, Florida, (River
 1465 Road Office Park, Inc.). All of Section 5, less and
 1466 except the following: Right-of-way conveyed for Pine
 1467 Street Extension recorded in Official Record Book
 1468 2536, Page 811-974, of the Public Records of Sarasota
 1469 County, Florida. All of Section 6, less and except the

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1470 following: Right-of-way conveyed for Pine Street
 1471 Extension recorded in Official Record Book 2536, Page
 1472 811-974, of the Public Records of Sarasota County,
 1473 Florida. All of Section 7, less and except the
 1474 following: Right-of-way conveyed for Pine Street
 1475 Extension recorded in Official Record Book 2536, Page
 1476 811-974, of the Public Records of Sarasota County,
 1477 Florida. All of Section 8. All of Section 9. All of
 1478 Section 10, less and except the following: The
 1479 maintained right-of-way for County Road No. 777 (South
 1480 River Road) ALL OF THE ABOVE ARE SUBJECT TO EASEMENTS
 1481 OF RECORD, OR OTHERWISE, USED FOR DRAINAGE, UTILITIES
 1482 AND/OR INGRESS AND EGRESS.

1483
 1484 The above described property contains a total of
 1485 8193.7478 acres more or less.

1486
 1487 Section 18. Severability.--In case any one or more of the
 1488 sections or provisions of this act or the application of such
 1489 sections or provisions to any situation, circumstance, or person
 1490 shall for any reason be held to be unconstitutional, such
 1491 unconstitutionality shall not affect any other sections or
 1492 provisions of this act or the application of such sections or
 1493 provisions to any other situation, circumstance, or person, and
 1494 it is intended that this law shall be construed and applied as
 1495 if such section or provision had not been included herein for
 1496 any unconstitutional application.

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1497 Section 19. Limitations of powers.--All governmental
 1498 planning, environmental, and land development laws, regulations,
 1499 and ordinances apply to all development of the land within the
 1500 district. The district does not have the power of a local
 1501 government to adopt a comprehensive plan, building code, zoning
 1502 code, or land development code, as those terms are defined in
 1503 the Local Government Comprehensive Planning and Land Development
 1504 Regulation Act. The district shall take no action which is
 1505 inconsistent with applicable comprehensive plans, ordinances, or
 1506 regulations of the applicable local general-purpose government.
 1507 Nothing in this act shall create any delegation of any
 1508 responsibilities or authorities from the City of North Port to
 1509 the district. Notwithstanding anything to the contrary, the
 1510 district shall be required to obtain any and all permits for
 1511 infrastructure planning and construction from the City of North
 1512 Port that would otherwise be required of a private entity
 1513 performing the same work. The district shall not have the power
 1514 to supercede, contravene, or overrule any development or
 1515 annexation agreements entered into by landowners within or
 1516 outside of the district or any City of North Port joint planning
 1517 agreements or interlocal agreements with Sarasota County or any
 1518 other governmental entities.

1519 Section 20. Public disclosures.--

1520 (1) The district shall be required to comply with all
 1521 current or future requirements, if any, to provide disclosure to
 1522 the public and/or current or potential property owners
 1523 concerning the district and its assessments.

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1524 (2) Any contract for sale of real property within the
 1525 district whereby a land developer or builder is selling property
 1526 to the general public at large for residential and noncommercial
 1527 purposes, contain a disclosure to the potential purchaser
 1528 disclosing the existence and nature of the district, as well as
 1529 actual amounts of bonded indebtedness applicable to that
 1530 property and projected assessments for principal debt repayment
 1531 that the district is then obligated to assess and collect
 1532 annually upon the subject real property. Said disclosure must be
 1533 presented prominently and specifically acknowledged in writing
 1534 by the buyer in the sales document.

1535 (3) Any property owner's association created within the
 1536 district by a land developer or builder shall contain language
 1537 in its charter or declaration of covenants disclosing the
 1538 existence and purpose of the district.

1539 (4) The district shall cause to be recorded in the public
 1540 records of Sarasota County the formation of any unit created
 1541 pursuant to section 11 of this act and, upon of the sale of any
 1542 debt, the principal amount of bonded indebtedness incurred for
 1543 that unit.

1544 (5) Any land developer or builder who maintains a sales
 1545 office for the purpose of the initial sale of homes or lots
 1546 within the district to the general public at large shall post a
 1547 readily visible sign of not less than 24 inches by 36 inches in
 1548 the sales office which advises potential buyers of the existence
 1549 and purpose of the district.

1550 Section 21. Sale of lands.--In the event that the lands
 1551 described in subsection (3) are sold to the state or any

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1552 executive branch department thereof or the Southwest Florida
 1553 Water Management District:

1554 (1) The seller of said land shall be able to utilize any
 1555 such lands sold for open space mitigation, wetland mitigation,
 1556 and stormwater mitigation for development within the district.

1557 (2) Any development within the district which shall be
 1558 required to obtain any permits from any executive branch
 1559 department of the state or the Southwest Florida Management
 1560 District shall receive expedited review of those permits.

1561 (3) Legal description of lands:

1562
 1563 All of Section 3, Township 40 South, Range 20 East,
 1564 East of the Right-of -Way for State Road 777.

1565
 1566 LESS AND EXCEPT a parcel recorded in Deed Book 168,
 1567 Page 240 described as follows: a strip of land twenty
 1568 five feet in width on either side of a center line
 1569 running and described as follows: beginning at a
 1570 point which is the intersection of the section line
 1571 between sections 3 and 10, in Township 40 South, Range
 1572 20 East, and the centerline of the existing Englewood-
 1573 Myakka River Road, and running thence East along said
 1574 section line to the southeast corner of said Section
 1575 3, said corner being also the Northeast corner of said
 1576 section 10.AND All of section 10, Township 40 South,
 1577 Range 20 East, East of Right-of -Way for State Road
 1578 777.

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1579 | LESS AND EXCEPT a parcel recorded in Deed Book 168,
 1580 | Page 240 described as follows: a strip of land twenty
 1581 | five feet in width on either side of a center line
 1582 | running and described as follows: beginning at a
 1583 | point which is the intersection of the section line
 1584 | between sections 3 and 10, in Township 40 South, Range
 1585 | 20 East, and the centerline of the existing Englewood-
 1586 | Myakka River Road, and running thence East along said
 1587 | section line to the southeast corner of said Section
 1588 | 3, said corner being also the Northeast corner of said
 1589 | section 10.

1590 |
 1591 | AND

1592 |
 1593 | All of section 15, Township 40 South, Range 20 East,
 1594 | East of right-of -way for State Road 777.

1595 |
 1596 | All lying and being in Sarasota County, Florida

1597 |
 1598 | Section 22. This act shall take effect upon becoming a
 1599 | law.