

1
2 An act relating to the North Lauderdale Water
3 Control District, Broward County; amending,
4 reenacting, repealing, and codifying chapters
5 97-370, 94-428, 85-385, 82-273, and 63-661,
6 Laws of Florida, relating to the North
7 Lauderdale Water Control District; revising
8 district boundaries; revising the powers of the
9 district, to provide that the district may
10 borrow money at a rate not exceeding that which
11 is provided by law; providing that the members
12 of the board of supervisors shall be the "city
13 commission," rather than the "city council," of
14 the City of North Lauderdale and that a board
15 chair and vice chair shall be elected at each
16 annual meeting and as necessary to fill
17 vacancies; providing meeting notice
18 requirements and requiring that meetings be
19 held at a public place; providing that the City
20 Clerk of the City of North Lauderdale shall
21 serve as the district secretary; providing for
22 reimbursement of supervisors for travel
23 expenses pursuant to section 112.061, Florida
24 Statutes; providing that the interest rate on
25 bonds issued by the board not exceed the
26 maximum rate allowed by law; providing that the
27 interest rates on tax anticipation notes issued
28 by the board shall not exceed the maximum rate
29 allowed by law; deleting provision relating to
30 payment of taxes not authorized in advance;
31 providing for the use of non-ad valorem

1 assessments; updating references to chapter
2 298, Florida Statutes; providing for
3 severability; providing an effective date.
4

5 Be It Enacted by the Legislature of the State of Florida:
6

7 Section 1. Pursuant to section 189.429, Florida
8 Statutes, this act constitutes a codification of all special
9 acts relating to the dependent special district known as the
10 North Lauderdale Water Control District. It is the intent of
11 the Legislature in enacting this law to provide a single,
12 comprehensive special act charter for the district, including
13 all current legislative authority granted to the district by
14 its several legislative enactments and any additional
15 authority granted by this act.

16 Section 2. Chapters 63-661, 82-273, 85-385, 94-428,
17 and 97-370, Laws of Florida, are codified, reenacted, amended,
18 and repealed as herein provided.

19 Section 3. The North Lauderdale Water Control District
20 is re-created and reenacted to read:

21 Section 1. District created and boundaries
22 thereof.--That for the purpose of reclaiming, draining, and
23 conserving the lands hereinafter described, and protecting
24 said lands from the effects of water by means of the
25 construction and maintenance of canals, ditches, levees,
26 dikes, pumping plants, and other drainage works and
27 improvements, and for the purpose of making the lands within
28 said district available and habitable for settlement and
29 agriculture and for the public convenience, welfare, utility,
30 and benefit, and for the other purposes stated in this act, a
31 drainage district is hereby established in Broward County, to

1 be known as the "North Lauderdale Water Control District," a
2 drainage district, the territorial boundaries of which are
3 to-wit:

4
5 The City of North Lauderdale, being a
6 portion of Sections 1,2,3,10,11 and 12, of
7 Township 49 South, Range 41 East, of Section
8 34, of Township 48 South Range 41 East, and a
9 portion of Section 6 and 7 of Township 49
10 South, Range 41 East. All in Broward County,
11 Florida, being more particularly described as
12 follows:

13 BEGIN at the Southwest corner of Section
14 35; Township 48 South, Range 41 East;

15 THENCE N 89° 50'31" E along the South line
16 of Section 35, Township 48 South, same being
17 the North line of Section 2, Township 49 South,
18 Range 41 East, distance of 4233.31 feet to the
19 Northeast corner of said Section 1, Township 49
20 South, Range 41 East;

21 THENCE S 01° 40'11" E along the East line
22 of said Section 1 a distance of 2268.50 feet to
23 the South line of a 80' canal right-of-way as
24 shown on KIMBERLY FOREST, according to the plat
25 thereof, as recorded in Plat Book 68, Page 31
26 of the Public Records of Broward County,
27 Florida;

28 THENCE N 89° 39'55" E along said South
29 right-of-way line a distance of 2586.31 feet to
30 the East right-of-way line of Southwest 64th
31 Terrace, a 60.00 foot right-of-way as shown on

1 KIMBERLY VILLAGE- Section 3, according to the
2 plat thereof, as recorded in Plat Book of, Page
3 13 of the Public Records of Broward County,
4 Florida;
5 THENCE S 01° 40'52" E along said East
6 right-of-way line a distance of 657.68 feet to
7 the Northwest corner of Lot 14, Block 17, of
8 KIMBERLY VILLAGE- Section Two according to the
9 plat thereof as recorded in Plat Book 66, Page
10 6 of the Public Records of Broward County,
11 Florida;
12 THENCE N 89° 37'08" East along the North
13 line of said KIMBERLY VILLAGE-Section Two and
14 along the North line of KIMBERLY
15 VILLAGE-Section 1 according to the Plat
16 thereof, as recorded in Plat Book 65, Page 16
17 of the Public Records of Broward County,
18 Florida and the Easterly prolongation thereof
19 of 2562.16 feet to a point on the right-of-way
20 line of State Road Number 7, a 100.00 foot
21 (1/2) right-of-way as shown on KELLY PLAT,
22 according to the plat thereof as recorded in
23 Plat Book 136, Page 39 of the Public Records of
24 Broward County, Florida;
25 THENCE N 90°00'00" E a distance of 7.61
26 feet;
27 THENCE S 06°30'04" W a distance of 12.46
28 feet;
29 THENCE S 01°43'32" E along said West
30 right-of-way line a distance of 351.72 feet;
31

1 THENCE N 88°16'28" E a distance of 180.28
2 feet to a point on the West right-of-way line
3 of State Road Number 7, a 80 foot more or less
4 (1/2) right-of-way as shown on SERINO PARK,
5 Section 3, according to the Plat thereof, as
6 recorded in Plat Book 81, Page 46 of the Public
7 Records of Broward County, Florida;
8 THENCE S 01°36'29" E along said
9 right-of-way line a distance of 1524.08 feet to
10 the South right-of-way line of S.W. 11th Street
11 a 50.00 right-of-way as shown on HERITAGE
12 PINES, according to the plat thereof, as
13 recorded in Plat Book 99, Page 10 of the Public
14 Records of Broward County, Florida;
15 THENCE N 89°22'00" E along said South
16 right-of-way line a distance of 335.91 feet;
17 THENCE S 01°42'30" E a distance of 712.89
18 feet to a point on the South line of OAKLAND
19 HILLS 7th Section, according to the plat
20 thereof as recorded in Plat Book 81, Page 30 of
21 the Public Records of Broward County, Florida,
22 said point also being the North right-of-way
23 line of an unnamed 20 right-of-way being a part
24 of THE PALM BEACH FARMS COUNTY PLAT NO. 3
25 according to the plat thereof, as recorded in
26 Plat Book 2, Pages 45-54 of the Public Records
27 of Palm Beach County, Florida.
28 THENCE N 89°21'59" E along the South line
29 of said OAKLAND HILLS 7th Section and the North
30 line of said unnamed right-of-way a distance of
31

1 1107.78 feet to the West line of said OAKLAND
2 HILLS 7th Section;
3 THENCE N 01°11'43" E along said West line
4 a distance of 713.33 feet to the previously
5 described South right-of-way line of S.W. 11th
6 Street;
7 THENCE N 89°21'59" E along said South
8 right-of-way line a distance of 1219.85 feet to
9 a point on the West right-of-way line of a
10 25.00 un-named right-of-way as shown on said
11 PALM BEACH FARMS COUNTY, Plat No. 3
12 THENCE S 00°56'19" E along said
13 right-of-way line and along the East line of
14 Parcel B OUR LADY QUEEN OF HEAVEN CEMETERY PLAT
15 according to the Plat thereof, as recorded in
16 Plat Book 152, Page 21 of the Public Records of
17 Broward County, Florida a distance of 1539.82
18 feet to a point on the Westerly right-of-way
19 line of the SUNSHINE STATE PARKWAY as shown on
20 said OUR LADY QUEEN OF HEAVEN CEMETERY PLAT;
21 THENCE S 04°20'47" E a distance of 495.04
22 feet to a point on the East right-of-way line
23 of said SUNSHINE STREET said point being the
24 Northeast corner of MARINERS COVE, according to
25 the Plat thereof, as recorded in Plat Book 147,
26 Page 44 of the Public records of Broward
27 County, Florida;
28 THENCE S 00°56'05" E along the East line
29 of said MARINERS COVE. a distance of 2276.59
30 feet to the Southeast corner of said MARINERS
31 COVE;

1 THENCE N 88°58'55" W along the South, line
2 of said MARINERS COVE a distance of 1349.57
3 feet to the Northerly right-of-way line of
4 Northwest 62nd Street, as shown on said
5 MARINERS COVE;
6 THENCE S 89°45'09" W a distance of 307.79
7 feet to a point on the Southerly right-of-way
8 line of
9 THENCE S 89°30'45" W a distance of 79.68
10 feet to a point on the Easterly right-of-way
11 line of said SUNSHINE STATE PARKWAY, as shown
12 on said MARINERS COVE;
13 THENCE S 89°18'13" W a distance of 382.37
14 feet to a point on the Westerly right-of-way
15 line of the said point also being the Northeast
16 corner of The Cummings Plat No. 1 according to
17 the Plat thereof, as recorded in Plat Book 126,
18 Page 35 of the Public Records of Broward
19 County, Florida;
20 THENCE S 36°59'06" W along the Easterly
21 line of said THE CUMMINGS PLAT NO. 1, and along
22 said Westerly right-of-way line a distance of
23 956.81 feet to a point on the Easterly
24 right-of-way line of State Road 7 as shown on
25 said THE CUMMINGS PLAT NO. 1, and projected
26 Southerly;
27 THENCE S 89°33'52" W a distance of 117.29
28 feet to a point on the West right-of-way line
29 of State Road 7, as shown on Bailey Road Plaza
30 according to the Plat thereof, as recorded in
31 Plat Book 86, Page 1 of the Public Records of

1 Broward County, Florida and projected
2 Northerly;
3 THENCE N 01°41'42" W along said Westerly
4 right-of-way line a distance of 2152.83 feet to
5 a point on the Southerly right-of-way line of
6 McNab Road being on the arc of a non-tangent
7 curve concave to the Southwest, a radial line
8 of said curve through said point having a
9 bearing of N 57°05'20" E,
10 THENCE Northwesterly and Westerly along
11 the arc of said curve to the left, having a
12 central angle of 47°07'44" and a radius of
13 975.00 feet for an arc distance of 801.99 feet
14 to a point on a non-tangent line, said line
15 being 35.00 feet South of and parallel to the
16 North Line of Section 12, Township 49, South,
17 Range 41 East;
18 THENCE S 89°23'29" W along said parallel
19 line and continuing along the South
20 right-of-way line of McNab Road (Southwest 15th
21 Street) PER BROADVIEW COUNTRY CLUB ESTATES,
22 according to the Plat thereof, as recorded in
23 Plat Book 44, Page 31 of the Public Records of
24 Broward County, Florida a distance of 1805.38
25 feet;
26 THENCE S 89°42'10" W, continue along said
27 right-of-way line, a distance of 2405.94 feet;
28 THENCE S 01°31'23" E a distance of 2588.98
29 feet to a point on the South line of the North
30 one-half (N1/2) of Section 12, Township 49
31 South, Range 41 East, said line also being the

1 centerline of Bailey Road a 50.00 foot (1/2)
2 right-of-way, as shown on SPRINGBANK PARK,
3 according to the Plat thereof, as recorded in
4 Plat Book 63, Page 47 of the Public Records of
5 Broward County, Florida.
6 THENCE S 89°31'43" W along said centerline
7 a distance of 188.48 feet to the East
8 one-quarter (E1/4) corner of Section 11,
9 Township 49 South, Range 41 East;
10 THENCE S 01°23'15" E a distance of 50.11
11 feet to a point on the Southerly right-of-way
12 line of Bailey Road;
13 THENCE S 89°31'14" W along said Southerly
14 right-of-way line a distance of 3954.25 feet to
15 a point on the centerline of Northwest 61st
16 Avenue, 60.00 un-named right-of-way as shown on
17 BANYAN LAKES according to the Plat thereof, as
18 recorded in Plat Book 102, Page 18 of the
19 Public records of Broward County, Florida;
20 THENCE N 01°12'41" W along said centerline
21 a distance of 49.96 feet to the previously
22 described centerline of Bailey Road.
23 THENCE S 89°30'59" W along said centerline
24 a distance of 1318.70 feet to the West line of
25 said Section 11;
26 THENCE S 01°27'35" E along said Section
27 line, a distance of 1323.04 feet to the
28 Northeast corner of The MAINLANDS OF TAMARAC
29 LAKES EIGHTH SECTION according to the Plat
30 thereof, as recorded in Plat Book 67, Page 35
31

1 of the Public Records of Broward County,
2 Florida;

3 THENCE S 89°31'30" W along the North line
4 of said MAINLANDS OF TAMARAC SECTION EIGHT, a
5 distance of 1320.00 feet to the Southeast
6 corner of The MAINLANDS OF TAMARAC LAKES TENTH
7 SECTION, according to the Plat thereof. As
8 recorded in Plat Book 68, Page 36 of the Public
9 Records of Broward County, Florida;

10 THENCE N 01°27'23" W along the East line
11 of said MAINLANDS OF TAMARAC LAKES TENTH
12 SECTION, a distance of 1320.00 feet to the
13 Northeast corner of said plat;

14 THENCE S 89°31'30" W along the North line
15 of said MAINLANDS OF TAMARAC LAKES TENTH
16 SECTION, a distance of 1320.00 feet to the
17 Southeast corner of The Mainlands of Tamarac
18 Lakes Unit Fifteen according to the plat
19 thereof, as recorded in Plat Book 71, Page 3 of
20 the Public Records of Broward County, Florida;

21 THENCE N 01°27'23" W along the East line
22 of said MAINLANDS OF TAMARAC LAKES UNIT FIFTEEN
23 a distance of 2642.99 feet to the North line of
24 Section 10 said LINE BEING 15.00 feet South of
25 and parallel with the North right-of-way line
26 of McNab Road as shown on said Plat;

27 THENCE N 89°31'07" E along said North line
28 a distance of 1320.00 feet to the East line of
29 McNab Commercial Subdivision No. 1 plat
30 (71-13);
31

1 THENCE N 01°40'37" W along said east line
2 a distance of 7231.05 feet to the South line of
3 Section 34;
4 THENCE S 89°52'23" E along said South line
5 a distance of 158.14 feet;
6 THENCE N 01°15'23" W a distance of 535.22
7 feet to the Southerly right-of-way line of the
8 South Florida Water Management District Canal
9 C-14 (Pompano Canal) per North Lauderdale
10 Village Section Five plat (109-25);
11 THENCE N 88°59'53" E along said Southerly
12 right-of-way line a distance of 2257.64 feet to
13 the East line of Section 34;
14 THENCE S 01°08'20" E a distance of 574.37
15 feet to the POINT OF BEGINNING;
16 PLUS:
17 Portions of Sections 13 and 13, Township
18 49, South, Range 41 East, Broward County,
19 Florida; Together with portions of Sections 7
20 and 18, Township 49 South, Range 42 East
21 Broward County, Florida; Together with portions
22 of Tracts 4, 8, 9, and 16, "FORT LAUDERDALE
23 TRUCK FARMS" according to the Public Records of
24 Broward County, Florida; Together with a
25 portion of Tract 10, Block 96, "PALM BEACH
26 FARMS CO. PLAT NO. 3", Plat Book 2, Page 54,
27 Palm Beach County Records; Together with all of
28 the following plats recorded in the Public
29 Records of Broward County, Florida, "BROADVIEW
30 COUNTRY CLUB ESTATES", Plat Book 44, Page 31,
31 "BROADVIEW COUNTRY CLUB ESTATES, 1st ADDITION",

1 Plat Book 46, Page 4, "BROADVIEW COUNTRY CLUB
2 ESTATES, 2ND ADDITION", Plat Book 47, Page 22,
3 "BROADVIEW COUNTRY CLUB ESTATES, 3RD ADDITION",
4 Plat Book 47, Page 41, "BROADVIEW COUNTRY CLUB
5 ESTATES, 4TH ADDITION", Plat Book 48, Page 5,
6 "BROADVIEW COUNTRY CLUB ESTATES, 5TH ADDITION",
7 Plat Book 48, Page 25, "BROADVIEW COUNTRY CLUB
8 ESTATES, 6TH ADDITION", Plat Book 51, Page 49,
9 "BROADVIEW COUNTRY CLUB ESTATES, 7TH ADDITION",
10 Plat Book 51, PAGE 50, "POMPANO PARK SECTION
11 1", Plat Book 52, Page 7, "POMPANO PARK SECTION
12 2", Plat Book 54, Page 12, "POMPANO PARK
13 SECTION 3", Plat Book 55, Page 20, "BROADVIEW
14 COUNTRY CLUB ESTATES, 9TH ADDITION", Plat Book
15 56, Page 3, "BROADVIEW COUNTRY CLUB ESTATES,
16 11TH ADDITION", Plat Book 56, Page 28,
17 "BROADVIEW COUNTRY CLUB ESTATES, 12TH
18 ADDITION", Plat Book 57, Page 18, "BROADVIEW
19 COUNTRY CLUB ESTATES, 14TH ADDITION", Plat Book
20 58 Page 18, "BROADVIEW COUNTRY CLUB ESTATES,
21 15TH ADDITION", Plat Book 62, Page 35, "PERRY'S
22 ADDITION TO BROADVIEW COUNTRY CLUB ESTATES",
23 Plat Book 62, Page 43, "SPRINGBANK PARK", Plat
24 Book 63, Page 47, "SPRINGBANK PARK, SECTION 2",
25 Plat Book 69, Page 23, "SOUTHERN FEDERAL AT
26 TAMARAC", Plat Book 82, Page 36, "SLOATE & ZITO
27 CENTER", Plat Book 83, Page 13, "BUNTROCK
28 PLAT", Plat Book 84, Page 30, "BAILEY ROAD
29 PLAZA", Plat Book 86, Page 1, "STAPLES
30 COMMERCIAL PLAT", Plat Book 93, Page 2,
31 "CONTINENTAL PLAZA", Plat Book 96, Page 14,

1 "ZACKOWITZ PLAT", Plat Book 100, Page 38,
2 "DARGEL-MINNET PLAT", Plat Book 104, Page 16,
3 "GUARDIAN PLAT", Plat Book 111, Page 50,
4 "TAMARAC MINI STORAGE PLAT No. 1" PLAT BOOK
5 112, Page 2, "WELLENS COMMERCIAL", Plat Book
6 115, Page 44, "PLAZA SEVEN SUBDIVISION", Plat
7 Book 117, PAGE 24, "THE POINT", Plat Book 119,
8 Page 28, "K.M.R. PLAT", Plat Book 127, Page 4,
9 "ANDY PLAT", Plat Book 127, Page 16,
10 "CENTRUM-ROBAINA PLAT", Plat Book 127, Page 27,
11 "HIDDEN LAKE ESTATES", Plat Book 144, Page 46,
12 and the "WILEY PLAT", Plat Book 168, Page 29,
13 said portions being more particularly described
14 as follows:

15 Beginning at the intersection of a line
16 lying 170.00 feet East of the West line of said
17 Section 12, and the North line of said Section
18 12; said line also being the municipal limits
19 of North Lauderdale per Chapter 83-475, House
20 Bill No. 926, Laws of Florida;

21 THENCE along said North line and said
22 Municipal Limits line, South 88°55'02" East,
23 5,098.96 feet to an intersection with a point
24 on a line lying 15 feet West of and parallel
25 with the East Line of the Northeast Quarter
26 (N.E. 1/4) of said Section 12;

27 THENCE along said parallel line, and said
28 Municipal Limits line South 00°00'00" East,
29 2,644.43 feet;
30
31

1 THENCE South 00°00'03" East 98.89 feet to
2 a point on the Westerly right of way of
3 Florida's Turnpike;
4 THENCE North 37°42'49" East along said
5 Westerly right of way and said Municipal Limits
6 line to the Northerly prolongation of the West
7 line of Tract 7, Block 96 of said PALM BEACH
8 FARMS CO. Plat No. 3;
9 THENCE South 00°01'14" East along the said
10 Northerly prolongation and along the East right
11 of way line of State Road 7 said line also
12 being the Municipal Limits of Fort Lauderdale
13 as per Chapter 69-1057 House Bill 2628 of the
14 Laws of Florida and City of Ft. Lauderdale
15 Ordinance No. C-00-71 to the North right-of-way
16 line of Prospect Road, as shown on the State of
17 Florida Department of Transportation
18 right-of-way map Section 86100-2501 Sheet 7
19 (Latest Date 4/17/95);
20 THENCE Easterly along said North
21 right-of-way line, to a POINT OF INTERSECTION
22 with a line lying 249.00 feet East of and
23 parallel with the East right-of-way line of
24 said State Road 7;
25 THENCE Southerly along said line to an
26 intersection with the south line of the
27 aforsaid Tract 10;
28 THENCE along said South line, 987.82 feet
29 to an intersection with the Northerly Extension
30 of the Westerly line of "LINPRO LONESTAR PARK",
31 according to the plat thereof as recorded in

1 Plat Book 124, Page 12, of the Public Records
2 of Broward County, Florida;
3 THENCE South 00°07'30" East, along said
4 Westerly line and the Westerly line of
5 "PROSPECT INDUSTRIAL AND COMMERCIAL PARK"
6 according to the plat thereof as recorded in
7 Plat Book 14, Page 17, of the Public Records of
8 Broward County, Florida, said line also being
9 the Municipal Limits of Fort Lauderdale per
10 Ordinance C-72-22, 2,059.89 feet to the South
11 line of said PROSPECT INDUSTRIAL AND COMMERCIAL
12 PARK Plat;
13 THENCE Easterly along the said South line
14 and said Municipal Limits line, South 88°20'25"
15 East, 1,323.66 feet to an intersection with the
16 West Line of the East Half (E. 1/2) of said
17 Section 18;
18 THENCE Southerly along said West line, and
19 said Municipal Limits line, South 00°11'46"
20 East, 1,120.59 feet to an intersection with the
21 North right-of-way line of Commercial Boulevard
22 (N.W. 50th Street);
23 THENCE along said North right of way line,
24 said line also being the Municipal Limits of
25 Tamarac per Ordinance 0-81-17, said line also
26 being the south lines of said "GUARDIAN PLAT",
27 said "KMR PLAT" and said "THE POINT PLAT", to a
28 line 861.25 feet West of the East Boundary of
29 the Southwest Quarter (S.W. 1/4) of said
30 Section 18;
31

1 THENCE along said Municipal Limits line
2 the following Two (2) Courses; (1) THENCE
3 North 00°29'16" West along said line said line
4 also being the East line "TAMARAC BUSINESS
5 CENTER" according to the plat thereof, as
6 recorded in Plat Book 61, Page 27 of the Public
7 Records of Broward county, Florida 446.72 feet
8 (2) THENCE along the North line of said Plat,
9 North 88°29'17" West, 462.40 feet to an
10 intersection with the Southerly Extension of
11 the Westerly line of said "TAMARAC MINI STORAGE
12 PLAT NO. 1";

13 THENCE along the Municipal Limits of Fort
14 Lauderdale per Ordinance C-73-4 the following
15 Three (3) Courses, and along said Southerly
16 Extension of said Westerly line and the
17 Westerly line of said "TAMARAC MINI STORAGE
18 PLAT NO. 1", (1) North 00°07'30" West, 660.26
19 feet to the Northeast Corner of "LEDER
20 COMMERCIAL SUBDIVISION", according to the Plat
21 thereof as recorded in Plat Book 79, Page 25 of
22 the Public Records of Broward County, Florida;
23 (2) THENCE along the North line of said "LEDER
24 COMMERCIAL SUBDIVISION" Plat, North 88°33'38"
25 West, 1,271.42 feet to the East right of way
26 line of State Road 7; (3) THENCE along said
27 East right of way line, South 00°00'30" East,
28 658.62 feet to the South line of the Northwest
29 Quarter (N.W. 1/4) of said Section 18;

30 THENCE along the Municipal Limits of
31 Tamarac, per Ordinance 0-81-17, the following

1 Nine (9) Courses; (1) THENCE North 88°29'17"
2 West 153 feet along said South line and the
3 Westerly prolongation thereof to the West right
4 of way line of State Road 7; (2) THENCE
5 Northerly along said West right of way line to
6 an intersection with the South line of the
7 Southeast Quarter of Section 12, Township 49
8 South, Range 41 East; (3) THENCE along said
9 South line, North 88°57'06" West 1,220 feet,
10 more or less, to the intersection with the West
11 line of said Tract 16 and the Southerly
12 extension of the West line of said "POMPANO
13 PARK" Plat; (4) THENCE along said West line,
14 said line also being the East line of Tract 15
15 of said FT. LAUDERDALE TRUCK FARMS Plat, North
16 00°02'53" West, 1,320.05 feet to the Southeast
17 Corner of said "POMPANO PARK SECTION 1"
18 PLAT; (5) THENCE along the South line of the
19 aforesaid "POMPANO PARK SECTION 1" Plat and the
20 South line of said Tract 10, North 88°57'12"
21 West, 1,153.35 feet to a POINT OF INTERSECTION
22 with the line lying 165.83 feet East of the
23 West line of said Tract 10; (6) THENCE
24 Northerly along said line 163.73
25 feet; (7) THENCE Westerly along a line 163.73
26 feet North of the South line of said Tract 10,
27 165.83 feet to a Point on the West line of said
28 Tract 10; (8) THENCE along the West line of
29 said Tract 10, North 01°03'51" East, 1,155.20
30 feet to an intersection with the South line of
31 the North (N 1/2) of said Section

1 12; (9) THENCE along said South line, North
2 88°56'09" West 2,470.48 feet to a POINT OF
3 INTERSECTION with said line lying 170.00 feet
4 East of and parallel with the West line of said
5 Section 12;
6 THENCE along said parallel line said line
7 also being the Municipal Limits of the City of
8 North Lauderdale per Chapter 83-475 House Bill
9 926 Laws of Florida, North 00°00'05" East,
10 2,646.09 feet to the POINT OF BEGINNING.
11 Together with all of the "ANDY PLAT" Plat Book
12 127, Page 16 of the Public Records of Broward
13 County, Florida, and a portion of Section 18,
14 Township 49 South, Range 42 East, more
15 particularly described as follows:
16 Begin at the Northwest Corner of said
17 "ANDY PLAT";
18 THENCE along the North line of said Plat
19 and Easterly prolongation thereof, said line
20 also being the Municipal Limits of Tamarac per
21 Ordinance 0-81-17, South 88°32'02" East, 130.09
22 feet;
23 THENCE South 00°08'24" East along the
24 Municipal Limits of Oakland Park per Chapter
25 79-458 House Bill 1498, Laws of Florida, 426.14
26 feet;
27 THENCE along the South line of said "ANDY
28 PLAT" and Easterly prolongation thereof, said
29 line also being the Municipal Limits of
30 Lauderdale Lakes per Chapter 84-463, House Bill
31 1082, Laws of Florida, 130.09 feet;

1 THENCE along the West line of said Plat,
2 said line also being the Municipal Limits of
3 Lauderdale Lakes per Ordinance 87-10, North
4 00°08'24" West, 426.14 feet to the POINT OF
5 BEGINNING. Together with: all of the
6 "CONTINENTAL PLAZA", Plat Book 96, Page 14 of
7 the Public Records of Broward County, Florida,
8 and a portion of Section 18, Township 49 South,
9 Range 42 East, more particularly described as
10 follows:
11 BEGIN at the Northwest Corner of said
12 CONTINENTAL PLAZA;
13 THENCE along the North line of said Plat
14 and Easterly prolongation thereof, said line
15 also being the Municipal Limits of Tamarac per
16 Ordinance 0-81-17, South 88°32'02" East, 299.77
17 feet;
18 THENCE along the West line of CARVEL
19 CORPORATION PLAT, per Plat Book 123, Page 17,
20 of the Public Records of Broward County,
21 Florida, said line also being the Municipal
22 Limits of Lauderdale Lakes per Ordinance 87-10,
23 South 00°11'09" East, 426.14 Feet;
24 THENCE along the South line of said
25 CONTINENTAL PLAZA Plat and the Easterly
26 prolongation thereof said line also being the
27 Municipal Limits of Lauderdale Lakes per
28 Chapter 84-463, House Bill 1082, Laws of
29 Florida, North 88°32'02" West, 299.43 feet;
30 THENCE along the West line of said Plat,
31 said line also being the Municipal Limits of

1 Tamarac per Ordinance 0-81-7, North 00°11'09"
2 West, 426.15 feet to the POINT OF BEGINNING.
3 LESS THEREFROM: that portion of the City
4 of Ft. Lauderdale as per Ordinance C-73-4 lying
5 in Section 18, Township 49, Range 42 East,
6 Broward County, Florida, being more
7 particularly described as follows:
8 BEGINNING at the Northwest corner of the
9 South half (S 1/2) of the Southeast one (S.E.
10 1/4) of the Northwest One Quarter (N.W. 1/4) of
11 Section 18, Township 49 South, Range 42 East;
12 THENCE North 00°07'30" West along the
13 Extension of the West line of the South half (S
14 1/2) of the Southeast One Quarter (N.W. 1/4), a
15 distance of 15.00 feet;
16 THENCE North 88°33'38" West, a distance of
17 10.00 feet;
18 THENCE South 00°07'30" East, 10.00 feet
19 West of and parallel to the said West line of
20 the South half (S 1/2) of the Southeast One
21 Quarter (S.E. 1/4) of the Northwest One
22 Quarter (N.W. 1/4), a distance of 33.33 feet;
23 THENCE South 88°33'38" East, a distance of
24 10.00 feet to a point on the West line of said
25 South half (S 1/2) of the Southeast One Quarter
26 (S.E. 1/4) of the Northwest One Quarter (N.W.
27 1/4);
28 THENCE North 00°07'30" West, along the
29 said West line of the South half (S 1/2) of the
30 Southeast One Quarter (S.E. 1/4) of the
31

1 Northwest One Quarter (N.W. 1/4), a distance of
2 18.33 feet to the POINT OF BEGINNING.

3 Said lands situate and lying in Broward
4 County, Florida.

5
6 It is hereby determined, declared, and enacted that said lands
7 in their present condition are wet and subject to overflow and
8 that the drainage, reclamation, and protection of said lands
9 from the effects of water is in the interest of and conducive
10 to the public welfare, health, and convenience.

11 Section 2. Provisions of chapter 298, Florida
12 Statutes, made applicable.--A public corporation and a
13 political subdivision of the state is hereby created under the
14 name and style of "North Lauderdale Water Control
15 District." The provisions of the general drainage laws of
16 Florida applicable to drainage districts which are embodied in
17 chapter 298, Florida Statutes, and all the laws amendatory
18 thereof, now existing or hereinafter enacted so far as not
19 inconsistent with this act, are hereby declared to be
20 applicable to said North Lauderdale Water Control
21 District. Said North Lauderdale Water Control District shall
22 have all the powers and authorities mentioned in or conferred
23 by said chapter 298, Florida Statutes, and acts amendatory
24 thereof, except as herein otherwise provided.

25 Section 3. Powers of the district.--Said district
26 shall have the power to sue and be sued by its name in any
27 court of law or in equity; to make contracts; to adopt and use
28 a corporate seal and to alter the same at pleasure; to acquire
29 by purchase, gift, or condemnation, real and personal
30 property, either or both, within or without the district, and
31 to convey and dispose of such real and personal property as

1 may be necessary and convenient to carry out the purposes, or
2 any of the purposes, of this act and chapter 298, Florida
3 Statutes; to construct, operate, and maintain canals, ditches,
4 drains, levees, dikes, and other works for drainage purposes;
5 to acquire, purchase, operate, and maintain pumps, plants, and
6 pumping systems for drainage purposes; to construct, operate,
7 and maintain irrigation works, machinery, and plants; to
8 construct, improve, pave, and maintain roadways and roads
9 necessary and convenient for the exercise of the powers or
10 duties or any of the powers or duties of said district or the
11 supervisors thereof; to pump water into and out of canals,
12 ditches, drains, and other works of the district, or onto or
13 from the lands in said district, and to regulate and control
14 the flow of water into and out of said district; in
15 maintaining and operating canals, drains, levees, dikes, dams,
16 locks, reservoirs, pumping stations, and water control
17 structures, the board of supervisors and its agents and
18 employees shall have the authority to enter at all reasonable
19 times upon the lands adjacent to any such drainage works in
20 order to transport and use men and women, equipment,
21 machinery, and materials necessary to properly maintain,
22 preserve, and operate such drainage works and in furtherance
23 of the purposes and intent of this act and chapter 298,
24 Florida Statutes, to construct, improve, and pave roadways and
25 roads necessary and convenient to provide access to, and
26 efficient development of, areas made suitable and available
27 for cultivation, settlement, and other beneficial use and
28 development as a result of the drainage and reclamation
29 operations of the district; to borrow money and issue
30 negotiable or other bonds of said district as hereinafter
31 provided; to borrow money from time to time, and issue

1 negotiable or other notes of said district therefor, bearing
2 interest not exceeding the rate prescribed by Florida general
3 or special law, in anticipation of the collection of taxes,
4 levies, and assessments or revenues of said district and to
5 pledge or hypothecate such taxes, levies, assessments, and
6 revenues to secure such bonds, notes, or obligations, and to
7 sell, discount, negotiate, and dispose of the same; and to
8 exercise all other powers necessary, convenient, or proper in
9 connection with any of the powers or duties of said district
10 stated in this act or chapter 298, Florida Statutes. The
11 powers and duties of said district shall be exercised by and
12 through the board of supervisors thereof, which board shall
13 have the authority to employ engineers, attorneys, agents,
14 employees, and representatives as the board of supervisors may
15 from time to time determine and to fix their compensation and
16 duties.

17 Section 4. Board of supervisors; organization; powers,
18 duties, and terms of office.--There is hereby created a Board
19 of Supervisors of North Lauderdale Water Control District,
20 which shall be the governing body of said district. The
21 members of the board of supervisors of said district shall be
22 composed of five members, who shall be the five sitting
23 members of the City Commission of the City of North
24 Lauderdale. The city commission shall continue all of the
25 duties, functions, and responsibilities under this act of the
26 supervisors of the district after this act becomes law.

27 (1) The term of office of each member of the board of
28 supervisors shall be coincidental with that member's term of
29 office as a member of the city commission. The members shall
30 assume full duties as a member of the board of supervisors
31

1 once he or she takes the oath of office as a member of the
2 city commission.

3 (2) Terms of office for the board of supervisors shall
4 be concurrent with the length of time the commission member is
5 in office.

6 (3) An annual meeting of the board of supervisors
7 shall be held during the first week of June and otherwise in
8 accordance with this act. At the annual meeting of the board
9 of supervisors and as necessary to fill a vacancy, the board
10 shall elect, from its members, a chair and a vice chair, who
11 shall serve in said positions until the next annual meeting or
12 expiration of his or her term, whichever occurs first.

13 Section 5. Meetings of board of supervisors.--The
14 board of supervisors shall have the power to call special
15 meetings at any time to receive reports or consider and act
16 upon any matter. Notice of all meetings shall be given by the
17 board of supervisors by causing publication thereof to be made
18 once at least 5 days prior to such meeting in some newspaper
19 published in Broward County or by sending sufficient notice
20 through the mail to each landowner. In cases of emergency as
21 determined by a majority of the board, this notice requirement
22 may be waived. The meetings shall be held in some public
23 place, and the place, day, and hour of holding such meeting
24 shall be stated in the notice. The chair of the board of
25 supervisors shall preside at such meeting. The City Clerk of
26 the City of North Lauderdale shall serve as secretary of the
27 board of supervisors and shall serve as the secretary at the
28 meeting. The Board of Supervisors of the North Lauderdale
29 Water Control District shall meet not less than 4 times per
30 year to conduct the business of the district as provided for
31 in this act.

1 Section 6. Compensation of the board.--Each supervisor
2 shall serve without compensation, except that he or she shall
3 be reimbursed for their travel expenses pursuant to section
4 112.061, Florida Statutes, as may be amended from time to
5 time, for each mile actually traveled in going to and from his
6 or her place of residence to the place of meeting.

7 Section 7. Taxes and assessments, levied and
8 apportioned, and the collection thereof.--Taxes and non-ad
9 valorem assessments shall be levied and apportioned as
10 provided for by the general drainage and water control laws of
11 Florida, chapter 298, Florida Statutes, and amendments
12 thereto, and the general or special laws of the state; except
13 that the following provisions shall apply to said district:
14 the board of supervisors shall determine, order, and levy the
15 amount of the annual taxes or non-ad valorem assessments
16 levied under chapter 298, Florida Statutes, which shall become
17 due and be collected during each year at the same time that
18 county taxes are due and collected, which said annual tax,
19 assessment, and levy shall be evidenced to and certified by
20 the said board, no later than July 1 of each year, to the Tax
21 Assessor of Broward County. Said tax or assessment shall be
22 extended by the county tax assessor on the county tax roll and
23 shall be collected by the tax collector in the same manner and
24 time as county taxes, and the proceeds thereof paid to said
25 district.

26 Section 8. Maintenance tax.--The provisions of section
27 298.54, Florida Statutes, and amendments thereto shall not be
28 applicable to said district. In lieu thereof, the following
29 provisions shall apply to said district: to maintain and
30 preserve the improvements made pursuant to this chapter and to
31 repair and restore the same, when needed, and for the purpose

1 of defraying the current expenses of the district, the board
2 of supervisors, may, upon completion of said improvements in
3 whole or in part as may be certified to the said board by the
4 chief engineer, levy annually a tax upon each tract or parcel
5 of land within the district, to be known as "maintenance
6 tax." Said maintenance tax shall be apportioned upon the
7 basis of the net non-ad valorem assessments of benefits
8 assessed as accruing for original construction, and shall be
9 evidenced to and certified by said board not later than July 1
10 of each year to the Tax Assessor of Broward County, and shall
11 be extended by the county tax assessor on the county tax roll,
12 and shall be collected by the county tax collector in the same
13 manner and time as county taxes and the proceeds therefrom
14 paid to the said district. Said tax shall be a lien until
15 paid on the property upon which assessed, and enforceable in
16 like manner as county taxes.

17 Section 9. Levy of taxes and assessments on fractional
18 acres.--In levying and assessing all taxes and assessments,
19 each tract or parcel of land more than 1 acre in area which
20 contains a fraction of an acre shall be assessed at the
21 nearest whole number of acres. However, each tract or parcel
22 of land less than 1 acre in area shall be assessed as a full
23 acre.

24 Section 10. Enforcement of taxes and assessments.--The
25 collection and enforcement of all taxes and assessments levied
26 by said district shall be at the same time and in like manner
27 as the county. The provisions of the Florida Statutes
28 relating to the sale of lands for unpaid and delinquent county
29 taxes and assessments, the issuance, sale, and delivery of tax
30 certificates for such unpaid and delinquent county taxes, the
31 redemption thereof, the issuance to individuals of tax deeds

1 based thereon, and all other procedures in connection
2 therewith shall be applicable to said district and the
3 delinquent and unpaid taxes and assessments of said district
4 to the same extent as if said statutory provisions were
5 expressly set forth in this act. All taxes and assessments
6 shall be subject to the same discounts as county taxes.

7 Section 11. When unpaid tax or assessment is
8 delinquent; penalty.--All taxes provided for in this act shall
9 be and become delinquent and bear penalties in the amount of
10 said taxes in the same manner as county taxes. Assessments
11 provided for in this act and authorized in chapter 298,
12 Florida Statutes, shall be and become delinquent and bear
13 penalties and interest at the highest rate authorized by
14 Florida general or special law, or as otherwise provided in
15 district legislation imposing the assessment.

16 Section 12. Bonds may be issued; sale and disposition
17 of proceeds; interest; levy to pay bonds; bonds and duties of
18 treasurer, etc.--

19 (1) The board of supervisors may, if in their judgment
20 it seems best, issue bonds not to exceed 90 percent of the
21 total amount of the taxes levied under the provisions of
22 section 298.305, Florida Statutes, in denominations of not
23 less than \$100, bearing interest from the date of issuance at
24 a rate as provided by general law, payable annually or
25 semiannually, to mature at annual intervals within 40 years
26 commencing after a period of not later than 10 years, to be
27 determined by the board of supervisors; both principal and
28 interest payable at some convenient place designated by the
29 board of supervisors to be named in said bonds; and said bonds
30 shall be signed by the chair of the board of supervisors,
31 attested with the seal of said district, and by the signature

1 of the secretary of said board. All of said bonds shall be
2 executed and delivered to the treasurer of said district, who
3 shall sell the same in such quantities and at such dates as
4 the board of supervisors may deem necessary to meet the
5 payments for the works and improvements in the district. Said
6 bonds shall not be sold for less than 90 cents on the dollar,
7 with accrued interest, shall show on their face the purpose
8 for which they are issued, and shall be payable out of moneys
9 derived from the aforesaid taxes. A sufficient amount of the
10 drainage tax shall be appropriated by the board of supervisors
11 for the purpose of paying the principal and interest of said
12 bonds and the same shall, when collected, be preserved in a
13 separate fund for that purpose and no other. All bonds and
14 coupons not paid at maturity shall bear interest at the rate
15 of 6 percent per annum from maturity until paid, or until
16 sufficient funds have been deposited at the place of payment,
17 and said interest shall be appropriated by the board of
18 supervisors out of the penalties and interest collected on
19 delinquent taxes or other available funds of the
20 district. Provided, however, that it may, in the discretion
21 of said board, be provided that at any time, after such date
22 as shall be fixed by the said board, said bonds may be
23 redeemed before maturity at the option of said board, or their
24 successors in office, by being made callable prior to maturity
25 at such times and upon such prices and terms and other
26 conditions as said board shall determine. If any bond so
27 issued subject to redemption before maturity shall not be
28 presented when called for redemption, it shall cease to bear
29 interest from and after the date so fixed for redemption.
30 (2) The board of supervisors of said district shall
31 have authority to issue refunding bonds to take up any

1 outstanding bonds and any interest accrued thereon when, in
2 the judgment of said board, it shall be for the best interest
3 of said district to do so. The said board is hereby authorized
4 and empowered to issue refunding bonds to take up and refund
5 all bonds of said district outstanding that are subject to
6 call and prior redemption, and all interest accrued to the
7 date of such call or prior redemption, and all bonds of said
8 district that are not subject to call or redemption, together
9 with all accrued interest thereon, where the surrender of said
10 bonds can be procured from the holders thereof at prices
11 satisfactory to the board or can be exchanged for such
12 outstanding bonds with the consent of the holder thereof. Such
13 refunding bonds may be issued at any time when, in the
14 judgment of said board, it will be to the interest of the
15 district financially or economically to secure a lower rate of
16 interest on said bonds or by extending the time of maturity of
17 said bonds, or for any other reason in the judgment of said
18 board advantageous to said district. Such refunding bonds may
19 mature at any time or times in the discretion of said board,
20 not later, however, than 40 years from the date of issuance of
21 said refunding bonds. Said refunding bonds shall bear such
22 dates of issue and such other details as said board shall
23 determine and may, in the discretion of said board, be made
24 callable prior to maturity at such times and upon such prices
25 and terms and other conditions as said board shall determine.
26 All the other applicable provisions of this act not
27 inconsistent therewith shall apply fully to said refunding
28 bonds and the holders thereof shall have all the rights,
29 remedies, and security of the outstanding bonds refunded,
30 except as may be otherwise provided in the resolution of the
31 board authorizing the issuance of such refunding bonds. Any

1 funds available in the sinking fund for the payment of the
2 principal and interest of outstanding bonds may be retained in
3 the fund to be used for the payment of principal and interest
4 of the refunding bonds, in the discretion of the board of
5 supervisors. Any expenses incurred in buying any or all bonds
6 authorized under the provisions of this section and the
7 interest thereon and a reasonable compensation for paying same
8 shall be paid out of the funds in the hands of the treasurer
9 and collected for the purpose of meeting the expenses of
10 administration. It shall be the duty of the said board of
11 supervisors in making the annual tax levy as heretofore
12 provided to take into account the maturing bonds and interest
13 on all bonds and expenses and to make provision in advance for
14 the payment of same.

15 (3) In case the proceeds of the original tax levy made
16 under the provisions of section 298.36, Florida Statutes, are
17 not sufficient to pay the principal and interest of all bonds
18 issued, then the board of supervisors shall make such
19 additional levy or levies upon the benefits assessed as are
20 necessary for this purpose, and under no circumstances shall
21 any tax levies be made that will in any manner or to any
22 extent impair the security of said bonds or the funds
23 available for the payment of the principal and interest of
24 same. Said treasurer shall, at the time of the receipt by him
25 or her of said bonds, execute and deliver to the chair of the
26 board of said district a bond with good and sufficient surety
27 to be approved by said board, on the condition that he or she
28 shall account for and pay over as required by law and as
29 ordered by said board of supervisors, any and all moneys
30 received by him or her on the sale of such bonds, or any of
31 them, and that he or she will only sell and deliver such bonds

1 to the purchaser or purchasers thereof under and according to
2 the terms herein prescribed, and that he or she will return to
3 the board of supervisors and duly cancel any and all bonds not
4 sold when ordered by said board to do so. Said bonds when so
5 returned shall remain in the custody of the chair of the board
6 of supervisors, who shall produce the same for inspection or
7 for use as evidence whenever and wherever legally requested so
8 to do. The said treasurer shall promptly report all sales of
9 bonds to the board of supervisors. The board shall, at a
10 reasonable time thereafter, prepare and issue warrants in
11 substantially the form provided in section 298.17, Florida
12 Statutes, for the payment of maturing bonds so sold and the
13 interest payments coming due on all bonds sold. Each of said
14 warrants shall specify what bonds and accruing interest it is
15 to pay, and the treasurer shall place sufficient funds at the
16 place of payment to pay the maturing bonds and coupons when
17 due, together with necessary compensation for paying same. The
18 successor in office of any such treasurer shall not be
19 entitled to said bonds or the proceeds thereof until he or she
20 shall have complied with all of the foregoing provisions
21 applicable to his or her predecessor in office. The aforesaid
22 bond of said treasurer, if said board shall so direct, may be
23 furnished by a surety or bonding company, which may be
24 approved by said board of supervisors; provided, if it should
25 be deemed more expedient to said board of supervisors as to
26 money derived from the sale of bonds issued, said board may,
27 by resolution, select some suitable bank or banks of other
28 depository as temporary treasurer or treasurers to hold and
29 disburse said moneys upon the order of said board as the work
30 progresses, until such fund is exhausted or transferred to the
31 treasurer by order of said board of supervisors. The funds

1 derived from the sale of said bonds or any of them shall be
2 used for the purpose of paying the cost of the drainage works
3 and improvements, and such costs, fees, expenses, and salaries
4 as may be authorized by law, and used for no other purpose.

5 Section 13. Full authority for issue and sale of bonds
6 authorized.--

7 (1) This act shall, without reference to any other act
8 of the Legislature, be full authority for the issuance and
9 sale of bonds authorized in this act, which bonds shall have
10 all the qualities of negotiable paper under the law merchant
11 and shall not be invalid for any irregularity or defect in the
12 proceedings for the issuance and sale thereof and shall be
13 incontestable in the hands of bona fide purchasers or holders
14 thereof. No proceedings in respect to the issuance of any such
15 bonds shall be necessary, except such as are required by this
16 act. The provisions of this act shall constitute an
17 irrepealable contract between the said board of supervisors
18 and the said North Lauderdale Water Control District and the
19 holders of any bonds and the coupons thereof issued pursuant
20 to the provisions hereof. Any holder of any of said bonds or
21 coupons may, either in law or by equity, suit, action, or
22 mandamus, enforce and compel the performance of the duties
23 required by this act of any of the officers or persons
24 mentioned in this act in relation to the said bonds or to the
25 correct enforcement and application of the taxes for the
26 payment thereof.

27 (2) After the several bonds and coupons are paid and
28 retired as herein provided, they shall be returned to the
29 treasurer, and they shall be canceled and an appropriate
30 record thereof made in a book to be kept for that purpose,
31 which record of paid and canceled bonds shall be kept at the

1 office of the treasurer and shall be opened for inspection of
2 any bondholder at any time.

3 Section 14. Floating indebtedness.--

4 (1) After the levy of taxes in any years, and before
5 the collection thereof, the board of supervisors shall have
6 the power to issue tax anticipation notes. Said notes shall
7 bear interest at a rate not exceeding the maximum rate allowed
8 by general or special law, shall be payable at such times, and
9 may be sold or discounted at such price or on such terms as
10 the said board may deem advisable, and the board may pledge
11 the whole or any part of the tax levy for the payment thereof.

12 (2) The board shall also have the right to issue
13 temporary obligations or interim certificates after the
14 issuance of any bonds authorized under this act but, prior to
15 the sale thereof, said temporary obligations and interim
16 certificates shall be paid within 2 years from the proceeds of
17 the sale of said bonds.

18 (3) Said temporary obligations and interim
19 certificates shall have all the rights and privileges of the
20 permanent bondholders.

21 (4) The tax anticipation notes, temporary obligations,
22 and interim certificates shall be termed "floating
23 indebtedness" in order to distinguish the same from the bonded
24 debt as provided for herein.

25 Section 15. Eminent domain.--The said board of
26 supervisors is hereby authorized and empowered to exercise the
27 right of eminent domain and may condemn for the use of said
28 district any and all lands, easements, rights-of-way, riparian
29 rights, and property rights of every description, in or out of
30 said district, required for the public purposes and powers of

31

1 said board as herein granted, and may enter upon, take, and
2 use such lands as it may deem necessary for such purposes.

3 Section 16. Water a common enemy.--It is hereby
4 declared that in said district surface waters, which shall
5 include rainfall and the overflow of rivers and streams, are a
6 common enemy, and the said district and any individual or
7 agency holding a permit to do so from said district, shall
8 have the right to dike, dam, and construct levees to protect
9 the said district or any part thereof, or the property of said
10 individual or agency against the same, and thereby divert the
11 course and flow of such surface waters and/or pump the water
12 from within such dikes and levees.

13 Section 17. Unit development; powers of supervisors to
14 designate units of district and adopt system of progressive
15 drainage by units; plans of reclamation and financing
16 assessments, etc. for each unit.--

17 (1) The Board of Supervisors of North Lauderdale Water
18 Control District shall have the power and is hereby authorized
19 in its discretion to drain and reclaim or more completely and
20 intensively to drain and reclaim the lands in said district by
21 designated areas or parts of said district to be called
22 "units." The units into which said district may be so divided
23 shall be given appropriate numbers or names by said board of
24 supervisors, so that said units may be readily identified and
25 distinguished. The board of supervisors shall have the power
26 to fix and determine the location, area, and boundaries of and
27 lands to be included in each and all such units, the order of
28 development thereof, and the method of carrying on the work in
29 each unit. The unit system of drainage provided by this
30 section may be conducted and all of the proceedings by this
31 section and this act authorized in respect to such unit or

1 units may be carried on and conducted at the same time as or
2 after the work of draining and reclaiming of the entire
3 district has been or is being or shall be instituted or
4 carried on under the provisions of this act. If the board of
5 supervisors shall determine that it is advisable to conduct
6 the work of draining and reclaiming the lands in said district
7 by units, as authorized by this section, said board shall, by
8 resolution duly adopted and entered upon its minutes, declare
9 its purpose to conduct such work accordingly, and shall at the
10 same time and manner fix the number, location, and boundaries
11 of and description of lands within such unit or units and give
12 them appropriate numbers or names. As soon as practicable
13 after the adoption and recording of such resolution, said
14 board of supervisors shall publish notice once a week for 2
15 consecutive weeks in a newspaper published in Broward County,
16 or duly notify the landowners by registered letter, briefly
17 describing the units into which said district has been divided
18 and the lands embraced in each unit, giving the name, number,
19 or other designation of such units, requiring all owners of
20 lands in said district to show cause in writing before said
21 board of supervisors at a time and place to be stated in such
22 notice why such division of said district into such units
23 should not be approved, and said system of development by
24 units should not be adopted and given effect by said board,
25 and why the proceedings and powers authorized by this section
26 of this act should not be had, taken, and exercised. At the
27 time and place stated in said notice, said board of
28 supervisors shall hear all objections or causes of objection,
29 all of which shall be in writing, of any landowner in said
30 district to the matters mentioned and referred to in such
31 notice, and if no objections are made, or if objections are

1 made, shall be overruled by said board, then said board shall
2 enter in its minutes its findings and order confirming said
3 resolution and may thereafter proceed with the development,
4 drainage, and reclamation of said district by units pursuant
5 to such resolution and to the provisions of this act. If,
6 however, said board of supervisors shall find as a result of
7 such objections, or any of them or the hearing thereon, that
8 the division of said district into such units as aforesaid
9 should not be approved, or that said system of development by
10 units should not be adopted and given effect, or that the
11 proceedings and powers authorized by this section should not
12 be had, taken, or exercised, or that any other matter or thing
13 embraced in said resolution would not be in the best interest
14 of the landowners of said district or would be unjust or
15 unfair to any landowner therein or otherwise inconsistent with
16 fair and equal protection and enforcement of the rights of
17 every landowner in said district, then said board of
18 supervisors shall not proceed further under such resolution,
19 but said board of supervisors may, as a result of such
20 hearing, modify or amend said resolution so as to meet such
21 objections so made, and thereupon said board may confirm said
22 resolution as so modified or amended and may thereafter
23 proceed accordingly. The sustaining of such objections and the
24 rescinding of such resolutions shall not exhaust the power of
25 said board under this section but, at any time not less than 1
26 year after the date of the hearing upon any such resolution,
27 the board of supervisors may adopt other resolutions under
28 this section and thereupon proceed on due notice in like
29 manner as above. If said board of supervisors shall overrule
30 or refuse to sustain any such objections in whole or in part
31 made by a landowner in the district, or if any such landowner

1 shall deem himself or herself aggrieved by any action of the
2 board of supervisors in respect to any objections so filed,
3 such landowner may, within 10 days after the ruling of said
4 board, file his or her bill of complaint in the Circuit Court
5 in and for Broward County, against said district, praying an
6 injunction or other appropriate relief against the action or
7 any part of such action proposed by such resolution or
8 resolutions of said board and, such suits shall be conducted
9 like other suits, except that said suits shall have preference
10 over all other pending actions except criminal actions and
11 writs of habeas corpus. Upon the hearing of said cause said
12 circuit court shall have the power to hear the objections and
13 receive the evidence thereon of all parties to such cause and
14 approve or disapprove said resolutions and action of said
15 board in whole or in part, and to render such decree in such
16 cause as right and justice require. When said resolutions
17 creating said unit system shall be confirmed by the board of
18 supervisors or by the Circuit Court in and for Broward County
19 if such proposed action shall be challenged by a landowner by
20 the judicial proceedings hereinabove authorized, said board of
21 supervisors may adopt a plan or plans of reclamation for and
22 in respect to any or all such units and have the benefits and
23 the damages resulting therefrom assessed and apportioned by
24 commissioners appointed by the circuit court, and have the
25 report of the said commissioners considered and confirmed, all
26 in like manner as is provided by law in regard to plans of
27 reclamation for and assessments for benefits and damages of,
28 the entire district. With respect to plan of reclamation,
29 notices, appointment of commissioners to assess benefits and
30 damages, report of commissioners, and notice and confirmation
31 thereof, the levy of assessments and taxes, including

1 maintenance taxes, and the issuance of bonds and all other
2 proceedings as to each and all of such units, said board shall
3 follow and comply with the same procedure as is provided by
4 law with respect to the entire district, and said board of
5 supervisors shall have the same powers in respect to each and
6 all of such units as is vested in them with respect to the
7 entire district. All the provisions of this act shall apply to
8 the drainage, reclamation, and improvement of each, any, and
9 all of such units, and the enumeration of or reference to
10 specific powers or duties of the supervisors or any other
11 officers or other matters in this act as hereinabove set
12 forth, shall not limit or restrict the application of any and
13 all of the proceedings and powers herein to the drainage and
14 reclamation of such units as fully and completely as if such
15 unit or units were specifically and expressly named in every
16 section and clause of this act where the entire district is
17 mentioned or referred to. All assessments, levies, taxes,
18 bonds, and other obligations made, levied, assessed, or issued
19 for or in respect to any such unit or units shall be a lien
20 and charge solely and only upon the lands in such units,
21 respectively, for the benefit of which the same shall be
22 levied, made, or issued, and not upon the remaining units or
23 lands in said district. The board of supervisors may at any
24 time amend its said resolutions by changing the location and
25 description of lands in any such unit or units; and provided,
26 further, that if the location of or description of lands
27 located in any such unit or units is so changed, notice of
28 such change shall be published as hereinabove required in this
29 section for notice of the formation or organization of such
30 unit or units, and all proceedings shall be had and done in
31 that regard as are provided in this section for the original

1 creation of such unit or units, provided, however, that no
2 lands against which benefits shall have been assessed may be
3 detached from any such unit after the confirmation of the
4 commissioners' report of benefits in such unit or units or the
5 issuance of bonds or other obligations which are payable from
6 taxes or assessments for benefits levied upon the lands within
7 such unit or units.

8 (2) Provided, however, that if, after the confirmation
9 of the commissioners' report of benefits in such unit or
10 units, or the issuance of bonds or other obligations which are
11 payable from taxes or assessments for benefits levied upon
12 lands within such unit or units, the board of supervisors
13 finds the plan of reclamation for any such unit or units
14 insufficient or inadequate for efficient development, the plan
15 of reclamation may be amended or changed as provided in
16 chapter 298, Florida Statutes, and the unit or units may be
17 amended or changed as provided in this section, by changing
18 the location and description of lands in any such unit or
19 units, by detaching lands therefrom or by adding land thereto,
20 upon the approval of at least 51 percent of the landowners
21 according to acreage, in any such unit and 75 percent of the
22 holders of bonds issued in respect to any such unit, and
23 provided that in such event all assessments, levies, taxes,
24 bonds, and other obligations made, levied, assessed, incurred,
25 or issued for or in respect to any such unit or units may be
26 allocated and apportioned to the amended unit or units in
27 proportion to the benefits assessed by the commissioners'
28 report for the amended plan of reclamation and said report
29 shall specifically provide for such allocation and
30 apportionment. The landowners and all bondholders shall file
31 their approval of or objections to such amended plan of

1 reclamation in accordance with section 298.301, Florida
2 Statutes, and shall file their approval of or objections to
3 the amendment of such unit as provided in this section.

4 (3) No lands shall be detached from any unit after the
5 issuance of bonds or other obligations for such unit except
6 upon the consent of 75 percent of all the holders of such
7 bonds or other obligations. In the event of the change of the
8 boundaries of any unit as provided herein and the allocation
9 and apportionment to the amended unit or units of assessments,
10 levies, taxes, bonds, and other obligations in proportion to
11 the benefits assessed by the commissioners' report for the
12 amended plan of reclamation, the holder of bonds or other
13 obligations heretofore issued for the original unit who
14 consents to such allocations and apportionment shall be
15 entitled to all rights and remedies against any lands added to
16 the amended unit or units as fully and to the same extent as
17 if such added lands had formed and constituted a part of the
18 original unit or units at the time of the original issuance of
19 such bonds or other obligations, regardless of whether the
20 holder of such bonds or other obligations is the original
21 holder thereof or the holder from time to time hereafter, and
22 the rights and remedies of such holder against the lands in
23 the amended unit or units, including any lands added thereto,
24 under such allocation and apportionment, shall constitute
25 vested and irrevocable rights and remedies to the holder from
26 time to time of such bonds or other obligations as fully and
27 to the same extent as if such bonds or other obligations had
28 been originally issued to finance the improvements in such
29 amended unit or units under such amended plan of reclamation.

30 Section 18. Severability.--In case any one or more of
31 the sections or provisions of this act or the application of

1 such sections or provisions to any situation, circumstances,
2 or person shall for any reason be held to be unconstitutional,
3 such unconstitutionality shall not affect any other sections
4 or provisions of this act or the application of such sections
5 or provisions to any other situation, circumstances, or
6 person, and it is intended that this law shall be construed
7 and applied as if such section or provision had not been
8 included herein for any unconstitutional application.

9 Section 19. Notice of intention.--It is found and
10 determined that notice of intention to apply for this
11 legislation was given in the time, form, and manner required
12 by the Florida Constitution and by law. Said notice is found
13 to be sufficient and is hereby validated and approved.

14 Section 4. This act shall take effect upon becoming a
15 law.