

1 A bill to be entitled

2 An act relating to Manatee and Sarasota Counties; creating
3 within portions of such counties the "Lakewood Ranch
4 Stewardship District Act"; providing a popular name;
5 providing legislative findings and intent; providing
6 definitions; stating legislative policy regarding creation
7 of the district; establishing compliance with minimum
8 requirements in s. 189.404(3), F.S., for creation of an
9 independent special district; providing for creation and
10 establishment of the district; establishing the legal
11 boundaries of the district; providing for the jurisdiction
12 and charter of the district; providing for a board of
13 supervisors and establishing membership criteria and
14 election procedures; providing for board members' terms of
15 office; providing for board meetings; providing for
16 administrative duties of the board; providing a method for
17 transition of the board from landowner control to control
18 by the resident electors of the district; providing for a
19 district manager and district personnel; providing for a
20 district treasurer, selection of a public depository, and
21 district budgets and financial reports; providing for the
22 general powers of the district; providing for the special
23 powers of the district to plan, finance, and provide
24 community infrastructure and services within the district;
25 providing that the exercise of the special powers by the
26 district within Manatee and Sarasota Counties is limited
27 until such time as the district enters into an interlocal
28 agreement with the respective county; providing for
29 required notices to purchasers of residential units within

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30 the district; providing severability; providing for a
 31 referendum; providing an effective date.

32

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

34

35 Section 1. This act may be cited as the "Lakewood Ranch
 36 Stewardship District Act."

37 Section 2. Legislative findings and intent; definitions;
 38 policy.--

39 (1) LEGISLATIVE FINDINGS AND INTENT.--

40 (a) The extensive lands located within both Manatee and
 41 Sarasota Counties and covered by this act contain many
 42 opportunities for thoughtful, comprehensive, environmentally
 43 responsible, and consistent development over a long period.

44 (b) There is a particular special need to use a
 45 specialized and limited single-purpose independent special
 46 district unit of local government for the Lakewood Ranch lands
 47 located within Sarasota and Manatee Counties and covered by this
 48 act to prevent urban sprawl by providing sustaining and
 49 freestanding infrastructure and by preventing needless and
 50 counterproductive community development when the existing urban
 51 area is not yet developed, and to prevent the needless
 52 duplication, fragmentation, and proliferation of local
 53 government services in a proposed land use area.

54 (c) Management of conservation, environmental,
 55 agricultural, and economic challenges and opportunities in the
 56 Lakewood Ranch area transcends the boundaries and
 57 responsibilities of both private landowners and individual units
 58 of government.

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59 (d) There is a considerably long period of time during
60 which there is an inordinate burden on the initial landowners of
61 these Lakewood Ranch lands, such that there is a need for
62 flexible management, sequencing, timing, and financing of the
63 various systems, facilities, and services to be provided to
64 these lands, taking into consideration absorption rates,
65 commercial viability, and related factors.

66 (e) While chapter 190, Florida Statutes, provides an
67 opportunity for community development services and facilities to
68 be provided by the establishment of community development
69 districts in a manner that furthers the public interest, current
70 general law prohibits the establishment of a community
71 development district transcending county boundaries. Given the
72 vast nature of the lands covered by this act and the potentially
73 long-term nature of its development, establishing multiple
74 community development districts over these lands would result in
75 an inefficient, duplicative, and needless proliferation of local
76 special purpose government, contrary to the public interest and
77 the Legislature's findings in chapter 190, Florida Statutes.
78 Instead, it is in the public interest that the long-range
79 provision for, and management, financing, and long-term
80 maintenance, upkeep, and operation of, services and facilities
81 to be provided for ultimate development of the lands covered by
82 this act be under one coordinated entity.

83 (f) Longer involvement of the initial landowner with
84 regard to the provision of systems, facilities, and services for
85 the Lakewood Ranch lands, coupled with a severely limited and
86 highly specialized single purpose of the District is in the
87 public interest.

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88 (g) Any public or private system to provide infrastructure
 89 improvements, systems, facilities, and services to these lands
 90 must be focused on an unfettered, highly specialized,
 91 innovative, responsive, and accountable mechanism to provide the
 92 components of infrastructure at sustained levels of high quality
 93 over the long term only when and as needed for such a unique
 94 community in such a unique area.

95 (h) There is a need to coincide the use and special
 96 attributes of various public and private alternatives for the
 97 provision of infrastructure to such a community development,
 98 including the limited, flexible, focused, and locally
 99 accountable management and related financing capabilities of
 100 independent special purpose local government.

101 (i) The existence and use of such a limited specialized
 102 single purpose local government for the Lakewood Ranch lands,
 103 subject to the respective county comprehensive plans, will:
 104 result in a high propensity to provide for orderly development
 105 and prevent urban sprawl; protect and preserve environmental,
 106 conservation, and agricultural uses and assets; enhance the
 107 market value for both present and future landowners of the
 108 property consistent with the need to protect private property;
 109 enhance the net economic benefit to the Sarasota and Manatee
 110 Counties area, including an enhanced and well-maintained tax
 111 base to the benefit of all present and future taxpayers in
 112 Sarasota and Manatee Counties; and result in the sharing of
 113 costs of providing certain systems, facilities, and services in
 114 an innovative, sequential, and flexible manner within the
 115 developing area to be serviced by the District.

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116 (j) The creation and establishment of the District will
117 encourage local government financial self-sufficiency in
118 providing public facilities and in identifying and implementing
119 physically sound, innovative, and cost-effective techniques to
120 provide and finance public facilities while encouraging
121 development, use, and coordination of capital improvement plans
122 by all levels of government, pursuant to chapter 187, Florida
123 Statutes.

124 (k) The creation and establishment of the District will
125 encourage and enhance cooperation among communities that have
126 unique assets, irrespective of political boundaries, to bring
127 the private and public sectors together for establishing an
128 orderly and environmentally and economically sound plan for
129 current and future needs and growth.

130 (l) The creation and establishment of the District is a
131 legitimate alternative method available to manage, own, operate,
132 construct, and finance capital infrastructure systems,
133 facilities, and services.

134 (m) In order to be responsive to the critical timing
135 required through the exercise of its special management
136 functions, an independent district requires financing of those
137 functions, including bondable lienable and nonlienable revenue,
138 with full and continuing public disclosure and accountability,
139 funded by landowners, both present and future, and funded also
140 by users of the systems, facilities, and services provided to
141 the land area by the District, without unduly burdening the
142 taxpayers and citizens of the state, Sarasota County, Manatee
143 County, or any municipality therein.

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144 (n) The District created and established by this act shall
 145 not have or exercise any comprehensive planning, zoning, or
 146 development permitting power; the establishment of the District
 147 shall not be considered a development order within the meaning
 148 of chapter 380, Florida Statutes; and all applicable planning
 149 and permitting laws, rules, regulations, and policies of
 150 Sarasota and Manatee Counties control the development of the
 151 land to be serviced by the District.

152 (o) The creation by this act of the Lakewood Ranch
 153 Stewardship District is not inconsistent with either the
 154 Sarasota County or the Manatee County comprehensive plan.

155 (p) It is the legislative intent and purpose that no debt
 156 or obligation of the District constitute a burden on any local
 157 general-purpose government without its consent.

158 (2) DEFINITIONS.--As used in this act:

159 (a) "Ad valorem bonds" means bonds which are payable from
 160 the proceeds of ad valorem taxes levied on real and tangible
 161 personal property and which are generally referred to as general
 162 obligation bonds.

163 (b) "Assessable improvements" means, without limitation,
 164 any and all public improvements and community facilities that
 165 the District is empowered to provide in accordance with this act
 166 that provide a special benefit to property within the District.

167 (c) "Assessment bonds" means special obligations of the
 168 District which are payable solely from proceeds of the special
 169 assessments or benefit special assessments levied for assessable
 170 improvements, provided that, in lieu of issuing assessment bonds
 171 to fund the costs of assessable improvements, the District may

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172 issue revenue bonds for such purposes payable from special
 173 assessments.

174 (d) "Assessments" means those nonmillage District
 175 assessments which include special assessments, benefit special
 176 assessments, and maintenance special assessments and a
 177 nonmillage, non-ad valorem maintenance tax if authorized by
 178 general law.

179 (e) "Lakewood Ranch Stewardship District" means the unit
 180 of special and single purpose local government created and
 181 chartered by this act, including the creation of its charter,
 182 and limited to the performance, in implementing its single
 183 purpose, of those general and special powers authorized by its
 184 charter under this act, the boundaries of which are set forth by
 185 the act, the governing head of which is created and authorized
 186 to operate with legal existence by this act, and the purpose of
 187 which is as set forth in this act.

188 (f) "Benefit special assessments" are District assessments
 189 imposed, levied, and collected pursuant to the provisions of
 190 section 6(12)(b).

191 (g) "Board of Supervisors" or "board" means the governing
 192 board of the District or, if such board has been abolished, the
 193 board, body, or commission assuming the principal functions
 194 thereof or to whom the powers given to the board by this act
 195 have been given by law.

196 (h) "Bond" includes "certificate," and the provisions that
 197 are applicable to bonds are equally applicable to certificates.
 198 The term "bond" includes any general obligation bond, assessment
 199 bond, refunding bond, revenue bond, and other such obligation in
 200 the nature of a bond as is provided for in this act.

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- 201 (i) "Cost" or "costs," when used with reference to any
 202 project, includes, but is not limited to:
- 203 1. The expenses of determining the feasibility or
 204 practicability of acquisition, construction, or reconstruction.
 - 205 2. The cost of surveys, estimates, plans, and
 206 specifications.
 - 207 3. The cost of improvements.
 - 208 4. Engineering, fiscal, and legal expenses and charges.
 - 209 5. The cost of all labor, materials, machinery, and
 210 equipment.
 - 211 6. The cost of all lands, properties, rights, easements,
 212 and franchises acquired.
 - 213 7. Financing charges.
 - 214 8. The creation of initial reserve and debt service funds.
 - 215 9. Working capital.
 - 216 10. Interest charges incurred or estimated to be incurred
 217 on money borrowed prior to and during construction and
 218 acquisition and for such reasonable period of time after
 219 completion of construction or acquisition as the board may
 220 determine.
 - 221 11. The cost of issuance of bonds pursuant to this act,
 222 including advertisements and printing.
 - 223 12. The cost of any bond or tax referendum held pursuant
 224 to this act and all other expenses of issuance of bonds.
 - 225 13. The discount, if any, on the sale or exchange of
 226 bonds.
 - 227 14. Administrative expenses.
 - 228 15. Such other expenses as may be necessary or incidental
 229 to the acquisition, construction, or reconstruction of any

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230 project, or to the financing thereof, or to the development of
 231 any lands within the District.

232 16. Payments, contributions, dedications, and any other
 233 exactions required as a condition of receiving any governmental
 234 approval or permit necessary to accomplish any District purpose.

235 (j) "District" means the Lakewood Ranch Stewardship
 236 District.

237 (k) "District manager" means the manager of the District.

238 (l) "District roads" means highways, streets, roads,
 239 alleys, sidewalks, landscaping, storm drains, bridges, and
 240 thoroughfares of all kinds.

241 (m) "General obligation bonds" means bonds which are
 242 secured by, or provide for their payment by, the pledge of the
 243 full faith and credit and taxing power of the District, in
 244 addition to those special taxes levied for their discharge and
 245 such other sources as may be provided for their payment or
 246 pledged as security under the resolution authorizing their
 247 issuance, and for payment of which recourse may be had against
 248 the general fund of the District.

249 (n) "Governing board member" means any member of the Board
 250 of Supervisors.

251 (o) "Land development regulations" means those regulations
 252 of general purpose local government, adopted under the Florida
 253 Local Government Comprehensive Planning and Land Development
 254 Regulation Act, codified as part II of chapter 163, Florida
 255 Statutes, to which the District is subject and as to which the
 256 District may not do anything that is inconsistent. Land
 257 development regulations shall not mean specific management,
 258 engineering, planning, and other criteria and standards needed

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259 in the daily management, implementation, and provision by the
 260 District of systems, facilities, services, works, improvements,
 261 projects, or infrastructure, including design criteria and
 262 standards, so long as they remain subject to and are not
 263 inconsistent with the applicable land development regulations.

264 (p) "Landowner" means the owner of a freehold estate as it
 265 appears on the deed record, including a trustee, a private
 266 corporation, and an owner of a condominium unit. "Landowner"
 267 does not include a reversioner, remainderman, mortgagee, or any
 268 governmental entity, who shall not be counted and need not be
 269 notified of proceedings under this act. "Landowner" also means
 270 the owner of a ground lease from a governmental entity, which
 271 leasehold interest has a remaining term, excluding all renewal
 272 options, in excess of 50 years.

273 (q) "General-purpose local government" means a county,
 274 municipality, or consolidated city-county government.

275 (r) "Maintenance special assessments" are assessments
 276 imposed, levied, and collected pursuant to the provisions of
 277 section 6(12)(d).

278 (s) "Non-ad valorem assessment" means only those
 279 assessments which are not based upon millage and which can
 280 become a lien against a homestead as permitted in s. 4, Art. X
 281 of the State Constitution.

282 (t) "Powers" means powers used and exercised by the Board
 283 of Supervisors to accomplish the single, limited, and special
 284 purpose of the District, including:

285 1. "General powers," which means those organizational and
 286 administrative powers of the District as provided in its charter

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287 in order to carry out its single special purpose as a local
 288 government public corporate body politic.

289 2. "Special powers," which means those powers enumerated
 290 by the District charter to implement its specialized systems,
 291 facilities, services, projects, improvements, and infrastructure
 292 and related functions in order to carry out its single
 293 specialized purpose.

294 3. Any other powers, authority, or functions set forth in
 295 this act.

296 (u) "Project" means any development, improvement,
 297 property, power, utility, facility, enterprise, service, system,
 298 works, or infrastructure now existing or hereafter undertaken or
 299 established under the provisions of this act.

300 (v) "Qualified elector" means any person at least 18 years
 301 of age who is a citizen of the United States and a legal
 302 resident of the state and of the District and who registers to
 303 vote with the Supervisor of Elections in either Manatee County
 304 or Sarasota County and resides in either Manatee County or
 305 Sarasota County.

306 (w) "Refunding bonds" means bonds issued to refinance
 307 outstanding bonds of any type and the interest and redemption
 308 premium thereon. Refunding bonds shall be issuable and payable
 309 in the same manner as refinanced bonds, except that no approval
 310 by the electorate shall be required unless required by the State
 311 Constitution.

312 (x) "Revenue bonds" means obligations of the District that
 313 are payable from revenues, including, but not limited to,
 314 special assessments and benefit special assessments, derived
 315 from sources other than ad valorem taxes on real or tangible

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316 personal property and that do not pledge the property, credit,
 317 or general tax revenue of the District.

318 (y) "Sewer system" means any plant, system, facility, or
 319 property, and additions, extensions, and improvements thereto at
 320 any future time constructed or acquired as part thereof, useful
 321 or necessary or having the present capacity for future use in
 322 connection with the collection, treatment, purification, or
 323 disposal of sewage, including, but not limited to, industrial
 324 wastes resulting from any process of industry, manufacture,
 325 trade, or business or from the development of any natural
 326 resource. Sewer system also includes treatment plants, pumping
 327 stations, lift stations, valves, force mains, intercepting
 328 sewers, laterals, pressure lines, mains, and all necessary
 329 appurtenances and equipment; all sewer mains, laterals, and
 330 other devices for the reception and collection of sewage from
 331 premises connected therewith; and all real and personal property
 332 and any interest therein, and rights, easements, and franchises
 333 of any nature relating to any such system and necessary or
 334 convenient for operation thereof.

335 (z) "Special assessments" shall mean assessments as
 336 imposed, levied, and collected by the District for the costs of
 337 assessable improvements pursuant to the provisions of this act,
 338 chapter 170, Florida Statutes, and the additional authority
 339 under section 197.3631, Florida Statutes, or other provisions of
 340 general law, now or hereinafter enacted, which provide or
 341 authorize a supplemental means to impose, levy, or collect
 342 special assessments.

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343 (aa) "Taxes" or "tax" means those levies and impositions
 344 of the Board of Supervisors that support and pay for government
 345 and the administration of law and that may be:

346 1. Ad valorem or property taxes based upon both the
 347 appraised value of property and millage, at a rate uniform
 348 within the jurisdiction; or

349 2. If and when authorized by general law, non-ad valorem
 350 maintenance taxes not based on millage that are used to maintain
 351 District systems, facilities, and services.

352 (bb) "Water system" means any plant, system, facility, or
 353 property, and any addition, extension, or improvement thereto at
 354 any future time constructed or acquired as a part thereof,
 355 useful, necessary, or having the present capacity for future use
 356 in connection with the development of sources, treatment,
 357 purification, or distribution of water. "Water system" also
 358 includes dams, reservoirs, storage tanks, mains, lines, valves,
 359 pumping stations, laterals, and pipes for the purpose of
 360 carrying water to the premises connected with such system, and
 361 all rights, easements, and franchises of any nature relating to
 362 any such system and necessary or convenient for the operation
 363 thereof.

364 (3) POLICY.--Based upon its findings, ascertainments,
 365 determinations, intent, purpose, and definitions, the
 366 Legislature states its policy expressly:

367 (a) The District and the District charter, with its
 368 general and special powers, as created in this act, are
 369 essential and the best alternative for the residential,
 370 commercial, and other community uses, projects, or functions in
 371 the included portions of Sarasota and Manatee Counties

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372 consistent with the effective comprehensive plans and designed
 373 to serve a lawful public purpose.

374 (b) The District, which is a local government and a
 375 political subdivision, is limited to its special purpose as
 376 expressed in this act, with the power to provide, plan,
 377 implement, construct, maintain, and finance as a local
 378 government management entity its systems, facilities, services,
 379 improvements, infrastructure, and projects and possessing
 380 financing powers to fund its management power over the long term
 381 and with sustained levels of high quality.

382 (c) The creation of the Lakewood Ranch Stewardship
 383 District by and pursuant to this act, and its exercise of its
 384 management and related financing powers to implement its
 385 limited, single, and special purpose, is not a development order
 386 and does not trigger or invoke any provision within the meaning
 387 of chapter 380, Florida Statutes, and all applicable
 388 governmental planning, environmental, and land development laws,
 389 regulations, rules, policies, and ordinances apply to all
 390 development of the land within the jurisdiction of the District
 391 as created by this act.

392 (d) The District shall operate and function subject to,
 393 and not inconsistent with, the applicable comprehensive plans of
 394 either Manatee County or Sarasota County and any applicable
 395 development orders, zoning regulations, or other land
 396 development regulations.

397 (e) The special and single purpose Lakewood Ranch
 398 Stewardship District shall not have the power of a general-
 399 purpose local government to adopt a comprehensive plan or
 400 related land development regulation as those terms are defined

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401 in the Florida Local Government Comprehensive Planning and Land
 402 Development Regulation Act.

403 (f) This act may be amended, in whole or in part, only by
 404 special act of the Legislature. No amendment to this act that
 405 alters the District boundaries or the special powers of the
 406 District may be considered by the Legislature unless it is
 407 accompanied by a resolution or official statement as provided
 408 for in section 189.404(2)(e)4., Florida Statutes. However, if an
 409 amendment alters the District boundaries in only one county, or
 410 affects the District's special powers in only one county, it
 411 shall be necessary to secure the resolution or statement from
 412 only the affected county.

413 Section 3. Minimum charter requirements; creation and
 414 establishment; jurisdiction; construction; charter with legal
 415 description.--

416 (1) Pursuant to section 189.404(3), Florida Statutes, the
 417 Legislature sets forth that the minimum requirements in
 418 paragraphs (a) through (o) have been met in the identified
 419 provisions of this act as follows:

420 (a) The purpose of the District is stated in the act in
 421 subsection (4) and in section 2(3).

422 (b) The powers, functions, and duties of the District
 423 regarding ad valorem taxation, bond issuance, other revenue-
 424 raising capabilities, budget preparation and approval, liens and
 425 foreclosure of liens, use of tax deeds and tax certificates as
 426 appropriate for non-ad valorem assessments, and contractual
 427 agreements are set forth in section 6.

428 (c) The provisions for methods for establishing the
 429 District are in this section.

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430 (d) The methods for amending the charter of the District
431 are set forth in section 2.

432 (e) The provisions for the membership and organization of
433 the governing board and the establishment of a quorum are in
434 section 5.

435 (f) The provisions regarding maximum compensation of each
436 board member are in section 5.

437 (g) The provisions regarding the administrative duties of
438 the governing board are found in sections 5 and 6.

439 (h) The provisions applicable to financial disclosure,
440 noticing, and reporting requirements generally are set forth in
441 sections 5 and 6.

442 (i) The provisions regarding procedures and requirements
443 for issuing bonds are set forth in section 6.

444 (j) The provisions regarding elections or referenda and
445 the qualifications of an elector of the District are in sections
446 2 and 5.

447 (k) The provisions regarding methods for financing the
448 District are generally in section 6.

449 (l) Other than taxes levied for the payment of bonds and
450 taxes levied for periods not longer than 2 years when authorized
451 by vote of the electors of the District, the provisions for the
452 authority to levy ad valorem tax and the authorized millage rate
453 are in section 6.

454 (m) The provisions for the method or methods of collecting
455 non-ad valorem assessments, fees, or service charges are in
456 section 6.

457 (n) The provisions for planning requirements are in this
458 section and section 6.

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459 (o) The provisions for geographic boundary limitations of
460 the District are set forth in sections 4 and 6.

461 (2) The Lakewood Ranch Stewardship District, which also
462 may be referred to as the "Stewardship District," "Lakewood
463 Ranch District," or "District," is created and incorporated as a
464 public body corporate and politic, an independent, limited,
465 special purpose local government, an independent special
466 district, under section 189.404, Florida Statutes, as amended
467 from time to time, and as defined in this act and in section
468 189.403(3), Florida Statutes, as amended from time to time, in
469 and for portions of Manatee and Sarasota Counties. Any
470 amendments to chapter 190, Florida Statutes, after January 1,
471 2005, granting additional general powers, special powers,
472 authorities, or projects to a community development district by
473 amendment to its uniform charter, sections 190.006-190.041,
474 Florida Statutes, shall constitute a general power, special
475 power, authority, or function of the Lakewood Ranch Stewardship
476 District. All notices for the enactment by the Legislature of
477 this special act have been provided pursuant to the State
478 Constitution, the laws of Florida, and the Rules of the Florida
479 House of Representatives and of the Florida Senate. No
480 referendum subsequent to the effective date of this act is
481 required as a condition of establishing the District. Therefore,
482 the District, as created by this act, is established on the
483 property described in this act.

484 (3) The territorial boundary of the District shall embrace
485 and include all of that certain real property described legally
486 in section 4.

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487 (4) The jurisdiction of this District, in the exercise of
 488 its general and special powers, and in the carrying out of its
 489 special purposes, is both within the external boundaries of the
 490 legal description of this District and extraterritorially when
 491 limited to, and as authorized expressly elsewhere in, the
 492 charter of the District as created in this act or applicable
 493 general law. This special purpose District is created as a
 494 public body corporate and politic, and local government
 495 authority and power is limited by its charter, this act, and
 496 subject to the provisions of other general laws, including
 497 chapter 189, Florida Statutes, except that an inconsistent
 498 provision in this act shall control and the District has
 499 jurisdiction to perform such acts and exercise such projects,
 500 functions, and powers as shall be necessary, convenient,
 501 incidental, proper, or reasonable for the implementation of its
 502 limited, single, and specialized purpose regarding the sound
 503 planning, provision, acquisition, development, operation,
 504 maintenance, and related financing of those public systems,
 505 facilities, services, improvements, projects, and infrastructure
 506 works as authorized herein, including those necessary and
 507 incidental thereto.

508 (5) The exclusive charter of the "Lakewood Ranch
 509 Stewardship District" is this act and, except as otherwise
 510 provided in subsection (2) of this section, may be amended only
 511 by special act of the Legislature.

512 Section 4. Legal description of the Lakewood Ranch
 513 Stewardship District.--

514

515 LEGAL DESCRIPTION. The metes and bounds legal
 516 description of the District, within which there are no
 517 parcels of property owned by those who do not wish
 518 their property to be included within the District, is
 519 as follows:
 520 Section 29, Township 34 South, Range 19 East:
 521 That portion of Section 29, lying south of the right-
 522 of-way of State Road 64 and east of the record plat of
 523 Lakewood Ranch Commerce Park, Block C, recorded in
 524 Plat Book 38, Page 160 through 163 of the Public
 525 Records of Manatee County, Florida;
 526 Section 31, Township 34 South, Range 19 East:
 527 That portion of the southeast quarter of Section 31,
 528 lying east of Lakewood Ranch Boulevard, a 120-foot
 529 wide Public Right-of-Way, as recorded in Official
 530 Record Book 1429, Page 3703 Public Records of Manatee
 531 County, Florida; also that portion of the southeast
 532 quarter of said Section 31, lying west of said
 533 Lakewood Ranch Boulevard, south of Lakewood Ranch
 534 Commerce Park, Block B, recorded in Plat Book 36,
 535 Pages 71 through 77 of said Public Records and east of
 536 the east line of the "Manatee County Landfill" as
 537 described in Special Warranty Deed to Manatee County,
 538 recorded in Official Record Book 1166, Page 3590,
 539 Public Records of Manatee County, Florida;
 540 Section 32, Township 34 South, Range 19 East:
 541 That portion of the west half of Section 32, lying
 542 east of Lakewood Ranch Boulevard, a 120-foot wide
 543 Public Right-of-Way, as recorded in Official Record

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544 Book 1429, Page 3703 of said Public Records, less and
 545 except the record plat of Lakewood Ranch Commerce
 546 Park, Block C, recorded in Plat Book 38, Page 160
 547 through 163 of said Public Records, also less and
 548 except premises described in Special Warranty Deed to
 549 Lakewood Flex Properties Phase II, Inc, recorded in
 550 Official Record Book 1934, Page 5505 Public Records of
 551 Manatee County, Florida;

552 Also:

553 The west half of the southeast quarter of said Section
 554 32;

555 Also:

556 The southeast quarter of the southeast quarter of said
 557 Section 32, less and except premises described in
 558 Special warranty Deed to Ashton Associates of
 559 Sarasota, L.L.C., recorded in Official Record Book
 560 1888, Page 7567 Public Records of Manatee County,
 561 Florida;

562 Also:

563 The northwest quarter of the northeast quarter lying
 564 south of State Road 64, less and except the east 100-
 565 feet described in Warranty Deed to John D. Taylor and
 566 Beverly J. Taylor, recorded in Official Record Book
 567 1331, Page 0041 Public Records of Manatee County,
 568 Florida;

569 Also:

570 That portion of the southwest quarter of the northeast
 571 quarter being more particularly described as follows:

572 Begin at the northwest corner of the southwest quarter
 573 of the northeast quarter of said Section 32; thence
 574 east, 466.8 feet along north side of said 40 acre
 575 tract; thence south, 466.8 feet; thence west, 466.8
 576 feet to west line of 40 acre tract; thence north,
 577 466.8 feet to the POINT OF BEGINNING;

578 Also:

579 That part of the southwest quarter of the northeast
 580 quarter of Section 32, Township 34 South, Range 19
 581 East, described as follows: Commence at a concrete
 582 monument found marking the southwest corner of the
 583 southwest quarter of the northeast quarter of Section
 584 32, Township 34 South, Range 19 East, as occupied by
 585 John D. Taylor & being the southwest corner of that
 586 certain parcel of land as described in Official Record
 587 Book 656 Page 103 of the Public Records of Manatee
 588 County, Florida, for a POINT OF BEGINNING; thence
 589 S.89°35'55"E., along the south line of said southeast
 590 quarter of northeast quarter, 290.77 feet; thence N.
 591 00° 42' 08"E., parallel with the west line of said
 592 southwest quarter of northeast quarter, 299.62 feet;
 593 thence N. 89°35'55"W. along the northerly line of said
 594 land described in Official Record Book 656 Page 103,
 595 a distance of 290.77 feet to the intersection with the
 596 west line of said southwest quarter of the northeast
 597 quarter; thence S.00°42'08W., along the west line of
 598 said southwest quarter of the northeast quarter, a
 599 distance of 299.62 feet to the POINT OF BEGINNING,
 600 being & lying in the southwest quarter of the

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601 northeast quarter of Section 32, township 34 South,
 602 Range 19 East, Manatee County, Florida;
 603
 604 Section 33, Township 34 South, Range 19 East:
 605 The east half, the northeast quarter of the northwest
 606 quarter, the northwest quarter of the northwest
 607 quarter, the southeast quarter of the northwest
 608 quarter, and the southwest quarter of the southwest
 609 quarter of Section 33, Township 34 South, Range 19
 610 East,
 611 Less:
 612 Road right-of-way for State Road 64 and less that part
 613 of the above described property, lying north and east
 614 of said State Road 64 as described in Official Record
 615 Book 1095, Page 256;
 616 Less:
 617 Road right-of-way for Pope Road;
 618 Less:
 619 Premises described in Special Warranty Deed to Roy F.
 620 Green, recorded in Official Record Book 1752, Page
 621 4576;
 622 Less:
 623 Premises described in Special Warranty Deed to Triko
 624 Enterprises, Inc, recorded in Official Record Book
 625 1407, Page 3313 and Official Record Book 1752, Page
 626 2251;
 627 Less:

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628 Premises described in Special Warranty Deed to Peoples
 629 Gas System, recorded in Official Record Book 1576,
 630 Page 4158;
 631 Section 35, Township 34 South, Range 19 East:
 632 The south half of the northeast quarter, and the east
 633 half of the southeast quarter of Section 35, Township
 634 34 South, Range 19 East;
 635 Less:
 636 Road right-of-way for State Road 64
 637 Section 36, Township 34 South, Range 19 East:
 638 The west half of the northeast quarter, the southeast
 639 quarter of the northeast quarter, the east half of the
 640 northwest quarter, and the south half of Section 36,
 641 Township 34 South, Range 19 East;
 642 Less:
 643 Road right-of-way for State Road 64
 644 Section 1, Township 35 South, Range 19 East:
 645 All of Section 1, Township 35 South, Range 19 East;
 646 Less:
 647 Road right-of-way for State Road 64
 648 Section 2, Township 35 South, Range 19 East:
 649 All of Section 2, Township 35 South, Range 19 East;
 650 Less:
 651 The northwest quarter of the northeast quarter, the
 652 north half of the northwest quarter, and road right-
 653 of-way for State Road 64;
 654 Section 3, Township 35 South, Range 19 East:
 655 The south half of the north half, the southeast
 656 quarter of the southwest quarter, and the southeast

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657 quarter of Section 3, Township 35 South, Range 19
 658 East;
 659 Less:
 660 Road right-of-way for Lorraine Road
 661 Section 4, Township 35 South, Range 19 East:
 662 The northwest quarter of the northeast quarter, the
 663 south-half of the northeast quarter, the east half of
 664 the northeast quarter of the northwest quarter, the
 665 southeast quarter of the northwest quarter, the south-
 666 half of the southwest quarter of the northwest
 667 quarter, the north-half of the south-half, the
 668 southeast quarter of the southwest quarter, and the
 669 south half of the southeast quarter of Section 4,
 670 Township 35 South, Range 19 East;
 671 Less:
 672 Premises described in Special Warranty Deed to
 673 Ellenton Fruit Company, recorded in Official Record
 674 Book 1472, Page 4620
 675 Less:
 676 Road right-of-way for Pope Road, recorded in Road Plat
 677 Book 8, Pages 138 through 152
 678 Section 5, Township 35 South, Range 19 East:
 679 All of Section 5, Township 35 South, Range 19 East;
 680 Less:
 681 Right-of-way for Lakewood Ranch Boulevard, as recorded
 682 in Official Record Book 1429, Page 3703 Public Records
 683 of Manatee County, Florida;
 684 Less:

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685 A portion of premises described in Warranty Deed to
 686 the County of Manatee, recorded in Official Record
 687 Book 1540, Page 7900 of said Public Records
 688 Less:
 689 Road right-of-way for Pope Road, recorded in Road Plat
 690 Book 8, Pages 138 through 152
 691 Section 6, Township 35 South, Range 19 East:
 692 That portion of Section 6, Township 35 South, Range 19
 693 East, lying easterly of east line of the "Manatee
 694 County Landfill", as described in Special Warranty
 695 Deed to Manatee County, recorded in Official Record
 696 Book 1166, Page 3590, Public Records of Manatee
 697 County, Florida;
 698 Less:
 699 Right-of-way for Lakewood Ranch Boulevard, as recorded
 700 in Official Record Book 1429, Page 3703 Public Records
 701 of Manatee County, Florida;
 702 Less:
 703 A portion of premises described in Warranty Deed to
 704 the County of Manatee, recorded in Official Record
 705 Book 1540, Page 7900 of said Public Records
 706 Section 7, Township 35 South, Range 19 East:
 707 That portion of Section 7, Township 35 South, Range 19
 708 East, lying easterly of the easterly right-of-way line
 709 of Lakewood Ranch Boulevard, as recorded in Official
 710 Record Book 1429, Page 3703 Public Records of Manatee
 711 County, Florida;
 712 Also:

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713 That portion of Section 7, Township 35 South, Range 19
 714 East, lying southerly of the "Manatee County
 715 Landfill", as described in Special Warranty Deed to
 716 Manatee County, recorded in Official Record Book 1166,
 717 Page 3590, of said Public Records and northerly of the
 718 southerly line of the proposed 44th Avenue, said 44th
 719 Avenue being more particularly described as follows:
 720 LEGAL DESCRIPTION OF PROPOSED 44 AVENUE RIGHT-OF-WAY
 721 (as prepared by the certifying Surveyor and Mapper):
 722 A tract lying in Sections 7 and 8, Township 35 South,
 723 Range 19 East, Manatee County, Florida and described
 724 as follows:
 725 Commence at the southwest corner of the North 1/2 of
 726 Section 17, Township 35 South, Range 19 East, also
 727 being the Southeast corner of the North 1/2 of Section
 728 18, Township 35 South, Range 19 East; thence
 729 S.89°34'40"E., along the South line of the North 1/2
 730 of said Section 17, a distance of 187.55 feet to the
 731 intersection with the Westerly Right-of-way of
 732 Lakewood Ranch Boulevard (formerly Upper Manatee River
 733 Road Extension), a 120-foot wide public right-of-way
 734 as recorded in Official Record Book 1429, Page 3703 of
 735 the Public Records of Manatee County, Florida, said
 736 point being on the arc of a curve to the right, whose
 737 radius point lies N.63°58'46"E., a radial distance of
 738 2310.00 feet; thence run northwesterly, along said
 739 westerly right-of-way for the following five calls;
 740 thence along the arc of said curve, through a central
 741 angle of 23°42'37", a distance of 955.93 feet to the

742 point of tangency of said curve; thence N.02°18'37"W.,
 743 a distance of 1736.20 feet to the intersection with
 744 the common section line to Sections 7 and 18, Township
 745 35 South, Range 19 East, said point lying
 746 N.88°45'31"W., 141.64 feet from the section corner
 747 common to said Sections 7 and 18; thence continue
 748 N.02°18'37"W., a distance of 339.27 feet to the point
 749 of curvature of a curve to the right, having a radius
 750 of 4060.00 feet and a central angle of 06°59'18";
 751 thence run Northerly along the arc of said curve, a
 752 distance of 495.20 feet to the point of tangency of
 753 said curve; thence N.04°40'41"E., a distance of
 754 2,624.25 feet to the point of curvature of a curve to
 755 the left having a radius of 1,940.00 feet and a
 756 central angle of 26°40'32"; thence northerly along the
 757 arc of said curve, an arc length of 903.21 feet to the
 758 POINT OF BEGINNING; thence S.68°00'09"W., a distance
 759 of 15.00 feet to a point on a curve to the left, of
 760 which the radius point lies S.68°00'09'W., a radial
 761 distance of 50.00 feet; thence northwesterly along the
 762 arc of said curve, through a central angle of
 763 83°34'33", an arc length of 72.93 feet to the point of
 764 tangency of said curve; thence S.74°25'37"W., a
 765 distance of 54.55 feet to the point of curvature of a
 766 curve to the right having a radius of 2,952.50 feet
 767 and a central angle of 12°46'49"; thence westerly
 768 along the arc of said curve, an arc length of 658.58
 769 feet to the point of tangency of said curve; thence
 770 N.02°47'34"W., a distance of 12.50 feet to the point

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771 of curvature of curve to the right, having a radius of
772 2,940.00 feet; thence westerly along the arc of said
773 curve, through a central angle of 24°02'05", an arc
774 length of 1,233.29 feet to the point of reverse
775 curvature of a curve to the left having a radius of
776 2,790.00 feet and a central angle of 31°26'50"; thence
777 westerly along the arc of said curve, a distance of
778 1,531.31 feet to the point of reverse curvature of a
779 curve to the right having a radius of 2,940.00 feet
780 and a central angle of 15°52'03"; thence westerly
781 along the arc of said curve, a distance of 814.20 feet
782 to the northerly line of a 50-foot wide gas line
783 easement as recorded in Official Record Book 27, Page
784 220 and Official Record Book 396, Page 91 Public
785 Records of Manatee County, Florida; thence
786 N.59°42'53"E., along said northerly line, a distance
787 of 270.14 feet to the point of curvature of a non-
788 tangent curve to the left, of which the radius point
789 lies N.01°10'01"E., a radial distance of 2,790.00
790 feet; thence easterly along the arc of said curve,
791 through a central angle of 11°22'19", an arc length of
792 553.75 feet to the point of reverse curvature of a
793 curve to the right having a radius of 2,940.00 feet
794 and a central angle of 31°26'50"; thence easterly
795 along the arc of said curve, a distance of 1,613.64
796 feet to the point of reverse curvature of a curve to
797 the left having a radius of 2,790.00 feet and a
798 central angle of 24°02'05"; thence easterly along the
799 arc of said curve, a distance of 1,170.37 feet to the

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800 end of said curve; thence N.02°47'34"W., a distance of
801 12.50 feet to the point of curvature of a non-tangent
802 curve to the left, of which the radius point lies
803 N.02°47'34"W., a radial distance of 2,777.50 feet;
804 thence easterly along the arc of said curve, through a
805 central angle of 12°46'49", an arc length of 619.55
806 feet to the point of tangency of said curve; thence
807 N.74°25'37"E., a distance of 12.28 feet to the point
808 of curvature of a curve to the left having a radius of
809 50.00 feet and a central angle of 55°27'02"; thence
810 northeasterly along the arc of said curve, an arc
811 length of 48.39 feet to a point on the south line of
812 Manatee County Pond Site Number 5, as recorded in
813 Official Record Book 1528, Page 7481 Public Records of
814 Manatee County, Florida; thence S.87°35'31"E., along a
815 line non-tangent to the last described curve, being
816 the south line of said Pond Site Number 5, a distance
817 of 30.72 feet to the westerly right-of-way line of the
818 aforementioned Lakewood Ranch Boulevard and the point
819 of curvature of a non-tangent curve to the left, of
820 which the radius point lies N.66°15'14"E., a radial
821 distance of 1,560.00 feet; the following 2 calls are
822 along said westerly right-of-way line; thence
823 southeasterly along the arc of said curve, through a
824 central angle of 02°50'31", an arc length of 77.38
825 feet to the point of reverse curvature of a curve to
826 the right having a radius of 1,940.00 feet and a
827 central angle of 04°35'26"; thence southeasterly along

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828 the arc of said curve, a distance of 155.44 feet to
 829 the POINT OF BEGINNING.
 830 Said tract contains 650,151 square feet or 14.9254
 831 acres, more or less.
 832 Also:
 833 A tract of land lying in Sections 7 and 8, Township 35
 834 South, Range 19 East, Manatee County, Florida and
 835 described as follows:
 836 Commence at the Southeast corner of Section 7,
 837 Township 35 South, Range 19 East; thence
 838 S.89°34'35"E., a distance of 4,650.84 feet; thence
 839 N.00°25'25"E., a distance of 1,889.17 feet; thence
 840 S82°55'49"W, 912.79 feet to a point of curvature;
 841 Thence 1,287.78 feet along the arc of said curve to
 842 the left through a central angle of 34°25'49", said
 843 curve having a radius of 2,143.00 feet and being
 844 subtended by a chord which bears S65°42'55"W, 1,268.49
 845 feet to a point of reverse curvature; Thence 1,575.57
 846 feet along the arc of a curve to the right through a
 847 central angle of 44°37'25", said curve having a radius
 848 of 2,023.00 feet and being subtended by a chord which
 849 bears S70°48'42"W, 1,536.04 feet to the point of
 850 tangency of said curve; Thence N86°52'35"W, 1,131.57
 851 feet to a point of curvature; Thence 79.90 feet along
 852 the arc of said curve to the right through a central
 853 angle of 91°33'16", said curve having a radius of
 854 50.00 feet and being subtended by a chord which bears
 855 N41°05'57"W, 71.66 feet to the point of tangency of
 856 said curve; said point being a point on the east line

857 of Lakewood Ranch Boulevard as recorded in Official
 858 Record Book 1443, Page 4980 of the Public Records of
 859 Manatee County, Florida; thence along said east line
 860 of Lakewood Ranch Boulevard, N04°40'41"E, 1649.57
 861 feet; Thence S85°19'19"E, 120.00 feet to an
 862 intersection with the west line of said Lakewood Ranch
 863 Boulevard and the POINT OF BEGINNING; Thence
 864 S86°50'17"W, 227.27 feet; Thence S40°02'37"W, 121.13
 865 feet; Thence S28°36'43"W, 108.34 feet; Thence
 866 S43°57'34"W, 79.62 feet; Thence S56°46'06"W, 71.21
 867 feet; Thence N22°59'39"W, 32.80 feet; Thence
 868 S59°56'00"W, 91.50 feet; Thence S54°50'36"W, 42.43
 869 feet; Thence S21°03'16"W, 42.67 feet; Thence
 870 S64°33'59"W, 57.70 feet; Thence S78°35'00"W, 52.83
 871 feet; Thence S26°29'07"W, 28.22 feet; Thence
 872 S72°42'09"W, 41.01 feet; Thence N88°04'14"W, 58.26
 873 feet; Thence N63°20'21"W, 61.49 feet; Thence
 874 N77°09'41"W, 34.90 feet; Thence N87°11'33"W, 50.79
 875 feet; Thence N88°21'13"W, 70.97 feet; Thence
 876 N59°06'15"W, 54.56 feet; Thence S87°08'17"W, 75.46
 877 feet; Thence N27°44'24"E, 782.09 feet; Thence
 878 N08°14'34"E, 859.88 feet; Thence N04°53'06"W, 605.45
 879 feet to a point on the arc of a curve; Thence 552.19
 880 feet along the arc of said curve to the left through a
 881 central angle of 10°42'56", said curve having a radius
 882 of 2,952.50 feet and being subtended by a chord which
 883 bears N79°47'05"E, 551.38 feet to the point of
 884 tangency of said curve; Thence N74°25'37"E, 69.64 feet
 885 to a point of curvature; Thence 72.98 feet along the

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886 arc of said curve to the right through a central angle
 887 of 83°37'55", said curve having a radius of 50.00 feet
 888 and being subtended by a chord which bears
 889 S63°45'26"E, 66.67 feet to a point of compound
 890 curvature; Thence 901.48 feet along the arc of said
 891 curve to the right through a central angle of
 892 26°37'27", said curve having a radius of 1,940.00 feet
 893 and being subtended by a chord which bears
 894 S08°38'03"E, 893.39 feet; Thence S04°40'41"W, 970.22
 895 feet to the POINT OF BEGINNING.
 896 Containing 39.281 acres, more or less.
 897 Less:
 898 Right-of-way for Lakewood Ranch Boulevard, as recorded
 899 in Official Record Book 1429, Page 3703 Public Records
 900 of Manatee County, Florida;
 901 Less:
 902 A portion of premises described in Warranty Deed to
 903 the County of Manatee, recorded in Official Record
 904 Book 1528, Page 7481 and Corrective Warranty Deed
 905 recorded in Official Record Book 1540, Page 7918
 906 Public Records of Manatee County, Florida;
 907 Section 8, Township 35 South, Range 19 East:
 908 All of Section 8, Township 35 South, Range 19 East;
 909 Less:
 910 Right-of-way for Lakewood Ranch Boulevard, as recorded
 911 in Official Record Book 1429, Page 3703 Public Records
 912 of Manatee County, Florida;
 913 Less:

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914 A portion of premises described in Warranty Deed to
 915 the County of Manatee, recorded in Official Record
 916 Book 1528, Page 7481 and Corrective Warranty Deed
 917 recorded in Official Record Book 1540, Page 7918
 918 Public Records of Manatee County, Florida;
 919 Section 9, Township 35 South, Range 19 East:
 920 All of Section 9, Township 35 South, Range 19 East;
 921 Section 10, Township 35 South, Range 19 East:
 922 The north half and the southeast quarter of Section
 923 10, Township 35 South, Range 19 East;
 924 Less:
 925 Road right-of-way for Lorraine Road;
 926 Section 11, Township 35 South, Range 19 East:
 927 All of Section 11, Township 35 South, Range 19 East;
 928 Section 12, Township 35 South, Range 19 East:
 929 All of Section 12, Township 35 South, Range 19 East;
 930 Section 13, Township 35 South, Range 19 East:
 931 All of Section 13, Township 35 South, Range 19 East;
 932 Section 14, Township 35 South, Range 19 East:
 933 All of Section 14, Township 35 South, Range 19 East;
 934 Section 15, Township 35 South, Range 19 East:
 935 The east-half, the Southwest quarter of the northwest
 936 quarter, the southeast quarter of the southwest
 937 quarter, and the northeast quarter of the southwest
 938 quarter of Section 15, Township 35 South, Range 19
 939 East;
 940 Less:
 941 Road right-of-way for Lorraine Road and State Road 70;
 942 Less:

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943 The northeast quarter of the southwest quarter of the
 944 northwest quarter of Section 15, Township 35 South,
 945 Range 19 East;
 946 Less:
 947 The east 66 feet of the northwest quarter of the
 948 southwest quarter of the northwest quarter of Section
 949 15, Township 35 South, Range 19 East , described in
 950 Warranty Deed to Clive and Judith Morris, recorded in
 951 Official Record Book 1574, Page 2146;
 952 Less:
 953 Premises described in Special Warranty Deed to Peace
 954 River Electric Cooperative, Inc. described in Official
 955 Record Book 1542, Page 5178;
 956 Less:
 957 Premises described in Special Warranty Deed to Peace
 958 River Electric Cooperative, Inc. described in Official
 959 Record Book 1747, Page 6675;
 960 Less:
 961 That part included in the plat of Crawley Substation
 962 Roadway, recorded in Plat Book 43, Pages 84 and 85
 963 Public Records of Manatee County, Florida;
 964 Less:
 965 Fire House Site
 966 COMMENCE at a concrete monument found marking the
 967 occupied northwest corner of the southwest 1/4 of
 968 Section 15, Township 35 South, Ranch 19 East; thence
 969 S89°31'12"E, along the occupied north line of said
 970 southwest 1/4, a distance of 1343.23 ft. to the
 971 intersection with the west line of the northeast 1/4

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972 of said southwest 1/4; thence S00°04'29"E, along said
 973 west line, a distance of 1281.86 ft., thence
 974 S87°56'19"E, a distance of 1049.55 ft. for a POINT OF
 975 BEGINNING, said point lying on the northerly right-of-
 976 way of 59th Avenue East, a 100 ft. wide public right-
 977 of-way as shown on "Crawley Substation Roadway", a
 978 roadway plat as recorded in Plat Book 43, Pages 84 and
 979 85, Public Records of Manatee County, Florida; thence
 980 continue S87°56'19"E, along said northerly right-of-
 981 way, a distance of 398.37 ft. to the intersection with
 982 the westerly line of that certain parcel of land as
 983 described and recorded in Official Records Book 1542,
 984 Page 5178, said Public Records; thence N00°25'16"W,
 985 along said westerly line, a distance of 547.23 ft.;
 986 thence N87°56'19"W, 398.37 ft.; thence S00°25'16"E, a
 987 distance of 547.23 ft. to the POINT OF BEGINNING,
 988 being and lying in Section 15, Township 35 South,
 989 Range 19 East, Manatee County, Florida.
 990 Containing 5.00 acres, more or less.
 991 Section 16, Township 35 South, Range 19 East:
 992 All of Section 16, Township 35 South, Range 19 East;
 993 Less:
 994 Road right-of-way for State Road 70;
 995 Less:
 996 Road right-of-way for Pope Road
 997 Less:
 998 Premises described in Warranty Deed to the State of
 999 Florida Department of Transportation, recorded in

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1000 Official Record Book 1915, Page 5768 Public Records of
 1001 Manatee County, Florida;
 1002 Less:
 1003 Premises described in Warranty Deed to Covered Bridge
 1004 Holdings III, LLC, recorded in Official Record Book
 1005 1970, Page 707 Public Records of Manatee County,
 1006 Florida;
 1007 Less:
 1008 Premises described in Warranty Deed to the Diocese of
 1009 Venice, recorded in Official Record Book 1451, Page
 1010 964, less premises conveyed to SMR 70, North 70, LLC,
 1011 in Special Warranty Deed, recorded in Official Record
 1012 Book 1928, Page 3315;
 1013 Less:
 1014 Premises described in Special Warranty Deed to the
 1015 Diocese of Venice, recorded in Official Record Book
 1016 1928, Page 3321 Public Records of Manatee County,
 1017 Florida;
 1018 Section 17, Township 35 South, Range 19 East:
 1019 All of Section 17, Township 35 South, Range 19 East,
 1020 lying east of the right-of-way of Lakewood Ranch
 1021 Boulevard, as recorded in Official Record Book 1429,
 1022 Page 3703 Public Records of Manatee County, Florida;
 1023 Less:
 1024 Road right-of-way for State Road 70;
 1025 Less:
 1026 Premises described in Warranty Deed to the State of
 1027 Florida Department of Transportation, recorded in

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1028 Official Record Book 1915, Page 5768 Public Records of
 1029 Manatee County, Florida;
 1030 Less:
 1031 A portion of premises described in Warranty Deed to
 1032 the County of Manatee, recorded in Official Record
 1033 Book 1528, Page 7481 and Corrective Warranty Deed
 1034 recorded in Official Record Book 1540, Page 7918
 1035 Public Records of Manatee County, Florida;
 1036 Section 18, Township 35 South, Range 19 East:
 1037 All of Section 18, Township 35 South, Range 19 East,
 1038 lying east of the right-of-way of Lakewood Ranch
 1039 Boulevard, as recorded in Official Record Book 1429,
 1040 Page 3703 Public Records of Manatee County, Florida;
 1041 Section 22, Township 35 South, Range 19 East:
 1042 That portion of Section 22, Township 35 South, Range
 1043 19 East, lying northerly of the northerly right-of-way
 1044 line of State Road 70;
 1045 Also:
 1046 That portion of Sections 22, 23 and 27, lying within
 1047 the following described property:
 1048 DESCRIPTION (Proposed Braden River Mitigation Bank)
 1049 A tract of land lying in Sections 22, 23 and 27,
 1050 Township 35 South, Range 19 East, Manatee County,
 1051 Florida and described as follows:
 1052 Commence at the northwest corner of Section 21,
 1053 Township 35 South, Range 19 East; thence S.89°24'47"E.
 1054 along the north line of said Section 21, a distance of
 1055 5379.98 feet to the northwest corner of said Section
 1056 22; thence S.00°30'23"W. along the west line of said

1057 Section 22, a distance of 134.20 feet to a point on
 1058 the southerly Right-of-way line of State Road 70; the
 1059 following 4 calls are along said southerly right-of-
 1060 way line; thence S.89°19'57"E., a distance of 521.35
 1061 feet; thence S.89°21'15"E., a distance of 3,754.54
 1062 feet to the point of curvature of a curve to the right
 1063 having a radius of 1,777.86 feet and a central angle
 1064 of 34°24'33"; thence easterly along the arc of said
 1065 curve, an arc length of 1,067.70 feet to the point of
 1066 tangency of said curve; thence S.54°56'41"E., a
 1067 distance of 821.49 feet to the POINT OF BEGINNING;
 1068 thence continue S.54°56'41"E. along the above
 1069 mentioned southerly right-of-way line, a distance of
 1070 4,427.83 feet; thence S.15°00'00"W., a distance of
 1071 701.34 feet; thence N.71°00'00"W., a distance of
 1072 2,270.00 feet; thence S.45°00'00"W., a distance of
 1073 65.00 feet; thence S.00°00'00"W., a distance of 395.00
 1074 feet; thence S.86°30'00"W., a distance of 1,250.00
 1075 feet; thence S.00°00'00"W., a distance of 338.36 feet;
 1076 thence S.43°00'00"E., a distance of 155.00 feet;
 1077 thence S.00°00'00"W., a distance of 150.00 feet;
 1078 thence S.59°56'21"W., a distance of 110.00 feet;
 1079 thence N.63°00'00"W., a distance of 306.73 feet;
 1080 thence N.10°00'00"W., a distance of 299.62 feet;
 1081 thence S.89°37'37"W., a distance of 301.32 feet;
 1082 thence S.72°00'46"W., a distance of 368.15 feet;
 1083 thence S.48°06'41"W., a distance of 169.68 feet;
 1084 thence N.08°37'00"E., a distance of 159.00 feet;
 1085 thence N.57°02'56"E., a distance of 594.02 feet;

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1086 thence N.07°52'51"W., a distance of 27.87 feet; thence
 1087 N.61°22'29"W., a distance of 167.29 feet; thence
 1088 N.83°56'09"W., a distance of 103.18 feet; thence
 1089 S.85°40'21"W., a distance of 75.29 feet; thence
 1090 S.44°35'18"W., a distance of 66.94 feet; thence
 1091 S.82°54'53"W., a distance of 86.64 feet; thence
 1092 S.48°07'08"W., a distance of 74.53 feet; thence
 1093 S.26°33'46"W., a distance of 49.90 feet; thence
 1094 S.39°24'11"W., a distance of 50.01 feet to a point on
 1095 the northerly line of a Conservation Easement as
 1096 recorded in the Official Records Book 1524, Page 5098
 1097 of the Public Records of Manatee County, Florida; the
 1098 following 15 calls are along the northerly and
 1099 westerly lines of said Conservation Easement; thence
 1100 S.63°06'49"W., a distance of 38.30 feet; thence
 1101 S.30°38'41"W., a distance of 53.69 feet; thence
 1102 S.68°49'15"W., a distance of 91.30 feet; thence
 1103 S.51°14'32"W., a distance of 68.98 feet; thence
 1104 S.76°31'40"W., a distance of 62.88 feet; thence
 1105 S.45°09'35"W., a distance of 35.02 feet; thence
 1106 S.36°11'14"E., a distance of 48.92 feet; thence
 1107 S.18°26'10"E., a distance of 45.74 feet; thence
 1108 S.09°12'08"W., a distance of 19.73 feet; thence
 1109 S.32°09'14"E., a distance of 76.50 feet; thence
 1110 S.07°27'24"E., a distance of 35.67 feet; thence
 1111 S.29°09'12"E., a distance of 41.08 feet; thence
 1112 S.11°37'55"E., a distance of 49.89 feet; thence
 1113 S.51°55'08"E., a distance of 29.11 feet; thence
 1114 S.67°03'11"E., a distance of 66.38 feet; thence

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1115 N.66°35'24"E., a distance of 31.03 feet; thence
 1116 S.45°47'43"E., a distance of 148.54 feet; thence
 1117 S.18°48'41"W., a distance of 163.72 feet; thence
 1118 S.82°50'11"W., a distance of 81.44 feet; thence
 1119 N.69°18'50"W., a distance of 147.54 feet; thence
 1120 N.16°28'56"W., a distance of 96.10 feet; thence
 1121 N.07°30'43"W., a distance of 141.37 feet; thence
 1122 S.65°00'00"W., a distance of 1,078.77 feet; thence
 1123 S.83°00'00"W., a distance of 630.49 feet; thence
 1124 S.62°15'00"W., a distance of 585.88 feet; thence
 1125 S.55°30'00"W., a distance of 859.04 feet; thence
 1126 S.35°00'00"W., a distance of 453.13 feet; thence
 1127 S.69°00'00"W., a distance of 637.50 feet; thence
 1128 N.65°15'00"W., a distance of 464.25 feet; thence
 1129 N.35°51'00"W., a distance of 385.00 feet; thence
 1130 N.83°00'00"W., a distance of 137.04 feet to the point
 1131 of curvature of a non-tangent curve to the left, of
 1132 which the radius point lies S.85°59'50"W., a radial
 1133 distance of 6,090.00 feet; thence northerly along the
 1134 arc of said curve, through a central angle of
 1135 00°49'46", an arc length of 88.17 feet to the point of
 1136 tangency of said curve; thence N.00°51'26"E., a
 1137 distance of 490.58 feet; thence N.00°30'20"E., a
 1138 distance of 355.33 feet to the point of curvature of a
 1139 curve to the right having a radius of 2,880.00 feet
 1140 and a central angle of 07°28'45"; thence northerly
 1141 along the arc of said curve, an arc length of 375.94
 1142 feet to the end of said curve; thence S.67°11'02"E.
 1143 non-radial to the last described curve, a distance of

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1144 629.23 feet; thence S.81°49'22"E., a distance of
 1145 263.52 feet; thence N.80°03'53"E., a distance of
 1146 275.24 feet; thence N.69°59'29"E., a distance of
 1147 317.24 feet; thence N.57°35'22"E., a distance of
 1148 178.26 feet; thence N.81°03'05"E., a distance of
 1149 234.09 feet; thence N.63°21'55"E., a distance of
 1150 439.23 feet; thence N.44°11'27"E., a distance of
 1151 241.21 feet; thence N.63°21'56"E., a distance of
 1152 148.94 feet; thence N.74°49'49"E., a distance of
 1153 163.40 feet; thence N.75°39'49"E., a distance of
 1154 461.38 feet; thence N.52°24'58"E., a distance of
 1155 284.05 feet; thence N.37°35'20"E., a distance of
 1156 294.52 feet; thence N.33°58'26"E., a distance of
 1157 687.37 feet; thence N.46°31'18"E., a distance of
 1158 195.52 feet; thence N.76°15'16"E., a distance of
 1159 235.33 feet; thence N.53°47'33"E., a distance of
 1160 231.66 feet; thence N.15°20'53"E., a distance of
 1161 147.34 feet; thence N.32°20'46"E., a distance of
 1162 368.15 feet; thence S.83°51'29"E., a distance of
 1163 332.08 feet; thence S.56°57'53"E., a distance of
 1164 139.47 feet; thence N.35°53'49"E., a distance of
 1165 417.52 feet; thence N.50°25'21"W., a distance of
 1166 348.47 feet; thence N.00°06'50"E., a distance of
 1167 135.65 feet; thence N.24°22'30"E., a distance of
 1168 201.08 feet; thence N.61°14'22"E., a distance of
 1169 113.08 feet; thence S.62°11'08"E., a distance of
 1170 197.43 feet to the point of curvature of a curve to
 1171 the right having a radius of 100.00 feet and a central
 1172 angle of 88°54'40"; thence southerly along the arc of

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1173 said curve, an arc length of 155.18 feet to the point
 1174 of tangency of said curve; thence S.26°43'33"W., a
 1175 distance of 224.96 feet; thence S.50°07'45"E., a
 1176 distance of 125.37 feet; thence N.49°56'25"E., a
 1177 distance of 228.41 feet; thence N.08°47'40"E., a
 1178 distance of 153.43 feet; thence N.38°13'49"W., a
 1179 distance of 139.09 feet; thence N.11°59'28"E., a
 1180 distance of 271.56 feet; thence N.37°00'30"E., a
 1181 distance of 306.68 feet to the POINT OF BEGINNING.
 1182 Said tract contains 15,214,335 square feet or 349.2731
 1183 acres, more or less.
 1184 Also:
 1185 That portion of Sections 22 and 23, lying within the
 1186 following described property:
 1187 A tract of land lying in Section 22, Township 35
 1188 South, Range 19 East, Manatee County, Florida and
 1189 being more particularly described as follows:
 1190 Commence at the southeast corner of Section 22,
 1191 Township 35 South, Range 19 East; thence N.89°29'42"W.
 1192 along the south line of said Section 22, 587.90 feet;
 1193 thence N.00°30'18"E., perpendicular with said south
 1194 line, a distance of 802.96 feet to the POINT OF
 1195 BEGINNING; thence N.66°35'24"E., a distance of 31.03
 1196 feet; thence S.45°47'43"E., a distance of 68.87 feet;
 1197 thence N.22°15'45"E., a distance of 66.77 feet; thence
 1198 N.21°25'53"E., a distance of 88.19 feet; thence
 1199 N.08°37'00"E., a distance of 159.00 feet; thence
 1200 N.57°02'56"E., a distance of 594.02 feet; thence
 1201 N.07°52'51"W., a distance of 27.87 feet; thence

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1202 N.61°22'29"W., a distance of 167.29 feet; thence
 1203 N.83°56'09"W., a distance of 103.18 feet; thence
 1204 S.85°40'21"W., a distance of 75.29 feet; thence
 1205 S.44°35'18"W., a distance of 66.94 feet; thence
 1206 S.82°54'53"W., a distance of 86.64 feet; thence
 1207 S.48°07'08"W., a distance of 74.53 feet; thence
 1208 S.26°33'46"W., a distance of 49.90 feet; thence
 1209 S.39°24'11"W., a distance of 50.01 feet to a point on
 1210 the northerly line of a Conservation Easement as
 1211 recorded in the Official Records Book 1524, Page 5098
 1212 of the Public Records of Manatee County, Florida; the
 1213 following 15 calls are along the northerly and
 1214 westerly lines of said Conservation Easement; thence
 1215 S.63°06'49"W., a distance of 38.30 feet; thence
 1216 S.30°38'41"W., a distance of 53.69 feet; thence
 1217 S.68°49'15"W., a distance of 91.30 feet; thence
 1218 S.51°14'32"W., a distance of 68.98 feet; thence
 1219 S.76°31'40"W., a distance of 62.88 feet; thence
 1220 S.45°09'35"W., a distance of 35.02 feet; thence
 1221 S.36°11'14"E., a distance of 48.92 feet; thence
 1222 S.18°26'10"E., a distance of 45.74 feet; thence
 1223 S.09°12'08"W., a distance of 19.73 feet; thence
 1224 S.32°09'14"E., a distance of 76.50 feet; thence
 1225 S.07°27'24"E., a distance of 35.67 feet; thence
 1226 S.29°09'12"E., a distance of 41.08 feet; thence
 1227 S.11°37'55"E., a distance of 49.89 feet; thence
 1228 S.51°55'08"E., a distance of 29.11 feet; thence
 1229 S.67°03'11"E., a distance of 66.38 feet to the POINT
 1230 OF BEGINNING.

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1231 Said tract contains 249,186 square feet or 5.7205
 1232 acres, more or less.
 1233 Section 23, Township 35 South, Range 19 East:
 1234 That portion of Section 23, Township 35 South, Range
 1235 19 East, lying north of State Road 70;
 1236 Also:
 1237 That portion of Section 23, Township 35 South, Range
 1238 19 East, lying southerly of the right-of-way line for
 1239 State Road 70, easterly of premises described in
 1240 Special Warranty Deed to Sarasota Development, L.L.C.,
 1241 recorded in Official Record Book 1892, Page 750 of
 1242 said Public Records and easterly of the (Proposed
 1243 Braden River Mitigation Bank), described above;
 1244 Section 24, Township 35 South, Range 19 East:
 1245 All of Section 24, Township 35 South, Range 19 East;
 1246 Less:
 1247 Right-of-way for State Road 70;
 1248 Section 25, Township 35 South, Range 19 East:
 1249 All of Section 25, Township 35 South, Range 19 East;
 1250 Less:
 1251 Right-of-way for State Road 70;
 1252 Section 26, Township 35 South, Range 19 East:
 1253 All of Section 26, Township 35 South, Range 19 East;
 1254 Less:
 1255 Premises described in Special Warranty Deed to
 1256 Sarasota Development, L.L.C., recorded in Official
 1257 Record Book 1892, Page 750 Public Records of Manatee
 1258 County, Florida;
 1259 Less:

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1260 Premises described in Memorandum of Purchase Option
 1261 Agreement, recorded in Official Record Book 1892, Page
 1262 776 Public Records of Manatee County, Florida;
 1263 Section 27, Township 35 South, Range 19 East:
 1264 All of Section 27, lying southerly of the Phase 2
 1265 Parcel, described in Memorandum of Purchase Option
 1266 Agreement, recorded in Official Record Book 1892, Page
 1267 776 of said Public Records and Phase 1 Parcel and
 1268 Entry Road Parcel, described in Special Warranty Deed
 1269 to Sarasota Development, L.L.C., recorded in Official
 1270 Record Book 1892, Page 750 Public Records of Manatee
 1271 County, Florida;
 1272 Less:
 1273 Right-of-way for Lorraine Road;
 1274 Section 34, Township 35 South, Range 19 East:
 1275 All of Section 34, Township 35 South, Range 19 East,
 1276 lying easterly of the east right-of-way line of
 1277 Lorraine Road;
 1278 Less:
 1279 Premises described in Special Warranty Deed to The
 1280 School Board of Manatee County, recorded in Official
 1281 Record Book 1959, Page 2350 Public Records of Manatee
 1282 County, Florida; (School Site J)
 1283 Less:
 1284 Premises described in Special Warranty Deed to the
 1285 Diocese of Venice, recorded in Official Record Book
 1286 1532, Page 5848, Less and except premises described in
 1287 Special Warranty Deed to Schoreder-Manatee Ranch,

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1288 Inc., recorded in Official Record Book 1928, Page 3242
 1289 of said Public Records:
 1290 Less:
 1291 Premises described in Special Warranty Deed to the
 1292 Diocese of Venice, recorded in Official Record Book
 1293 1928, Page 3248 Public Records of Manatee County,
 1294 Florida;
 1295 Less:
 1296 Premises described in Corrective Warranty Deed to
 1297 Harvest United Methodist Church, Inc., recorded in
 1298 Official Record Book 1747, Page 777 of said Public
 1299 Records:
 1300 Section 35, Township 35 South, Range 19 East:
 1301 All of Section 35, Township 35 South, Range 19 East;
 1302 Section 36, Township 35 South, Range 19 East:
 1303 All of Section 36, Township 35 South, Range 19 East;
 1304 Section 1, Township 36 South, Range 19 East:
 1305 All of Section 1, Township 36 South, Range 19 East;
 1306 Section 2, Township 36 South, Range 19 East:
 1307 All of Section 2, Township 36 South, Range 19 East;
 1308 Section 3, Township 36 South, Range 19 East:
 1309 All of Section 3, Township 36 South, Range 19 East;
 1310 Less:
 1311 Premises described in Special Warranty Deed to Polo
 1312 Ranches of Sarasota, Inc., recorded in Official Record
 1313 Book 2602, Page 702 of the Public Records of Sarasota
 1314 County, Florida;
 1315 Less:

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1316 Premises described in Special Warranty Deed to Polo
 1317 Ranches of Sarasota, Inc., recorded in Official
 1318 Instrument Number 2000076164 of the Public Records of
 1319 Sarasota County, Florida;
 1320 Section 4, Township 36 South, Range 19 East:
 1321 All of Section 4, Township 36 South, Range 19 East;
 1322 Less:
 1323 Premises described in Special Warranty Deed to Polo
 1324 Ranches of Sarasota, Inc., recorded in Official Record
 1325 Book 2602, Page 702 of the Public Records of Sarasota
 1326 County, Florida;
 1327 Less:
 1328 A portion of Premises described in Warranty Deed to
 1329 Out-of-Door Academy of Sarasota, Inc., recorded in
 1330 Official Record Book 2858, Page 189 of the Public
 1331 Records of Sarasota County, Florida
 1332 Section 5, Township 36 South, Range 19 East:
 1333 That portion of Section 5, Township 36 South, Range 19
 1334 East, lying east of premises described in Warranty
 1335 Deed to Out-of-Door Academy of Sarasota, Inc.,
 1336 recorded in Official Record Book 2858, Page 189 of the
 1337 Public Records of Sarasota County, Florida;
 1338 Also:
 1339 That portion of Section 5, Township 36 South, Range 19
 1340 East, lying southerly of the following described
 1341 properties:
 1342 Premises described in Warranty Deed to Out-of-Door
 1343 Academy of Sarasota, Inc., recorded in Official Record

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1344 Book 2858, Page 189 of the Public Records of Sarasota
 1345 County, Florida
 1346 Lakewood Ranch Corporate Park, Unit 3C, recorded in
 1347 Plat Book 43, Page 34, Public Records of Sarasota
 1348 County, Florida;
 1349 Lakewood Ranch Corporate Park, Unit 3B, recorded in
 1350 Plat Book 42, Page 30, Public Records of Sarasota
 1351 County, Florida;
 1352 Lakewood Ranch Corporate Park, Unit 3A, recorded in
 1353 Plat Book 41, Page 19, Public Records of Sarasota
 1354 County, Florida;
 1355 Lakewood Ranch Corporate Park, Unit 1, recorded in
 1356 Plat Book 38, Page 26, Public Records of Sarasota
 1357 County, Florida;
 1358 Lakewood Ranch Corporate Park, Unit 4, Phase 1,
 1359 recorded in Plat Book 43, Page 22, Public Records of
 1360 Sarasota County, Florida;
 1361 Section 6, Township 36 South, Range 19 East:
 1362 That portion of Section 6, Township 36 South, Range 19
 1363 East, lying east of the right-of-way of Interstate 75
 1364 and south of the following described properties:
 1365 Lakewood Ranch Corporate Park, Unit 4, Phase 1,
 1366 recorded in Plat Book 43, Page 22, Public Records of
 1367 Sarasota County, Florida;
 1368 Lakewood Ranch Corporate Park, Unit 4, recorded in
 1369 Plat Book 40, Page 37, Public Records of Sarasota
 1370 County, Florida;

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1371 Lakewood Ranch Corporate Park, Unit 6, Phase 2,
 1372 recorded in Plat Book 42, Page 23, Public Records of
 1373 Sarasota County, Florida;
 1374 Less:
 1375 Premises described in Corporate Warranty Deed to
 1376 Sarasota County, recorded in Official Record
 1377 Instrument Number 2002146329, Public Records of
 1378 Sarasota County, Florida;
 1379 Section 7, Township 36 South, Range 19 East:
 1380 That portion of Section 7, Township 36 South, Range 19
 1381 East, lying east of the right-of-way of Interstate 75;
 1382 Less:
 1383 Premises described in Warranty Deed to Sarasota
 1384 County, recorded in Official Instrument Number
 1385 2004118447, Public Records of Sarasota County,
 1386 Florida;
 1387 Less:
 1388 Premises described in Corporate Warranty Deed to
 1389 Sarasota County, recorded in Official Record Book
 1390 2880, Page 1528, Public Records of Sarasota County,
 1391 Florida;
 1392 Section 8, Township 36 South, Range 19 East:
 1393 All of Section 8, Township 36 South, Range 19 East;
 1394 Less:
 1395 Premises described in Special Warranty Deed to Florida
 1396 Power & Light Company, recorded in Official Record
 1397 Book 2848, Page 77, Public Records of Sarasota County,
 1398 Florida;
 1399 Section 9, Township 36 South, Range 19 East:

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1400 All of Section 9, Township 36 South, Range 19 East;
 1401 Section 10, Township 36 South, Range 19 East:
 1402 All of Section 10, Township 36 South, Range 19 East;
 1403 Section 11, Township 36 South, Range 19 East:
 1404 All of Section 11, Township 36 South, Range 19 East;
 1405 Section 12, Township 36 South, Range 19 East:
 1406 All of Section 12, Township 36 South, Range 19 East;
 1407 Section 5, Township 36 South, Range 20 East:
 1408 The south half of Section 5, Township 36 South, Range
 1409 20 East;
 1410 Section 6, Township 36 South, Range 20 East:
 1411 All of Section 6, Township 36 South, Range 20 East;
 1412 Section 7, Township 36 South, Range 20 East:
 1413 All of Section 7, Township 36 South, Range 20 East;
 1414 Section 8, Township 36 South, Range 20 East:
 1415 All of Section 8, Township 36 South, Range 20 East;
 1416 Less:
 1417 A strip of land 50-feet wide, described as beginning
 1418 at the southwest corner of Section 8, Township 36
 1419 South, Range 20 East, thence South 87°10'13" East,
 1420 511.24 feet for POINT OF BEGINNING; thence North
 1421 42°59'05" West to a point lying 50 feet north of the
 1422 south line of Section 8; thence easterly along a line
 1423 parallel to and 50 feet north of, the south line of
 1424 Section 8 to a point lying 529.3 feet west of the east
 1425 line of said Section 8; thence southwesterly 70.7 feet
 1426 to point on south line of Section 8, lying 600 feet
 1427 westerly of the southeast corner of Section 8; thence
 1428 westerly along the south section line of said Section

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1429 8 to the POINT OF BEGINNING, lying and being in
 1430 Section 8, Township 36 South, Range 20 East, Sarasota
 1431 County, Florida.
 1432 CONTAINING A TOTAL AREA OF 23,055 ACRES, PLUS OR
 1433 MINUS.

1434
 1435 Section 5. Board of Supervisors; members and meetings;
 1436 organization; powers; duties; terms of office; related election
 1437 requirements.--

1438 (1) The board of the District shall exercise the powers
 1439 granted to the District pursuant to this act. The board shall
 1440 consist of five members, each of whom shall hold office for a
 1441 term of 4 years, as provided in this section, except as
 1442 otherwise provided herein for initial board members, and until a
 1443 successor is chosen and qualified. The members of the board must
 1444 be residents of the state and citizens of the United States.

1445 (2)(a) Within 90 days following the effective date of the
 1446 law establishing the District, there shall be held a meeting of
 1447 the landowners of the District for the purpose of electing five
 1448 supervisors for the District. Notice of the landowners' meeting
 1449 shall be published once a week for 2 consecutive weeks in a
 1450 newspaper which is in general circulation in the area of the
 1451 District, the last day of such publication to be not fewer than
 1452 14 days or more than 28 days before the date of the election.
 1453 The landowners, when assembled at such meeting, shall organize
 1454 by electing a chair, who shall conduct the meeting. The chair
 1455 may be any person present at the meeting. If the chair is a
 1456 landowner or proxy holder of a landowner, he or she may nominate
 1457 candidates and make and second motions. The landowners present

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1458 at the meeting, in person or by proxy, shall constitute a
 1459 quorum. At any landowners' meeting, 50 percent of the District
 1460 acreage shall not be required to constitute a quorum, and each
 1461 governing board member elected by landowners shall be elected by
 1462 a majority of the acreage represented either by owner or proxy
 1463 present and voting at said meeting.

1464 (b) At such meeting, each landowner shall be entitled to
 1465 cast one vote per acre of land owned by him or her and located
 1466 within the District for each person to be elected. A landowner
 1467 may vote in person or by proxy in writing. Each proxy must be
 1468 signed by one of the legal owners of the property for which the
 1469 vote is cast and must contain the typed or printed name of the
 1470 individual who signed the proxy; the street address, legal
 1471 description of the property, or tax parcel identification
 1472 number; and the number of authorized votes. If the proxy
 1473 authorizes more than one vote, each property must be listed and
 1474 the number of acres of each property must be included. The
 1475 signature on a proxy need not be notarized. A fraction of an
 1476 acre shall be treated as 1 acre, entitling the landowner to one
 1477 vote with respect thereto. The two candidates receiving the
 1478 highest number of votes shall be elected for a term expiring
 1479 November 16, 2010, and the three candidates receiving the next
 1480 largest number of votes shall be elected for a term expiring
 1481 November 18, 2008, with the term of office for each successful
 1482 candidate commencing upon election. The members of the first
 1483 board elected by landowners shall serve their respective terms;
 1484 however, the next election of board members shall be held on the
 1485 first Tuesday after the first Monday in November 2008.
 1486 Thereafter, there shall be an election by landowners for the

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1487 District every 2 years on the first Tuesday after the first
 1488 Monday in November, which shall be noticed pursuant to paragraph
 1489 (a). The second and subsequent landowners' election shall be
 1490 announced at a public meeting of the board at least 90 days
 1491 prior to the date of the landowners' meeting and shall also be
 1492 noticed pursuant to paragraph (a). Instructions on how all
 1493 landowners may participate in the election, along with sample
 1494 proxies, shall be provided during the board meeting that
 1495 announces the landowners' meeting. Each supervisor elected in or
 1496 after November 2008 shall serve a 4-year term.

1497 (3)(a)1. The board may not exercise the ad valorem taxing
 1498 power authorized by this act until such time as all members of
 1499 the board are qualified electors who are elected by qualified
 1500 electors of the District.

1501 2.a. Regardless of whether the District has proposed to
 1502 levy ad valorem taxes, board members shall begin being elected
 1503 by qualified electors of the District as the District becomes
 1504 populated with qualified electors. The transition shall occur
 1505 such that the composition of the Board, after the first general
 1506 election following a trigger of the qualified elector population
 1507 thresholds set forth below, shall be as follows:

1508 (I) Once 10,000 qualified electors reside within the
 1509 District, one governing board member shall be a person who was
 1510 elected by the qualified electors, and four governing board
 1511 members shall persons who were elected by the landowners.

1512 (II) Once 25,000 qualified electors reside within the
 1513 District, two governing board members shall be persons who were
 1514 elected by the qualified electors, and three governing board
 1515 members shall be persons elected by the landowners.

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1516 (III) Once 35,000 qualified electors reside within the
 1517 District, three governing board members shall be persons who
 1518 were elected by the qualified electors and two governing board
 1519 members shall be persons who were elected by the landowners.

1520 (IV) Once 40,000 qualified electors reside within the
 1521 District, four governing board members shall be persons who were
 1522 elected by the qualified electors and one governing board member
 1523 shall be a person who was elected by the landowners.

1524 (V) Once 45,000 qualified electors reside within the
 1525 District, all five governing board members shall be persons who
 1526 were elected by the qualified electors.

1527
 1528 Nothing in this sub-subparagraph is intended to require an
 1529 election prior to the expiration of an existing board member's
 1530 term.

1531 b. On or before June 1 of each year, the board shall
 1532 determine the number of qualified electors in the District as of
 1533 the immediately preceding April 15. The board shall use and rely
 1534 upon the official records maintained by the supervisor of
 1535 elections and property appraiser or tax collector in each county
 1536 in making this determination. Such determination shall be made
 1537 at a properly noticed meeting of the board and shall become a
 1538 part of the official minutes of the District.

1539 c. All governing board members elected by qualified
 1540 electors shall be elected at large at an election occurring as
 1541 provided in subsection (2) and this subsection.

1542 d. The board member seat first available for election by
 1543 qualified electors because the District has 10,000 qualified
 1544 electors shall be designated seat number one. The board member

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1545 seat first available for election by qualified electors because
 1546 the District has 25,000 qualified electors shall be designated
 1547 seat number two. The board member seat first available for
 1548 election by qualified electors because the District has 35,000
 1549 qualified electors shall be designated seat number three. The
 1550 board member seat first available for election by qualified
 1551 electors because the District has 40,000 qualified electors
 1552 shall be designated seat number four. The board member seat
 1553 first available for election by qualified electors because the
 1554 District has 45,000 qualified electors shall be designated seat
 1555 number five.

1556 e. The board member elected to fill seat four when that
 1557 seat is first filled by election by qualified electors of the
 1558 District shall be a qualified elector of Sarasota County.
 1559 However, if, at the time that seat is available for election,
 1560 the District does not have both an executed interlocal agreement
 1561 with Sarasota County and at least 500 qualified electors
 1562 residing within the District in Sarasota County, the seat shall
 1563 be filled by a qualified elector of Manatee County.

1564 f. The board member elected to fill seat five when that
 1565 seat is first filled by election by qualified electors of the
 1566 District shall be a qualified elector of Manatee County.
 1567 However, if, at the time that seat is available for election,
 1568 seat four has already been designated as the seat to be filled
 1569 by a qualified elector of Manatee County pursuant to sub-
 1570 subparagraph e., Seat Five shall be filled by a qualified
 1571 elector of Sarasota. However, if, at the time seat five is
 1572 available for election, the District does not have both an
 1573 executed interlocal agreement with Sarasota County and at least

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1574 500 qualified electors residing in Sarasota County, the seat
 1575 shall be filled by a qualified elector of Manatee County. In
 1576 such event, the next seat available for election after the
 1577 District has both an interlocal agreement with Sarasota County
 1578 and at least 500 qualified electors in Sarasota County shall be
 1579 filled by a qualified elector of Sarasota County.

1580 g. Once one seat is designated as a seat to be filled by a
 1581 qualified elector from a specific county, that seat shall
 1582 thereafter be filled by a qualified elector who resides within
 1583 that county.

1584 h. Once a District qualifies to have any of its board
 1585 members elected by the qualified electors of the District, the
 1586 initial and all subsequent elections by the qualified electors
 1587 of the District shall be held at the general election in
 1588 November. The board shall adopt a resolution if necessary to
 1589 implement this requirement. The transition process described
 1590 herein is intended to be in lieu of the process set forth in
 1591 section 189.4051, Florida Statutes.

1592 (b) Elections of board members by qualified electors held
 1593 pursuant to this subsection shall be nonpartisan and shall be
 1594 conducted in the manner prescribed by law for holding general
 1595 elections. Board members shall assume the office on the second
 1596 Tuesday following their election.

1597 (c) Candidates seeking election to office by qualified
 1598 electors under this subsection shall conduct their campaigns in
 1599 accordance with the provisions of chapter 106, Florida Statutes,
 1600 and shall file qualifying papers and qualify for individual
 1601 seats in accordance with section 99.061, Florida Statutes.
 1602 Candidates shall pay a qualifying fee, which shall consist of a

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1603 filing fee and an election assessment or, as an alternative,
 1604 shall file a petition signed by not less than 1 percent of the
 1605 registered voters of the District, and take the oath required in
 1606 section 99.021, Florida Statutes, with the supervisor of
 1607 elections in the county affected by such candidacy. The amount
 1608 of the filing fee is 3 percent of \$4,800; however, if the
 1609 electors have provided for compensation, the amount of the
 1610 filing fee is 3 percent of the maximum annual compensation so
 1611 provided. The amount of the election assessment is 1 percent of
 1612 \$4,800; however, if the electors have provided for compensation,
 1613 the amount of the election assessment is 1 percent of the
 1614 maximum annual compensation so provided. The filing fee and
 1615 election assessment shall be distributed as provided in section
 1616 105.031(3), Florida Statutes.

1617 (d) The supervisors of elections shall appoint the
 1618 inspectors and clerks of elections, prepare and furnish the
 1619 ballots, designate polling places, and canvass the returns of
 1620 the election of board members by qualified electors. The county
 1621 canvassing boards shall declare and certify the results of the
 1622 election.

1623 (4) Members of the board, regardless of how elected, shall
 1624 be public officers, shall be known as supervisors, and, upon
 1625 entering into office, shall take and subscribe to the oath of
 1626 office as prescribed by section 876.05, Florida Statutes.
 1627 Members of the board shall be subject to ethics and conflict of
 1628 interest laws of the state that apply to all local public
 1629 officers. They shall hold office for the terms for which they
 1630 were elected or appointed and until their successors are chosen
 1631 and qualified. If, during the term of office, a vacancy occurs,

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1632 the remaining members of the board shall fill each vacancy by an
 1633 appointment for the remainder of the unexpired term.

1634 (5) Any elected member of the Board of Supervisors may be
 1635 removed by the Governor for malfeasance, misfeasance,
 1636 dishonesty, incompetency, or failure to perform the duties
 1637 imposed upon him or her by this act, and any vacancies that may
 1638 occur in such office for such reasons shall be filled by the
 1639 Governor as soon as practicable.

1640 (6) A majority of the members of the board constitutes a
 1641 quorum for the purposes of conducting its business and
 1642 exercising its powers and for all other purposes. Action taken
 1643 by the District shall be upon a vote of a majority of the
 1644 members present unless general law or a rule of the District
 1645 requires a greater number.

1646 (7) As soon as practicable after each election or
 1647 appointment, the board shall organize by electing one of its
 1648 members as chair and by electing a secretary, who need not be a
 1649 member of the board, and such other officers as the board may
 1650 deem necessary.

1651 (8) The board shall keep a permanent record book entitled
 1652 "Record of Proceedings of Lakewood Ranch Stewardship District,"
 1653 in which shall be recorded minutes of all meetings, resolutions,
 1654 proceedings, certificates, bonds given by all employees, and any
 1655 and all corporate acts. The record book and all other District
 1656 records shall at reasonable times be opened to inspection in the
 1657 same manner as state, county, and municipal records pursuant to
 1658 chapter 119, Florida Statutes. The record book shall be kept at
 1659 the office or other regular place of business maintained by the

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1660 board in a designated location in either Manatee County or
 1661 Sarasota County.

1662 (9) Each supervisor shall be entitled to receive for his
 1663 or her services an amount not to exceed \$200 per meeting of the
 1664 Board of Supervisors, not to exceed \$4,800 per year per
 1665 supervisor, or an amount established by the electors at
 1666 referendum. In addition, each supervisor shall receive travel
 1667 and per diem expenses as set forth in section 112.061, Florida
 1668 Statutes.

1669 (10) All meetings of the board shall be open to the public
 1670 and governed by the provisions of chapter 286, Florida Statutes.

1671 Section 6. Board of Supervisors; general duties.--

1672 (1) DISTRICT MANAGER AND EMPLOYEES.--The board shall
 1673 employ and fix the compensation of a district manager, who shall
 1674 have charge and supervision of the works of the District and
 1675 shall be responsible for preserving and maintaining any
 1676 improvement or facility constructed or erected pursuant to the
 1677 provisions of this act, for maintaining and operating the
 1678 equipment owned by the District, and for performing such other
 1679 duties as may be prescribed by the board. It shall not be a
 1680 conflict of interest under chapter 112, Florida Statutes, for a
 1681 board member, the district manager, or another employee of the
 1682 District to be a stockholder, officer, or employee of a
 1683 landowner. The district manager may hire or otherwise employ and
 1684 terminate the employment of such other persons, including,
 1685 without limitation, professional, supervisory, and clerical
 1686 employees, as may be necessary and authorized by the board. The
 1687 compensation and other conditions of employment of the officers
 1688 and employees of the District shall be as provided by the board.

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1689 (2) TREASURER.--The board shall designate a person who is
 1690 a resident of the state as treasurer of the District, who shall
 1691 have charge of the funds of the District. Such funds shall be
 1692 disbursed only upon the order of or pursuant to a resolution of
 1693 the board by warrant or check countersigned by the treasurer and
 1694 by such other person as may be authorized by the board. The
 1695 board may give the treasurer such other or additional powers and
 1696 duties as the board may deem appropriate and may fix his or her
 1697 compensation. The board may require the treasurer to give a bond
 1698 in such amount, on such terms, and with such sureties as may be
 1699 deemed satisfactory to the board to secure the performance by
 1700 the treasurer of his or her powers and duties. The financial
 1701 records of the board shall be audited by an independent
 1702 certified public accountant at least once a year.

1703 (3) PUBLIC DEPOSITORY.--The board is authorized to select
 1704 as a depository for its funds any qualified public depository as
 1705 defined in section 280.02, Florida Statutes, which meets all the
 1706 requirements of chapter 280, Florida Statutes, and has been
 1707 designated by the treasurer as a qualified public depository
 1708 upon such terms and conditions as to the payment of interest by
 1709 such depository upon the funds so deposited as the board may
 1710 deem just and reasonable.

1711 (4) BUDGET; REPORTS AND REVIEWS.--

1712 (a) The District shall provide financial reports in such
 1713 form and such manner as prescribed pursuant to this act and
 1714 chapter 218, Florida Statutes, as amended from time to time.

1715 (b) On or before July 15 of each year, the district
 1716 manager shall prepare a proposed budget for the ensuing fiscal
 1717 year to be submitted to the board for board approval. The

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1718 proposed budget shall include at the direction of the board an
 1719 estimate of all necessary expenditures of the District for the
 1720 ensuing fiscal year and an estimate of income to the District
 1721 from the taxes and assessments provided in this act. The board
 1722 shall consider the proposed budget item by item and may either
 1723 approve the budget as proposed by the district manager or modify
 1724 the same in part or in whole. The board shall indicate its
 1725 approval of the budget by resolution, which resolution shall
 1726 provide for a hearing on the budget as approved. Notice of the
 1727 hearing on the budget shall be published in a newspaper of
 1728 general circulation in the area of the District once a week for
 1729 2 consecutive weeks, except that the first publication shall be
 1730 not fewer than 15 days prior to the date of the hearing. The
 1731 notice shall further contain a designation of the day, time, and
 1732 place of the public hearing. At the time and place designated in
 1733 the notice, the board shall hear all objections to the budget as
 1734 proposed and may make such changes as the board deems necessary.
 1735 At the conclusion of the budget hearing, the board shall, by
 1736 resolution, adopt the budget as finally approved by the board.
 1737 The budget shall be adopted prior to October 1 of each year.

1738 (c) At least 60 days prior to adoption, the Board of
 1739 Supervisors of the District shall submit to the Manatee County
 1740 and Sarasota County Boards of County Commissioners, for purposes
 1741 of disclosure and information only, the proposed annual budget
 1742 for the ensuing fiscal year, and each Board of County
 1743 Commissioners may submit written comments to the Board of
 1744 Supervisors solely for the assistance and information of the
 1745 Board of Supervisors of the District in adopting its annual
 1746 District budget.

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1747 (d) The Board of Supervisors of the District shall submit
 1748 annually, to the Boards of County Commissioners of Manatee and
 1749 Sarasota Counties, its District public facilities report under
 1750 section 189.415(2), Florida Statutes, which report the boards of
 1751 county commissioners shall use and rely on the District public
 1752 facilities report in the preparation or revision of their
 1753 respective comprehensive plans, specifically under section
 1754 189.415(6), Florida Statutes.

1755 (5) DISCLOSURE OF PUBLIC FINANCING.--The District shall
 1756 take affirmative steps to provide for the full disclosure of
 1757 information relating to the public financing and maintenance of
 1758 improvements to real property undertaken by the District. Such
 1759 information shall be made available to all existing residents
 1760 and all prospective residents of the District. The District
 1761 shall furnish each developer of a residential development within
 1762 the District with sufficient copies of that information to
 1763 provide each prospective initial purchaser of property in that
 1764 development with a copy; and any developer of a residential
 1765 development within the District, when required by law to provide
 1766 a public offering statement, shall include a copy of such
 1767 information relating to the public financing and maintenance of
 1768 improvements in the public offering statement. The Division of
 1769 Florida Land Sales, Condominiums, and Mobile Homes of the
 1770 Department of Business and Professional Regulation shall ensure
 1771 that disclosures made by developers pursuant to chapter 498,
 1772 Florida Statutes, meet the requirements of section 190.009(1),
 1773 Florida Statutes.

1774 (6) GENERAL POWERS.--The District shall have, and the
 1775 board may exercise, the following general powers:

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1776 (a) To sue and be sued in the name of the District; to
1777 adopt and use a seal and authorize the use of a facsimile
1778 thereof; to acquire, by purchase, gift, devise, or otherwise,
1779 and to dispose of, real and personal property, or any estate
1780 therein; and to make and execute contracts and other instruments
1781 necessary or convenient to the exercise of its powers.

1782 (b) To apply for coverage of its employees under the
1783 Florida Retirement System in the same manner as if such
1784 employees were state employees, subject to necessary action by
1785 the District to pay employer contributions into the Florida
1786 Retirement System Trust Fund.

1787 (c) To contract for the services of consultants to perform
1788 planning, engineering, legal, or other appropriate services of a
1789 professional nature. Such contracts shall be subject to public
1790 bidding or competitive negotiation requirements as set forth in
1791 general law applicable to independent special districts.

1792 (d) To borrow money and accept gifts; to apply for and use
1793 grants or loans of money or other property from the United
1794 States, the state, a unit of local government, or any person for
1795 any District purposes and enter into agreements required in
1796 connection therewith; and to hold, use, and dispose of such
1797 moneys or property for any District purposes in accordance with
1798 the terms of the gift, grant, loan, or agreement relating
1799 thereto.

1800 (e) To adopt and enforce rules and orders pursuant to the
1801 provisions of chapter 120, Florida Statutes, prescribing the
1802 powers, duties, and functions of the officers of the District;
1803 the conduct of the business of the District; the maintenance of
1804 records; and the form of certificates evidencing tax liens and

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1805 all other documents and records of the District. The board may
 1806 also adopt and enforce administrative rules with respect to any
 1807 of the projects of the District and define the area to be
 1808 included therein. The board may also adopt resolutions which may
 1809 be necessary for the conduct of District business.

1810 (f) To maintain an office at such place or places as the
 1811 Board of Supervisors designates in either Manatee County or
 1812 Sarasota County, and within the District when facilities are
 1813 available.

1814 (g) To hold, control, and acquire by donation, purchase,
 1815 or condemnation, or dispose of, any public easements,
 1816 dedications to public use, platted reservations for public
 1817 purposes, or any reservations for those purposes authorized by
 1818 this act and to make use of such easements, dedications, or
 1819 reservations for the purposes authorized by this act.

1820 (h) To lease as lessor or lessee to or from any person,
 1821 firm, corporation, association, or body, public or private, any
 1822 projects of the type that the District is authorized to
 1823 undertake and facilities or property of any nature for the use
 1824 of the District to carry out the purposes authorized by this
 1825 act.

1826 (i) To borrow money and issue bonds, certificates,
 1827 warrants, notes, or other evidence of indebtedness as
 1828 hereinafter provided; to levy such taxes and assessments as may
 1829 be authorized; and to charge, collect, and enforce fees and
 1830 other user charges.

1831 (j) To raise, by user charges or fees authorized by
 1832 resolution of the board, amounts of money which are necessary
 1833 for the conduct of District activities and services and to

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1834 enforce their receipt and collection in the manner prescribed by
 1835 resolution not inconsistent with law.

1836 (k) To exercise within the District, or beyond the
 1837 District with prior approval by vote of a resolution of the
 1838 governing body of the county if the taking will occur in an
 1839 unincorporated area in that county, the right and power of
 1840 eminent domain, pursuant to the provisions of chapters 73 and
 1841 74, Florida Statutes, over any property within the state, except
 1842 municipal, county, state, and federal property, for the uses and
 1843 purpose of the District relating solely to water, sewer,
 1844 District roads, and water management, specifically including,
 1845 without limitation, the power for the taking of easements for
 1846 the drainage of the land of one person over and through the land
 1847 of another.

1848 (l) To cooperate with, or contract with, other
 1849 governmental agencies as may be necessary, convenient,
 1850 incidental, or proper in connection with any of the powers,
 1851 duties, or purposes authorized by this act.

1852 (m) To assess and to impose upon lands in the District ad
 1853 valorem taxes as provided by this act.

1854 (n) If and when authorized by general law, to determine,
 1855 order, levy, impose, collect, and enforce maintenance taxes.

1856 (o) To determine, order, levy, impose, collect, and
 1857 enforce assessments pursuant to this act and chapter 170,
 1858 Florida Statutes, as amended from time to time, pursuant to
 1859 authority granted in section 197.3631, Florida Statutes, or
 1860 pursuant to other provisions of general law now or hereinafter
 1861 enacted which provide or authorize a supplemental means to
 1862 order, levy, impose, or collect special assessments. Such

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1863 special assessments, in the discretion of the District, may be
 1864 collected and enforced pursuant to the provisions of sections
 1865 197.3632 and 197.3635, Florida Statutes, and chapters 170 and
 1866 173, Florida Statutes, as they may be amended from time to time,
 1867 or as provided by this act, or by other means authorized by
 1868 general law now or hereinafter enacted.

1869 (p) To exercise such special powers and other express
 1870 powers as may be authorized and granted by this act in the
 1871 charter of the District, including powers as provided in any
 1872 interlocal agreement entered into pursuant to chapter 163,
 1873 Florida Statutes, or which shall be required or permitted to be
 1874 undertaken by the District pursuant to any development order or
 1875 development of regional impact, including any interlocal service
 1876 agreement with Manatee County or Sarasota County for fair-share
 1877 capital construction funding for any certain capital facilities
 1878 or systems required of the developer pursuant to any applicable
 1879 development order or agreement.

1880 (q) To exercise all of the powers necessary, convenient,
 1881 incidental, or proper in connection with any other powers or
 1882 duties or the special purpose of the District authorized by this
 1883 act.

1884
 1885 The provisions of this subsection shall be construed liberally
 1886 in order to carry out effectively the specialized purpose of
 1887 this act. However, nothing in this subsection regarding the
 1888 exercise of general powers by the District is intended to allow
 1889 the District to exercise one or more special powers in Manatee
 1890 County absent an interlocal agreement with Manatee County
 1891 consenting to the exercise of such powers within that county, or

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1892 to allow the District to exercise one or more special powers in
 1893 Sarasota County absent an interlocal agreement with Sarasota
 1894 County consenting to the exercise of such powers within that
 1895 county.

1896 (7) SPECIAL POWERS.--The District shall have, and the
 1897 board may exercise, the following special powers to implement
 1898 its lawful and special purpose and to provide, pursuant to that
 1899 purpose, systems, facilities, services, improvements, projects,
 1900 works, and infrastructure, each of which constitutes a lawful
 1901 public purpose when exercised pursuant to this charter, subject
 1902 to, and not inconsistent with, the regulatory jurisdiction and
 1903 permitting authority of all other applicable governmental
 1904 bodies, agencies, and any special districts having authority
 1905 with respect to any area included therein, and to plan,
 1906 establish, acquire, construct or reconstruct, enlarge or extend,
 1907 equip, operate, finance, fund, and maintain improvements,
 1908 systems, facilities, services, works, projects, and
 1909 infrastructure. Any or all of the following special powers are
 1910 granted by this act in order to implement the special purpose of
 1911 the District:

1912 (a) To provide water management and control for the lands
 1913 within the District and to connect some or any of such
 1914 facilities with roads and bridges. In the event that the board
 1915 assumes the responsibility for providing water management and
 1916 control for the District which is to be financed by benefit
 1917 special assessments, the board shall adopt plans and assessments
 1918 pursuant to law or may proceed to adopt water management and
 1919 control plans, assess for benefits, and apportion and levy
 1920 special assessments, as follows:

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1921 1. The board shall cause to be made by the District's
 1922 engineer, or such other engineer or engineers as the board may
 1923 employ for that purpose, complete and comprehensive water
 1924 management and control plans for the lands located within the
 1925 District that will be improved in any part or in whole by any
 1926 system of facilities that may be outlined and adopted, and the
 1927 engineer shall make a report in writing to the board with maps
 1928 and profiles of said surveys and an estimate of the cost of
 1929 carrying out and completing the plans.

1930 2. Upon the completion of such plans, the board shall hold
 1931 a hearing thereon to hear objections thereto, shall give notice
 1932 of the time and place fixed for such hearing by publication once
 1933 each week for 2 consecutive weeks in a newspaper of general
 1934 circulation in the general area of the District, and shall
 1935 permit the inspection of the plan at the office of the District
 1936 by all persons interested. All objections to the plan shall be
 1937 filed at or before the time fixed in the notice for the hearing
 1938 and shall be in writing.

1939 3. After the hearing, the board shall consider the
 1940 proposed plan and any objections thereto and may modify, reject,
 1941 or adopt the plan or continue the hearing until a day certain
 1942 for further consideration of the proposed plan or modifications
 1943 thereof.

1944 4. When the board approves a plan, a resolution shall be
 1945 adopted and a certified copy thereof shall be filed in the
 1946 office of the secretary and incorporated by him or her into the
 1947 records of the District.

1948 5. The water management and control plan may be altered in
 1949 detail from time to time until the appraisal record herein

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1950 provided is filed but not in such manner as to affect materially
 1951 the conditions of its adoption. After the appraisal record has
 1952 been filed, no alteration of the plan shall be made, except as
 1953 provided by this act.

1954 6. Within 20 days after the final adoption of the plan by
 1955 the board, the board shall proceed pursuant to section 298.301,
 1956 Florida Statutes.

1957 (b) To provide water supply, sewer, and wastewater
 1958 management, reclamation, and reuse, or any combination thereof,
 1959 and any irrigation systems, facilities, and services and to
 1960 construct and operate connecting intercepting or outlet sewers
 1961 and sewer mains and pipes and water mains, conduits, or
 1962 pipelines in, along, and under any street, alley, highway, or
 1963 other public place or ways, and to dispose of any effluent,
 1964 residue, or other byproducts of such system or sewer system.

1965 1. The District may not purchase or sell a water, sewer,
 1966 or wastewater reuse utility that provides service to the public
 1967 for compensation, or enter into a wastewater facility
 1968 privatization contract for a wastewater facility, until the
 1969 governing body of the District has held a public hearing on the
 1970 purchase, sale, or wastewater facility privatization contract
 1971 and made a determination that the purchase, sale, or wastewater
 1972 facility privatization contract is in the public interest.

1973 2. In determining if the purchase, sale, or wastewater
 1974 facility privatization contract is in the public interest, the
 1975 District shall consider, at a minimum, the following:

1976 a. The most recent available income and expense statement
 1977 for the utility.

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1978 b. The most recent available balance sheet for the
 1979 utility, listing assets and liabilities and clearly showing the
 1980 amount of contributions in aid of construction and the
 1981 accumulated depreciation thereon.

1982 c. A statement of the existing rate base of the utility
 1983 for regulatory purposes.

1984 d. The physical condition of the utility facilities being
 1985 purchased or sold or subject to a wastewater facility
 1986 privatization contract.

1987 e. The reasonableness of the purchase, sale, or wastewater
 1988 facility privatization contract price and terms.

1989 f. The impacts of the purchase, sale, or wastewater
 1990 facility privatization contract on utility customers, both
 1991 positive and negative.

1992 g. Any additional investment required and the ability and
 1993 willingness of the purchaser or the private firm under a
 1994 wastewater facility privatization contract to make that
 1995 investment, whether the purchaser is the District or the entity
 1996 purchasing the utility from the District.

1997 h. In the case of a wastewater facility privatization
 1998 contract, the terms and conditions on which the private firm
 1999 will provide capital investment and financing or a combination
 2000 thereof for contemplated capital replacements, additions,
 2001 expansions, and repairs.

2002 i. The alternatives to the purchase, sale, or wastewater
 2003 facility privatization contract and the potential impact on
 2004 utility customers if the purchase, sale, or wastewater facility
 2005 privatization contract is not made.

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2006 j. The ability of the purchaser or the private firm under
 2007 a wastewater facility privatization contract to provide and
 2008 maintain high-quality and cost-effective utility service,
 2009 whether the purchaser is the District or the entity purchasing
 2010 the utility from the District.

2011 k. In the case of a wastewater facility privatization
 2012 contract, the District shall give significant weight to the
 2013 technical expertise and experience of the private firm in
 2014 carrying out the obligations specified in the wastewater
 2015 facility privatization contract.

2016 l. All moneys paid by a private firm to a District
 2017 pursuant to a wastewater facility privatization contract shall
 2018 be used for the purpose of reducing or offsetting property
 2019 taxes, wastewater service rates, or debt reduction or making
 2020 infrastructure improvements or capital asset expenditures or
 2021 other public purpose, provided, however, that nothing herein
 2022 shall preclude the District from using all or part of the moneys
 2023 for the purpose of the District's qualification for relief from
 2024 the repayment of federal grant awards associated with the
 2025 wastewater system as may be required by federal law or
 2026 regulation. The District shall prepare a statement showing that
 2027 the purchase, sale, or wastewater facility privatization
 2028 contract is in the public interest, including a summary of the
 2029 purchaser's or private firm's experience in water, sewer, or
 2030 wastewater reuse utility operation and a showing of financial
 2031 ability to provide the service, whether the purchaser or private
 2032 firm is the District or the entity purchasing the utility from
 2033 the District.

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2034 (c) To provide bridges or culverts that may be needed
 2035 across any drain, ditch, canal, floodway, holding basin,
 2036 excavation, public highway, tract, grade, fill, or cut and
 2037 roadways over levees and embankments, and to construct any and
 2038 all of such works and improvements across, through, or over any
 2039 public right-of way, highway, grade, fill, or cut.

2040 (d) To provide district roads equal to or exceeding the
 2041 specifications of the county in which such District roads are
 2042 located, and to provide street lights, including conditions of
 2043 development approval for which specifications may sometimes be
 2044 different than the normal specifications of the county. This
 2045 special power includes, but is not limited to, roads, parkways,
 2046 bridges, landscaping, hardscaping, irrigation, bicycle lanes,
 2047 jogging paths, street lighting, traffic signals, regulatory or
 2048 informational signage, road striping, underground conduit,
 2049 underground cable or fiber or wire installed to pursuant an
 2050 agreement with or tariff of a retail provider of services, and
 2051 all other customary elements of a functioning modern road system
 2052 in general or as tied to the conditions of development approval
 2053 for the area within the District, and parking facilities that
 2054 are freestanding or that may be related to any innovative
 2055 strategic intermodal system of transportation pursuant to
 2056 applicable federal, state, and local law and ordinance.

2057 (e) To provide buses, trolleys, transit shelters,
 2058 ridesharing facilities and services, parking improvements, and
 2059 related signage.

2060 (f) To provide investigation and remediation costs
 2061 associated with the cleanup of actual or perceived environmental
 2062 contamination within the District under the supervision or

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2063 direction of a competent governmental authority unless the
 2064 covered costs benefit any person who is a landowner within the
 2065 District and who caused or contributed to the contamination.

2066 (g) To provide observation areas, mitigation areas, and
 2067 wildlife habitat, including the maintenance of any plant or
 2068 animal species, and any related interest in real or personal
 2069 property.

2070 (h) Using its general and special powers as set forth in
 2071 this act, to provide any other project within or without the
 2072 boundaries of the District when the project is the subject of an
 2073 agreement between the District and the Board of County
 2074 Commissioners of either Manatee County or Sarasota County or
 2075 with any other applicable public or private entity, and is not
 2076 inconsistent with the effective local comprehensive plans.

2077 (i) To provide parks and facilities for indoor and outdoor
 2078 recreational, cultural, and educational uses.

2079 (j) To provide fire prevention and control, including fire
 2080 stations, water mains and plugs, fire trucks, and other vehicles
 2081 and equipment.

2082 (k) To provide school buildings and related structures,
 2083 which may be leased, sold, or donated to the school district,
 2084 for use in the educational system when authorized by the
 2085 district school board.

2086 (l) To provide security, including, but not limited to,
 2087 guardhouses, fences, and gates, electronic intrusion-detection
 2088 systems, and patrol cars, when authorized by proper governmental
 2089 agencies; however, the District may not exercise any powers of a
 2090 law enforcement agency but may contract with the appropriate
 2091 local general-purpose government agencies for an increased level

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2092 of such services within the District boundaries. Notwithstanding
 2093 any provision of general law, the District may operate
 2094 guardhouses for the limited purpose of providing security for
 2095 the residents of the District and which serve a predominate
 2096 public, as opposed to private, purpose. Such guardhouses shall
 2097 be operated by the District or any other unit of local
 2098 government pursuant to procedures designed to serve such
 2099 security purposes as set forth in rules adopted by the board,
 2100 from time to time, following the procedures set forth in chapter
 2101 120, Florida Statutes.

2102 (m) To provide control and elimination of mosquitoes and
 2103 other arthropods of public health importance.

2104 (n) To provide waste collection and disposal.

2105 (o) To enter into impact fee credit agreements with
 2106 Manatee County or Sarasota County. Under such agreements, if the
 2107 District constructs or makes contributions for public systems,
 2108 facilities, services, projects, improvements, works, and
 2109 infrastructures for which impact fee credits would be available
 2110 to the landowner developer under the applicable impact fee
 2111 ordinance, the agreement authorized by this act shall provide
 2112 that such impact fee credit shall inure to the landowners within
 2113 the District in proportion to assessments or other burdens
 2114 levied and imposed upon the landowners with respect to
 2115 assessable improvements giving rise to such impact fee credits,
 2116 and the District shall from time to time execute such
 2117 instruments, such as assignments of impact fee credits, as may
 2118 be necessary, appropriate, or desirable to accomplish or to
 2119 confirm the foregoing.

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2120 (p) To provide buildings and structures for District
 2121 offices, maintenance facilities, meeting facilities, town
 2122 centers, or any other project authorized or granted by this act.

2123 (q) To establish and create, at noticed meetings, such
 2124 governmental departments of the Board of Supervisors of the
 2125 District, as well as committees, task forces, boards, or
 2126 commissions, or other agencies under the supervision and control
 2127 of the District, as from time to time the members of the board
 2128 may deem necessary or desirable in the performance of the acts
 2129 or other things necessary to exercise the board's general or
 2130 special powers to implement an innovative project to carry out
 2131 the special purpose of the District as provided in this act and
 2132 to delegate the exercise of its powers to such departments,
 2133 boards, task forces, committees, or other agencies and such
 2134 administrative duties and other powers as the board may deem
 2135 necessary or desirable but only if there is a set of expressed
 2136 limitations for accountability, notice, and periodic written
 2137 reporting to the board that shall retain the powers of the
 2138 board.

2139
 2140 The enumeration of special powers herein shall not be deemed
 2141 exclusive or restrictive but shall be deemed to incorporate all
 2142 powers express or implied necessary or incident to carrying out
 2143 such enumerated special powers, including also the general
 2144 powers provided by this special act charter to the District to
 2145 implement its single purpose. Further, the provisions of this
 2146 subsection shall be construed liberally in order to carry out
 2147 effectively the special purpose of this District under this act.
 2148 The District shall only exercise the special powers described in

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2149 paragraphs (a) through (p) within Manatee County upon the
 2150 execution of an interlocal agreement between the District and
 2151 Manatee County consenting to the District's exercise of those
 2152 powers within Manatee County. The District shall only exercise
 2153 the special powers described in paragraphs (a) through (p)
 2154 within Sarasota County upon the execution of an interlocal
 2155 agreement between the District and Sarasota County consenting to
 2156 the District's exercise of those powers within Sarasota County.
 2157 The District may exercise different powers within each county,
 2158 depending upon the timing and content of the respective
 2159 interlocal agreement, as either may be amended from time to
 2160 time.

2161 (8) ISSUANCE OF BOND ANTICIPATION NOTES.--In addition to
 2162 the other powers provided for in this act, and not in limitation
 2163 thereof, the District shall have the power, at any time and from
 2164 time to time after the issuance of any bonds of the District
 2165 shall have been authorized, to borrow money for the purposes for
 2166 which such bonds are to be issued in anticipation of the receipt
 2167 of the proceeds of the sale of such bonds and to issue bond
 2168 anticipation notes in a principal sum not in excess of the
 2169 authorized maximum amount of such bond issue. Such notes shall
 2170 be in such denomination or denominations, bear interest at such
 2171 rate as the board may determine not to exceed the maximum rate
 2172 allowed by general law, mature at such time or times not later
 2173 than 5 years from the date of issuance, and be in such form and
 2174 executed in such manner as the board shall prescribe. Such notes
 2175 may be sold at either public or private sale or, if such notes
 2176 shall be renewal notes, may be exchanged for notes then
 2177 outstanding on such terms as the board shall determine. Such

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2178 notes shall be paid from the proceeds of such bonds when issued.
 2179 The board may, in its discretion, in lieu of retiring the notes
 2180 by means of bonds, retire them by means of current revenues or
 2181 from any taxes or assessments levied for the payment of such
 2182 bonds, but, in such event, a like amount of the bonds authorized
 2183 shall not be issued.

2184 (9) BORROWING.--The District at any time may obtain loans,
 2185 in such amount and on such terms and conditions as the board may
 2186 approve, for the purpose of paying any of the expenses of the
 2187 District or any costs incurred or that may be incurred in
 2188 connection with any of the projects of the District, which loans
 2189 shall bear interest as the board determines, not to exceed the
 2190 maximum rate allowed by general law, and may be payable from and
 2191 secured by a pledge of such funds, revenues, taxes, and
 2192 assessments as the board may determine, subject, however, to the
 2193 provisions contained in any proceeding under which bonds were
 2194 theretofore issued and are then outstanding. For the purpose of
 2195 defraying such costs and expenses, the District may issue
 2196 negotiable notes, warrants, or other evidences of debt to be
 2197 payable at such times and to bear such interest as the board may
 2198 determine, not to exceed the maximum rate allowed by general
 2199 law, and to be sold or discounted at such price or prices not
 2200 less than 95 percent of par value and on such terms as the board
 2201 may deem advisable. The board shall have the right to provide
 2202 for the payment thereof by pledging the whole or any part of the
 2203 funds, revenues, taxes, and assessments of the District. The
 2204 approval of the electors residing in the District shall not be
 2205 necessary except when required by the State Constitution.

2206 (10) BONDS.--

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2207 (a) Sale of bonds.--Bonds may be sold in blocks or
 2208 installments at different times, or an entire issue or series
 2209 may be sold at one time. Bonds may be sold at public or private
 2210 sale after such advertisement, if any, as the board may deem
 2211 advisable but not in any event at less than 90 percent of the
 2212 par value thereof, together with accrued interest thereon. Bonds
 2213 may be sold or exchanged for refunding bonds. Special assessment
 2214 and revenue bonds may be delivered by the District as payment of
 2215 the purchase price of any project or part thereof, or a
 2216 combination of projects or parts thereof, or as the purchase
 2217 price or exchange for any property, real, personal, or mixed,
 2218 including franchises or services rendered by any contractor,
 2219 engineer, or other person, all at one time or in blocks from
 2220 time to time, in such manner and upon such terms as the board in
 2221 its discretion shall determine. The price or prices for any
 2222 bonds sold, exchanged, or delivered may be:

- 2223 1. The money paid for the bonds.
- 2224 2. The principal amount, plus accrued interest to the date
 2225 of redemption or exchange, or outstanding obligations exchanged
 2226 for refunding bonds.
- 2227 3. In the case of special assessment or revenue bonds, the
 2228 amount of any indebtedness to contractors or other persons paid
 2229 with such bonds, or the fair value of any properties exchanged
 2230 for the bonds, as determined by the board.

2231 (b) Authorization and form of bonds.--Any general
 2232 obligation bonds, special assessment bonds, or revenue bonds may
 2233 be authorized by resolution or resolutions of the board which
 2234 shall be adopted by a majority of all the members thereof then
 2235 in office. Such resolution or resolutions may be adopted at the

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2236 same meeting at which they are introduced and need not be
2237 published or posted. The board may, by resolution, authorize the
2238 issuance of bonds and fix the aggregate amount of bonds to be
2239 issued; the purpose or purposes for which the moneys derived
2240 therefrom shall be expended, including, but not limited to,
2241 payment of costs as defined in section 2(2)(i); the rate or
2242 rates of interest, not to exceed the maximum rate allowed by
2243 general law; the denomination of the bonds; whether or not the
2244 bonds are to be issued in one or more series; the date or dates
2245 of maturity, which shall not exceed 40 years from their
2246 respective dates of issuance; the medium of payment; the place
2247 or places within or without the state at which payment shall be
2248 made; registration privileges; redemption terms and privileges,
2249 whether with or without premium; the manner of execution; the
2250 form of the bonds, including any interest coupons to be attached
2251 thereto; the manner of execution of bonds and coupons; and any
2252 and all other terms, covenants, and conditions thereof and the
2253 establishment of revenue or other funds. Such authorizing
2254 resolution or resolutions may further provide for the contracts
2255 authorized by section 159.825(1)(f) and (g), Florida Statutes,
2256 regardless of the tax treatment of such bonds being authorized,
2257 subject to the finding by the board of a net saving to the
2258 District resulting by reason thereof. Such authorizing
2259 resolution may further provide that such bonds may be executed
2260 in accordance with the Registered Public Obligations Act, except
2261 that bonds not issued in registered form shall be valid if
2262 manually countersigned by an officer designated by appropriate
2263 resolution of the board. The seal of the District may be
2264 affixed, lithographed, engraved, or otherwise reproduced in

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2265 facsimile on such bonds. In case any officer whose signature
2266 shall appear on any bonds or coupons shall cease to be such
2267 officer before the delivery of such bonds, such signature or
2268 facsimile shall nevertheless be valid and sufficient for all
2269 purposes the same as if he or she had remained in office until
2270 such delivery.

2271 (c) Interim certificates; replacement
2272 certificates.--Pending the preparation of definitive bonds, the
2273 board may issue interim certificates or receipts or temporary
2274 bonds, in such form and with such provisions as the board may
2275 determine, exchangeable for definitive bonds when such bonds
2276 have been executed and are available for delivery. The board may
2277 also provide for the replacement of any bonds which become
2278 mutilated, lost, or destroyed.

2279 (d) Negotiability of bonds.--Any bond issued under this
2280 act or any temporary bond, in the absence of an express recital
2281 on the face thereof that it is nonnegotiable, shall be fully
2282 negotiable and shall be and constitute a negotiable instrument
2283 within the meaning and for all purposes of the law merchant and
2284 the laws of the state.

2285 (e) Defeasance.--The board may make such provision with
2286 respect to the defeasance of the right, title, and interest of
2287 the holders of any of the bonds and obligations of the District
2288 in any revenues, funds, or other properties by which such bonds
2289 are secured as the board deems appropriate and, without
2290 limitation on the foregoing, may provide that when such bonds or
2291 obligations become due and payable or shall have been called for
2292 redemption and the whole amount of the principal and interest
2293 and premium, if any, due and payable upon the bonds or

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2294 obligations then outstanding shall be held in trust for such
 2295 purpose, and provision shall also be made for paying all other
 2296 sums payable in connection with such bonds or other obligations,
 2297 then and in such event the right, title, and interest of the
 2298 holders of the bonds in any revenues, funds, or other properties
 2299 by which such bonds are secured shall thereupon cease,
 2300 terminate, and become void; and the board may apply any surplus
 2301 in any sinking fund established in connection with such bonds or
 2302 obligations and all balances remaining in all other funds or
 2303 accounts other than moneys held for the redemption or payment of
 2304 the bonds or other obligations to any lawful purpose of the
 2305 District as the board shall determine.

2306 (f) Issuance of additional bonds.--If the proceeds of any
 2307 bonds are less than the cost of completing the project in
 2308 connection with which such bonds were issued, the board may
 2309 authorize the issuance of additional bonds, upon such terms and
 2310 conditions as the board may provide in the resolution
 2311 authorizing the issuance thereof, but only in compliance with
 2312 the resolution or other proceedings authorizing the issuance of
 2313 the original bonds.

2314 (g) Refunding bonds.--The District shall have the power to
 2315 issue bonds to provide for the retirement or refunding of any
 2316 bonds or obligations of the District that at the time of such
 2317 issuance are or subsequent thereto become due and payable, or
 2318 that at the time of issuance have been called or are or will be
 2319 subject to call for redemption within 10 years thereafter, or
 2320 the surrender of which can be procured from the holders thereof
 2321 at prices satisfactory to the board. Refunding bonds may be
 2322 issued at any time that in the judgment of the board such

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2323 issuance will be advantageous to the District. No approval of
 2324 the qualified electors residing in the District shall be
 2325 required for the issuance of refunding bonds except in cases in
 2326 which such approval is required by the State Constitution. The
 2327 board may by resolution confer upon the holders of such
 2328 refunding bonds all rights, powers, and remedies to which the
 2329 holders would be entitled if they continued to be the owners and
 2330 had possession of the bonds for the refinancing of which such
 2331 refunding bonds are issued, including, but not limited to, the
 2332 preservation of the lien of such bonds on the revenues of any
 2333 project or on pledged funds, without extinguishment, impairment,
 2334 or diminution thereof. The provisions of this act pertaining to
 2335 bonds of the District shall, unless the context otherwise
 2336 requires, govern the issuance of refunding bonds, the form and
 2337 other details thereof, the rights of the holders thereof, and
 2338 the duties of the board with respect to them.

2339 (h) Revenue bonds.--

2340 1. The District shall have the power to issue revenue
 2341 bonds from time to time without limitation as to amount. Such
 2342 revenue bonds may be secured by, or payable from, the gross or
 2343 net pledge of the revenues to be derived from any project or
 2344 combination of projects; from the rates, fees, or other charges
 2345 to be collected from the users of any project or projects; from
 2346 any revenue-producing undertaking or activity of the District;
 2347 from special assessments; or from benefit special assessments;
 2348 or from any other source or pledged security. Such bonds shall
 2349 not constitute an indebtedness of the District, and the approval
 2350 of the qualified electors shall not be required unless such

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2351 bonds are additionally secured by the full faith and credit and
 2352 taxing power of the District.

2353 2. Any two or more projects may be combined and
 2354 consolidated into a single project and may hereafter be operated
 2355 and maintained as a single project. The revenue bonds authorized
 2356 herein may be issued to finance any one or more of such
 2357 projects, regardless of whether or not such projects have been
 2358 combined and consolidated into a single project. If the board
 2359 deems it advisable, the proceedings authorizing such revenue
 2360 bonds may provide that the District may thereafter combine the
 2361 projects then being financed or theretofore financed with other
 2362 projects to be subsequently financed by the District and that
 2363 revenue bonds to be thereafter issued by the District shall be
 2364 on parity with the revenue bonds then being issued, all on such
 2365 terms, conditions, and limitations as shall have been provided
 2366 in the proceeding which authorized the original bonds.

2367 (i) General obligation bonds.--

2368 1. Subject to the limitations of this charter, the
 2369 District shall have the power from time to time to issue general
 2370 obligation bonds to finance or refinance capital projects or to
 2371 refund outstanding bonds in an aggregate principal amount of
 2372 bonds outstanding at any one time not in excess of 35 percent of
 2373 the assessed value of the taxable property within the District
 2374 as shown on the pertinent tax records at the time of the
 2375 authorization of the general obligation bonds for which the full
 2376 faith and credit of the District is pledged. Except for
 2377 refunding bonds, no general obligation bonds shall be issued
 2378 unless the bonds are issued to finance or refinance a capital
 2379 project and the issuance has been approved at an election held

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2380 in accordance with the requirements for such election as
 2381 prescribed by the State Constitution. Such elections shall be
 2382 called to be held in the District by the Board of County
 2383 Commissioners of Manatee and Sarasota Counties upon the request
 2384 of the board of the District. The expenses of calling and
 2385 holding an election shall be at the expense of the District, and
 2386 the District shall reimburse the county for any expenses
 2387 incurred in calling or holding such election.

2388 2. The District may pledge its full faith and credit for
 2389 the payment of the principal and interest on such general
 2390 obligation bonds and for any reserve funds provided therefor and
 2391 may unconditionally and irrevocably pledge itself to levy ad
 2392 valorem taxes on all taxable property in the District, to the
 2393 extent necessary for the payment thereof, without limitation as
 2394 to rate or amount.

2395 3. If the board determines to issue general obligation
 2396 bonds for more than one capital project, the approval of the
 2397 issuance of the bonds for each and all such projects may be
 2398 submitted to the electors on one and the same ballot. The
 2399 failure of the electors to approve the issuance of bonds for any
 2400 one or more capital projects shall not defeat the approval of
 2401 bonds for any capital project which has been approved by the
 2402 electors.

2403 4. In arriving at the amount of general obligation bonds
 2404 permitted to be outstanding at any one time pursuant to
 2405 subparagraph 1., there shall not be included any general
 2406 obligation bonds which are additionally secured by the pledge
 2407 of:

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2408 a. Any assessments levied in an amount sufficient to pay
 2409 the principal and interest on the general obligation bonds so
 2410 additionally secured, which assessments have been equalized and
 2411 confirmed by resolution of the board pursuant to this act or
 2412 section 170.08, Florida Statutes.

2413 b. Water revenues, sewer revenues, or water and sewer
 2414 revenues of the District to be derived from user fees in an
 2415 amount sufficient to pay the principal and interest on the
 2416 general obligation bonds so additionally secured.

2417 c. Any combination of assessments and revenues described
 2418 in sub-subparagraphs a. and b.

2419 (j) Bonds as legal investment or security.--

2420 1. Notwithstanding any provisions of any other law to the
 2421 contrary, all bonds issued under the provisions of this act
 2422 shall constitute legal investments for savings banks, banks,
 2423 trust companies, insurance companies, executors, administrators,
 2424 trustees, guardians, and other fiduciaries and for any board,
 2425 body, agency, instrumentality, county, municipality, or other
 2426 political subdivision of the state and shall be and constitute
 2427 security which may be deposited by banks or trust companies as
 2428 security for deposits of state, county, municipal, or other
 2429 public funds or by insurance companies as required or voluntary
 2430 statutory deposits.

2431 2. Any bonds issued by the District shall be incontestable
 2432 in the hands of bona fide purchasers or holders for value and
 2433 shall not be invalid because of any irregularity or defect in
 2434 the proceedings for the issue and sale thereof.

2435 (k) Covenants.--Any resolution authorizing the issuance of
 2436 bonds may contain such covenants as the board may deem

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2437 advisable, and all such covenants shall constitute valid and
 2438 legally binding and enforceable contracts between the District
 2439 and the bondholders, regardless of the time of issuance thereof.
 2440 Such covenants may include, without limitation, covenants
 2441 concerning the disposition of the bond proceeds; the use and
 2442 disposition of project revenues; the pledging of revenues,
 2443 taxes, and assessments; the obligations of the District with
 2444 respect to the operation of the project and the maintenance of
 2445 adequate project revenues; the issuance of additional bonds; the
 2446 appointment, powers, and duties of trustees and receivers; the
 2447 acquisition of outstanding bonds and obligations; restrictions
 2448 on the establishing of competing projects or facilities;
 2449 restrictions on the sale or disposal of the assets and property
 2450 of the District; the priority of assessment liens; the priority
 2451 of claims by bondholders on the taxing power of the District;
 2452 the maintenance of deposits to ensure the payment of revenues by
 2453 users of District facilities and services; the discontinuance of
 2454 District services by reason of delinquent payments; acceleration
 2455 upon default; the execution of necessary instruments; the
 2456 procedure for amending or abrogating covenants with the
 2457 bondholders; and such other covenants as may be deemed necessary
 2458 or desirable for the security of the bondholders.

2459 (1) Validation proceedings.--The power of the District to
 2460 issue bonds under the provisions of this act may be determined,
 2461 and any of the bonds of the District maturing over a period of
 2462 more than 5 years shall be validated and confirmed, by court
 2463 decree, under the provisions of chapter 75, Florida Statutes,
 2464 and laws amendatory thereof or supplementary thereto.

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2465 (m) Tax exemption.--To the extent allowed by general law,
 2466 all bonds issued hereunder and interest paid thereon and all
 2467 fees, charges, and other revenues derived by the District from
 2468 the projects provided by this act are exempt from all taxes by
 2469 the state or by any political subdivision, agency, or
 2470 instrumentality thereof; however, any interest, income, or
 2471 profits on debt obligations issued hereunder are not exempt from
 2472 the tax imposed by chapter 220, Florida Statutes. Further, the
 2473 District is not exempt from the provisions of chapter 212,
 2474 Florida Statutes.

2475 (n) Application of section 189.4085, Florida
 2476 Statutes.--Bonds issued by the District shall meet the criteria
 2477 set forth in section 189.4085, Florida Statutes.

2478 (o) Act furnishes full authority for issuance of
 2479 bonds.--This act constitutes full and complete authority for the
 2480 issuance of bonds and the exercise of the powers of the District
 2481 provided herein. No procedures or proceedings, publications,
 2482 notices, consents, approvals, orders, acts, or things by the
 2483 board, or any board, officer, commission, department, agency, or
 2484 instrumentality of the District, other than those required by
 2485 this act, shall be required to perform anything under this act,
 2486 except that the issuance or sale of bonds pursuant to the
 2487 provisions of this act shall comply with the general law
 2488 requirements applicable to the issuance or sale of bonds by the
 2489 District. Nothing in this act shall be construed to authorize
 2490 the District to utilize bond proceeds to fund the ongoing
 2491 operations of the District.

2492 (p) Pledge by the state to the bondholders of the
 2493 District.--The state pledges to the holders of any bonds issued

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2494 under this act that it will not limit or alter the rights of the
 2495 District to own, acquire, construct, reconstruct, improve,
 2496 maintain, operate, or furnish the projects or to levy and
 2497 collect the taxes, assessments, rentals, rates, fees, and other
 2498 charges provided for herein and to fulfill the terms of any
 2499 agreement made with the holders of such bonds or other
 2500 obligations and that it will not in any way impair the rights or
 2501 remedies of such holders.

2502 (q) Default.--A default on the bonds or obligations of a
 2503 District shall not constitute a debt or obligation of the state
 2504 or any general-purpose local government or the state.

2505 (11) TRUST AGREEMENTS.--Any issue of bonds shall be
 2506 secured by a trust agreement by and between the District and a
 2507 corporate trustee or trustees, which may be any trust company or
 2508 bank having the powers of a trust company within or without the
 2509 state. The resolution authorizing the issuance of the bonds or
 2510 such trust agreement may pledge the revenues to be received from
 2511 any projects of the District and may contain such provisions for
 2512 protecting and enforcing the rights and remedies of the
 2513 bondholders as the board may approve, including, without
 2514 limitation, covenants setting forth the duties of the District
 2515 in relation to: the acquisition, construction, reconstruction,
 2516 improvement, maintenance, repair, operation, and insurance of
 2517 any projects; the fixing and revising of the rates, fees, and
 2518 charges; and the custody, safeguarding, and application of all
 2519 moneys and for the employment of consulting engineers in
 2520 connection with such acquisition, construction, reconstruction,
 2521 improvement, maintenance, repair, or operation. It shall be
 2522 lawful for any bank or trust company within or without the state

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2523 which may act as a depository of the proceeds of bonds or of
 2524 revenues to furnish such indemnifying bonds or to pledge such
 2525 securities as may be required by the District. Such resolution
 2526 or trust agreement may set forth the rights and remedies of the
 2527 bondholders and of the trustee, if any, and may restrict the
 2528 individual right of action by bondholders. The board may provide
 2529 for the payment of proceeds of the sale of the bonds and the
 2530 revenues of any project to such officer, board, or depository as
 2531 it may designate for the custody thereof and may provide for the
 2532 method of disbursement thereof with such safeguards and
 2533 restrictions as it may determine. All expenses incurred in
 2534 carrying out the provisions of such resolution or trust
 2535 agreement may be treated as part of the cost of operation of the
 2536 project to which such trust agreement pertains.

2537 (12) AD VALOREM TAXES; ASSESSMENTS, BENEFIT SPECIAL
 2538 ASSESSMENTS, MAINTENANCE SPECIAL ASSESSMENTS, AND SPECIAL
 2539 ASSESSMENTS; MAINTENANCE TAXES.--

2540 (a) Ad valorem taxes.--An elected board shall have the
 2541 power to levy and assess an ad valorem tax on all the taxable
 2542 property in the District to construct, operate, and maintain
 2543 assessable improvements; to pay the principal of, and interest
 2544 on, any general obligation bonds of the District; and to provide
 2545 for any sinking or other funds established in connection with
 2546 any such bonds. An ad valorem tax levied by the board for
 2547 operating purposes, exclusive of debt service on bonds, shall
 2548 not exceed 3 mills. The ad valorem tax provided for herein shall
 2549 be in addition to county and all other ad valorem taxes provided
 2550 for by law. Such tax shall be assessed, levied, and collected in
 2551 the same manner and at the same time as county taxes. The levy

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2552 of ad valorem taxes must be approved by referendum as required
 2553 by Section 9 of Article VII of the State Constitution.

2554 (b) Benefit special assessments.--The board annually shall
 2555 determine, order, and levy the annual installment of the total
 2556 benefit special assessments for bonds issued and related
 2557 expenses to finance assessable improvements. These assessments
 2558 may be due and collected during each year that county taxes are
 2559 due and collected, in which case such annual installment and
 2560 levy shall be evidenced to and certified to the property
 2561 appraiser by the board not later than August 31 of each year.
 2562 Such assessment shall be entered by the property appraiser on
 2563 the county tax rolls and shall be collected and enforced by the
 2564 tax collector in the same manner and at the same time as county
 2565 taxes, and the proceeds thereof shall be paid to the District.
 2566 However, this subsection shall not prohibit the District in its
 2567 discretion from using the method prescribed in either section
 2568 197.3632 or chapter 173, Florida Statutes, as each may be
 2569 amended from time to time, for collecting and enforcing these
 2570 assessments. Each annual installment of benefit special
 2571 assessments shall be a lien on the property against which
 2572 assessed until paid and shall be enforceable in like manner as
 2573 county taxes. The amount of the assessment for the exercise of
 2574 the District's powers under subsections (6) and (7) shall be
 2575 determined by the board based upon a report of the District's
 2576 engineer and assessed by the board upon such lands, which may be
 2577 part or all of the lands within the District benefited by the
 2578 improvement, apportioned between benefited lands in proportion
 2579 to the benefits received by each tract of land. The board may,
 2580 if it determines it is in the best interests of the District,

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2581 set forth in the proceedings initially levying such benefit
 2582 special assessments or in subsequent proceedings a formula for
 2583 the determination of an amount, which when paid by a taxpayer
 2584 with respect to any tax parcel, shall constitute a prepayment of
 2585 all future annual installments of such benefit special
 2586 assessments and that the payment of which amount with respect to
 2587 such tax parcel shall relieve and discharge such tax parcel of
 2588 the lien of such benefit special assessments and any subsequent
 2589 annual installment thereof. The board may provide further that
 2590 upon delinquency in the payment of any annual installment of
 2591 benefit special assessments, the prepayment amount of all future
 2592 annual installments of benefit special assessments as determined
 2593 in the preceding sentence shall be and become immediately due
 2594 and payable together with such delinquent annual installment.

2595 (c) Non-ad valorem maintenance taxes.--If and when
 2596 authorized by general law, to maintain and to preserve the
 2597 physical facilities and services constituting the works,
 2598 improvements, or infrastructure provided by the District
 2599 pursuant to this act, to repair and restore any one or more of
 2600 them, when needed, and to defray the current expenses of the
 2601 District, including any sum which may be required to pay state
 2602 and county ad valorem taxes on any lands which may have been
 2603 purchased and which are held by the District under the
 2604 provisions of this act, the Board of Supervisors may, upon the
 2605 completion of said systems, facilities, services, works,
 2606 improvements, or infrastructure, in whole or in part, as may be
 2607 certified to the board by the engineer of the board, levy
 2608 annually a non-ad valorem and nonmillage tax upon each tract or
 2609 parcel of land within the District, to be known as a

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2610 "maintenance tax." This non-ad valorem maintenance tax shall be
 2611 apportioned upon the basis of the net assessments of benefits
 2612 assessed as accruing from the original construction and shall be
 2613 evidenced to and certified by the Board of Supervisors of the
 2614 District not later than June 1 of each year to the property
 2615 appraisers of Manatee and Sarasota Counties and shall be
 2616 extended by the property appraiser on the tax roll of the
 2617 property appraiser, as certified by the property appraiser to
 2618 the tax collector, and collected by the tax collector on the
 2619 merged collection roll of the tax collector in the same manner
 2620 and at the same time as county ad valorem taxes, and the
 2621 proceeds therefrom shall be paid to the District. This non-ad
 2622 valorem maintenance tax shall be a lien until paid on the
 2623 property against which assessed and enforceable in like manner
 2624 and of the same dignity as county ad valorem taxes.

2625 (d) Maintenance special assessments.--To maintain and
 2626 preserve the facilities and projects of the District, the board
 2627 may levy a maintenance special assessment. This assessment may
 2628 be evidenced to and certified to the property appraiser by the
 2629 Board of Supervisors not later than August 31 of each year and
 2630 shall be entered by the property appraiser on the county tax
 2631 rolls and shall be collected and enforced by the tax collector
 2632 in the same manner and at the same time as county taxes, and the
 2633 proceeds therefrom shall be paid to the District. However, this
 2634 subsection shall not prohibit the District in its discretion
 2635 from using the method prescribed in either section 197.363,
 2636 section 197.3631, or section 197.3632, Florida Statutes, for
 2637 collecting and enforcing these assessments. These maintenance
 2638 special assessments shall be a lien on the property against

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2639 which assessed until paid and shall be enforceable in like
 2640 manner as county taxes. The amount of the maintenance special
 2641 assessment for the exercise of the District's powers under this
 2642 section shall be determined by the board based upon a report of
 2643 the District's engineer and assessed by the board upon such
 2644 lands, which may be all of the lands within the District
 2645 benefited by the maintenance thereof, apportioned between the
 2646 benefited lands in proportion to the benefits received by each
 2647 tract of land.

2648 (e) Special assessments.--To levy and impose any special
 2649 assessments pursuant to this subsection.

2650 (f) Enforcement of taxes.--The collection and enforcement
 2651 of all taxes levied by the District shall be at the same time
 2652 and in like manner as county taxes, and the provisions of the
 2653 laws of Florida relating to the sale of lands for unpaid and
 2654 delinquent county taxes; the issuance, sale, and delivery of tax
 2655 certificates for such unpaid and delinquent county taxes; the
 2656 redemption thereof; the issuance to individuals of tax deeds
 2657 based thereon; and all other procedures in connection therewith
 2658 shall be applicable to the District to the same extent as if
 2659 such statutory provisions were expressly set forth herein. All
 2660 taxes shall be subject to the same discounts as county taxes.

2661 (g) When unpaid tax is delinquent; penalty.--All taxes
 2662 provided for in this act shall become delinquent and bear
 2663 penalties on the amount of such taxes in the same manner as
 2664 county taxes.

2665 (h) Status of assessments.--Benefit special assessments,
 2666 maintenance special assessments, and special assessments are
 2667 hereby found and determined to be non-ad valorem assessments as

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2668 defined by section 197.3632, Florida Statutes. Maintenance taxes
 2669 are non-ad valorem taxes and are not special assessments.

2670 (i) Assessments constitute liens; collection.--Any and all
 2671 assessments, including special assessments, benefit special
 2672 assessments, and maintenance special assessments authorized by
 2673 this section, and including special assessments as defined by
 2674 section 2(2)(z) and granted and authorized by this subsection,
 2675 and including maintenance taxes if authorized by general law,
 2676 shall constitute a lien on the property against which assessed
 2677 from the date of levy and imposition thereof until paid, coequal
 2678 with the lien of state, county, municipal, and school board
 2679 taxes. These assessments may be collected, at the District's
 2680 discretion, under authority of section 197.3631, Florida
 2681 Statutes, as amended from time to time, by the tax collector
 2682 pursuant to the provisions of sections 197.3632 and 197.3635,
 2683 Florida Statutes, as amended from time to time, or in accordance
 2684 with other collection measures provided by law. In addition to,
 2685 and not in limitation of, any powers otherwise set forth herein
 2686 or in general law, these assessments may also be enforced
 2687 pursuant to the provisions of chapter 173, Florida Statutes, as
 2688 amended from time to time.

2689 (j) Land owned by governmental entity.--Except as
 2690 otherwise provided by law, no levy of ad valorem taxes or non-ad
 2691 valorem assessments under this act, chapter 170, or chapter 197,
 2692 Florida Statutes, as each may be amended from time to time, or
 2693 otherwise, by a board of a District, on property of a
 2694 governmental entity that is subject to a ground lease as
 2695 described in section 190.003(13), Florida Statutes, shall

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2696 constitute a lien or encumbrance on the underlying fee interest
 2697 of such governmental entity.

2698 (13) SPECIAL ASSESSMENTS.--

2699 (a) As an alternative method to the levy and imposition of
 2700 special assessments pursuant to chapter 170, Florida Statutes,
 2701 pursuant to the authority of section 197.3631, Florida Statutes,
 2702 or pursuant to other provisions of general law, now or hereafter
 2703 enacted, which provide a supplemental means or authority to
 2704 impose, levy, and collect special assessments as otherwise
 2705 authorized under this act, the board may levy and impose special
 2706 assessments to finance the exercise of any of its powers
 2707 permitted under this act using the following uniform procedures:

2708 1. At a noticed meeting, the Board of Supervisors of the
 2709 District may consider and review an engineer's report on the
 2710 costs of the systems, facilities, and services to be provided, a
 2711 preliminary assessment methodology, and a preliminary roll based
 2712 on acreage or platted lands, depending upon whether platting has
 2713 occurred.

2714 a. The assessment methodology shall address and discuss
 2715 and the board shall consider whether the systems, facilities,
 2716 and services being contemplated will result in special benefits
 2717 peculiar to the property, different in kind and degree than
 2718 general benefits, as a logical connection between the systems,
 2719 facilities, and services themselves and the property, and
 2720 whether the duty to pay the assessments by the property owners
 2721 is apportioned in a manner that is fair and equitable and not in
 2722 excess of the special benefit received. It shall be fair and
 2723 equitable to designate a fixed proportion of the annual debt
 2724 service, together with interest thereon, on the aggregate

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2725 principal amount of bonds issued to finance such systems,
 2726 facilities, and services which give rise to unique, special, and
 2727 peculiar benefits to property of the same or similar
 2728 characteristics under the assessment methodology so long as such
 2729 fixed proportion does not exceed the unique, special, and
 2730 peculiar benefits enjoyed by such property from such systems,
 2731 facilities, and services.

2732 b. The engineer's cost report shall identify the nature of
 2733 the proposed systems, facilities, and services, their location,
 2734 a cost breakdown plus a total estimated cost, including cost of
 2735 construction or reconstruction, labor, and materials, lands,
 2736 property, rights, easements, franchises, or systems, facilities,
 2737 and services to be acquired, cost of plans and specifications,
 2738 surveys of estimates of costs and revenues, costs of
 2739 engineering, legal, and other professional consultation
 2740 services, and other expenses or costs necessary or incident to
 2741 determining the feasibility or practicability of such
 2742 construction, reconstruction, or acquisition, administrative
 2743 expenses, relationship to the authority and power of the
 2744 District in its charter, and such other expenses or costs as may
 2745 be necessary or incident to the financing to be authorized by
 2746 the Board of Supervisors.

2747 c. The preliminary assessment roll to be prepared will be
 2748 in accordance with the method of assessment provided for in the
 2749 assessment methodology and as may be adopted by the Board of
 2750 Supervisors; the assessment roll shall be completed as promptly
 2751 as possible and shall show the acreage, lots, lands, or plats
 2752 assessed and the amount of the fairly and reasonably apportioned
 2753 assessment based on special and peculiar benefit to the

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2754 property, lot, parcel, or acreage of land; and, if the
2755 assessment against each such lot, parcel, acreage, or portion of
2756 land is to be paid in installments, the number of annual
2757 installments in which the assessment is divided shall be entered
2758 into and shown upon the assessment roll.

2759 2. The Board of Supervisors of the District may determine
2760 and declare by an initial assessment resolution to levy and
2761 assess the assessments with respect to assessable improvements
2762 stating the nature of the systems, facilities, and services,
2763 improvements, projects, or infrastructure constituting such
2764 assessable improvements, the information in the engineer's cost
2765 report, the information in the assessment methodology as
2766 determined by the board at the noticed meeting and referencing
2767 and incorporating as part of the resolution the engineer's cost
2768 report, the preliminary assessment methodology, and the
2769 preliminary assessment roll as referenced exhibits to the
2770 resolution by reference. If the board determines to declare and
2771 levy the special assessments by the initial assessment
2772 resolution, the board shall also adopt and declare a notice
2773 resolution which shall provide and cause the initial assessment
2774 resolution to be published once a week for a period of 2 weeks
2775 in newspapers of general circulation published in Manatee and
2776 Sarasota Counties and said board shall by the same resolution
2777 fix a time and place at which the owner or owners of the
2778 property to be assessed or any other persons interested therein
2779 may appear before said board and be heard as to the propriety
2780 and advisability of making such improvements, as to the costs
2781 thereof, as to the manner of payment therefor, and as to the
2782 amount thereof to be assessed against each property so improved.

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2783 Thirty days' notice in writing of such time and place shall be
 2784 given to such property owners. The notice shall include the
 2785 amount of the assessment and shall be served by mailing a copy
 2786 to each assessed property owner at his or her last known
 2787 address, the names and addresses of such property owners to be
 2788 obtained from the record of the property appraiser of the county
 2789 political subdivision in which the land is located or from such
 2790 other sources as the district manager or engineer deems
 2791 reliable, and proof of such mailing shall be made by the
 2792 affidavit of the manager of the District or by the engineer,
 2793 said proof to be filed with the district manager, provided that
 2794 failure to mail said notice or notices shall not invalidate any
 2795 of the proceedings hereunder. It is provided further that the
 2796 last publication shall be at least 1 week prior to the date of
 2797 the hearing on the final assessment resolution. Said notice
 2798 shall describe the general areas to be improved and advise all
 2799 persons interested that the description of each property to be
 2800 assessed and the amount to be assessed to each piece, parcel,
 2801 lot, or acre of property may be ascertained at the office of the
 2802 manager of the District. Such service by publication shall be
 2803 verified by the affidavit of the publisher and filed with the
 2804 manager of the District. Moreover, the initial assessment
 2805 resolution with its attached, referenced, and incorporated
 2806 engineer's cost report, preliminary assessment methodology, and
 2807 preliminary assessment roll, along with the notice resolution,
 2808 shall be available for public inspection at the office of the
 2809 manager and the office of the engineer or any other office
 2810 designated by the Board of Supervisors in the notice resolution.
 2811 Notwithstanding the foregoing, the landowners of all of the

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2812 property which is proposed to be assessed may give the District
 2813 written notice of waiver of any notice and publication provided
 2814 for in this subparagraph and such notice and publication shall
 2815 not be required, provided, however, that any meeting of the
 2816 Board of Supervisors to consider such resolution shall be a
 2817 publicly noticed meeting.

2818 3. At the time and place named in the noticed resolution
 2819 as provided for in subparagraph 2., the Board of Supervisors of
 2820 the District shall meet and hear testimony from affected
 2821 property owners as to the propriety and advisability of making
 2822 the systems, facilities, services, projects, works,
 2823 improvements, or infrastructure and funding them with
 2824 assessments referenced in the initial assessment resolution on
 2825 the property. Following the testimony and questions from the
 2826 members of the board or any professional advisors to the
 2827 District of the preparers of the engineer's cost report, the
 2828 assessment methodology, and the assessment roll, the Board of
 2829 Supervisors shall make a final decision on whether to levy and
 2830 assess the particular assessments. Thereafter, the Board of
 2831 Supervisors shall meet as an equalizing board to hear and to
 2832 consider any and all complaints as to the particular assessments
 2833 and shall adjust and equalize the assessments on the basis of
 2834 justice and right.

2835 4. When so equalized and approved by resolution or
 2836 ordinance by the Board of Supervisors, to be called the final
 2837 assessment resolution, a final assessment roll shall be filed
 2838 with the clerk of the board and such assessment shall stand
 2839 confirmed and remain legal, valid, and binding first liens on
 2840 the property against which such assessments are made until paid,

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2841 equal in dignity to the first liens of ad valorem taxation of
2842 county and municipal governments and school boards. However,
2843 upon completion of the systems, facilities, service, project,
2844 improvement, works, or infrastructure, the District shall credit
2845 to each of the assessments the difference in the assessment as
2846 originally made, approved, levied, assessed, and confirmed and
2847 the proportionate part of the actual cost of the improvement to
2848 be paid by the particular special assessments as finally
2849 determined upon the completion of the improvement; but in no
2850 event shall the final assessment exceed the amount of the
2851 special and peculiar benefits as apportioned fairly and
2852 reasonably to the property from the system, facility, or service
2853 being provided as originally assessed. Promptly after such
2854 confirmation, the assessment shall be recorded by the clerk of
2855 the District in the minutes of the proceedings of the District,
2856 and the record of the lien in this set of minutes shall
2857 constitute prima facie evidence of its validity. The Board of
2858 Supervisors, in its sole discretion, may, by resolution grant a
2859 discount equal to all or a part of the payee's proportionate
2860 share of the cost of the project consisting of bond financing
2861 cost, such as capitalized interest, funded reserves, and bond
2862 discounts included in the estimated cost of the project, upon
2863 payment in full of any assessments during such period prior to
2864 the time such financing costs are incurred as may be specified
2865 by the Board of Supervisors in such resolution.

2866 5. District assessments may be made payable in
2867 installments over no more than 30 years from the date of the
2868 payment of the first installment thereof and may bear interest
2869 at fixed or variable rates.

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2870 (b) Notwithstanding any provision of this act or chapter
 2871 170, Florida Statutes, that portion of section 170.09, Florida
 2872 Statutes, that provides that assessments may be paid without
 2873 interest at any time within 30 days after the improvement is
 2874 completed and a resolution accepting the same has been adopted
 2875 by the governing authority shall not be applicable to any
 2876 District assessments, whether imposed, levied, and collected
 2877 pursuant to the provisions of this act or other provisions of
 2878 Florida law, including, but not limited to chapter 170, Florida
 2879 Statutes.

2880 (c) In addition, the District is authorized expressly in
 2881 the exercise of its rulemaking power to adopt a rule or rules
 2882 which provides or provide for notice, levy, imposition,
 2883 equalization, and collection of assessments.

2884 (14) ISSUANCE OF CERTIFICATES OF INDEBTEDNESS BASED ON
 2885 ASSESSMENTS FOR ASSESSABLE IMPROVEMENTS; ASSESSMENT BONDS.--

2886 (a) The board may, after any special assessments or
 2887 benefit special assessments for assessable improvements are
 2888 made, determined, and confirmed as provided in this act, issue
 2889 certificates of indebtedness for the amount so assessed against
 2890 the abutting property or property otherwise benefited, as the
 2891 case may be, and separate certificates shall be issued against
 2892 each part or parcel of land or property assessed, which
 2893 certificates shall state the general nature of the improvement
 2894 for which the assessment is made. The certificates shall be
 2895 payable in annual installments in accordance with the
 2896 installments of the special assessment for which they are
 2897 issued. The board may determine the interest to be borne by such
 2898 certificates, not to exceed the maximum rate allowed by general

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2899 law, and may sell such certificates at either private or public
 2900 sale and determine the form, manner of execution, and other
 2901 details of such certificates. The certificates shall recite that
 2902 they are payable only from the special assessments levied and
 2903 collected from the part or parcel of land or property against
 2904 which they are issued. The proceeds of such certificates may be
 2905 pledged for the payment of principal of and interest on any
 2906 revenue bonds or general obligation bonds issued to finance in
 2907 whole or in part such assessable improvement, or, if not so
 2908 pledged, may be used to pay the cost or part of the cost of such
 2909 assessable improvements.

2910 (b) The District may also issue assessment bonds, revenue
 2911 bonds, or other obligations payable from a special fund into
 2912 which such certificates of indebtedness referred to in the
 2913 preceding subsection may be deposited or, if such certificates
 2914 of indebtedness have not been issued, the District may assign to
 2915 such special fund for the benefit of the holders of such
 2916 assessment bonds or other obligations, or to a trustee for such
 2917 bondholders, the assessment liens provided for in this act
 2918 unless such certificates of indebtedness or assessment liens
 2919 have been theretofore pledged for any bonds or other obligations
 2920 authorized hereunder. In the event of the creation of such
 2921 special fund and the issuance of such assessment bonds or other
 2922 obligations, the proceeds of such certificates of indebtedness
 2923 or assessment liens deposited therein shall be used only for the
 2924 payment of the assessment bonds or other obligations issued as
 2925 provided in this section. The District is authorized to covenant
 2926 with the holders of such assessment bonds, revenue bonds, or
 2927 other obligations that it will diligently and faithfully enforce

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2928 and collect all the special assessments, and interest and
 2929 penalties thereon, for which such certificates of indebtedness
 2930 or assessment liens have been deposited in or assigned to such
 2931 fund; to foreclose such assessment liens so assigned to such
 2932 special fund or represented by the certificates of indebtedness
 2933 deposited in the special fund, after such assessment liens have
 2934 become delinquent, and deposit the proceeds derived from such
 2935 foreclosure, including interest and penalties, in such special
 2936 fund; and to make any other covenants deemed necessary or
 2937 advisable in order to properly secure the holders of such
 2938 assessment bonds or other obligations.

2939 (c) The assessment bonds, revenue bonds, or other
 2940 obligations issued pursuant to this section shall have such
 2941 dates of issue and maturity as shall be deemed advisable by the
 2942 board; however, the maturities of such assessment bonds or other
 2943 obligations shall not be more than 2 years after the due date of
 2944 the last installment which will be payable on any of the special
 2945 assessments for which such assessment liens, or the certificates
 2946 of indebtedness representing such assessment liens, are assigned
 2947 to or deposited in such special fund.

2948 (d) Such assessment bonds, revenue bonds, or other
 2949 obligations issued under this section shall bear such interest
 2950 as the board may determine, not to exceed the maximum rate
 2951 allowed by general law, and shall be executed, shall have such
 2952 provisions for redemption prior to maturity, shall be sold in
 2953 the manner, and shall be subject to all of the applicable
 2954 provisions contained in this act for revenue bonds, except as
 2955 the same may be inconsistent with the provisions of this
 2956 section.

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2957 (e) All assessment bonds, revenue bonds, or other
 2958 obligations issued under the provisions of this section shall
 2959 be, shall constitute, and shall have all the qualities and
 2960 incidents of negotiable instruments under the law merchant and
 2961 the laws of the state.

2962 (15) TAX LIENS.--All taxes of the District provided for in
 2963 this act, except together with all penalties for default in the
 2964 payment of the same and all costs in collecting the same,
 2965 including a reasonable attorney's fee fixed by the court and
 2966 taxed as a cost in the action brought to enforce payment, shall,
 2967 from January 1 for each year the property is liable to
 2968 assessment and until paid, constitute a lien of equal dignity
 2969 with the liens for state and county taxes and other taxes of
 2970 equal dignity with state and county taxes upon all the lands
 2971 against which such taxes shall be levied. A sale of any of the
 2972 real property within the District for state and county or other
 2973 taxes shall not operate to relieve or release the property so
 2974 sold from the lien for subsequent District taxes or installments
 2975 of District taxes, which lien may be enforced against such
 2976 property as though no such sale thereof had been made. In
 2977 addition to, and not in limitation of, the preceding sentence,
 2978 for purposes of section 197.552, Florida Statutes, the lien of
 2979 all special assessments levied by the District shall constitute
 2980 a lien of record held by a municipal or county governmental
 2981 unit. The provisions of sections 194.171, 197.122, 197.333, and
 2982 197.432, Florida Statutes, shall be applicable to District taxes
 2983 with the same force and effect as if such provisions were
 2984 expressly set forth in this act.

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2985 (16) PAYMENT OF TAXES AND REDEMPTION OF TAX LIENS BY THE
 2986 DISTRICT; SHARING IN PROCEEDS OF TAX SALE.--

2987 (a) The District shall have the power and right to:

2988 1. Pay any delinquent state, county, District, municipal,
 2989 or other tax or assessment upon lands located wholly or
 2990 partially within the boundaries of the District.

2991 2. Redeem or purchase any tax sales certificates issued or
 2992 sold on account of any state, county, District, municipal, or
 2993 other taxes or assessments upon lands located wholly or
 2994 partially within the boundaries of the District.

2995 (b) Delinquent taxes paid, or tax sales certificates
 2996 redeemed or purchased, by the District, together with all
 2997 penalties for the default in payment of the same and all costs
 2998 in collecting the same and a reasonable attorney's fee, shall
 2999 constitute a lien in favor of the District of equal dignity with
 3000 the liens of state and county taxes and other taxes of equal
 3001 dignity with state and county taxes upon all the real property
 3002 against which the taxes were levied. The lien of the District
 3003 may be foreclosed in the manner provided in this act.

3004 (c) In any sale of land pursuant to section 197.542,
 3005 Florida Statutes, as may be amended from time to time, the
 3006 District may certify to the clerk of the circuit court of the
 3007 county holding such sale the amount of taxes due to the District
 3008 upon the lands sought to be sold, and the District shall share
 3009 in the disbursement of the sales proceeds in accordance with the
 3010 provisions of this act and under the laws of the state.

3011 (17) FORECLOSURE OF LIENS.--Any lien in favor of the
 3012 District arising under this act may be foreclosed by the
 3013 District by foreclosure proceedings in the name of the District

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3014 in a court of competent jurisdiction as provided by general law
 3015 in like manner as is provided in chapter 173, Florida Statutes,
 3016 and amendments thereto and the provisions of that chapter shall
 3017 be applicable to such proceedings with the same force and effect
 3018 as if those provisions were expressly set forth in this act. Any
 3019 act required or authorized to be done by or on behalf of a
 3020 municipality in foreclosure proceedings under chapter 173,
 3021 Florida Statutes, may be performed by such officer or agent of
 3022 the District as the Board of Supervisors may designate. Such
 3023 foreclosure proceedings may be brought at any time after the
 3024 expiration of 1 year from the date any tax, or installment
 3025 thereof, becomes delinquent; however, no lien shall be
 3026 foreclosed against any political subdivision or agency of the
 3027 state. Other legal remedies shall remain available.

3028 (18) MANDATORY USE OF CERTAIN DISTRICT SYSTEMS,
 3029 FACILITIES, AND SERVICES.--To the full extent permitted by law,
 3030 the District shall require all lands, buildings, premises,
 3031 persons, firms, and corporations within the District to use the
 3032 water management and control facilities and water and sewer
 3033 facilities of the District.

3034 (19) COMPETITIVE PROCUREMENT; BIDS; NEGOTIATIONS; RELATED
 3035 PROVISIONS REQUIRED.--

3036 (a) No contract shall be let by the board for any goods,
 3037 supplies, or materials to be purchased when the amount thereof
 3038 to be paid by the District shall exceed the amount provided in
 3039 section 287.017, Florida Statutes, as amended from time to time,
 3040 for category four, unless notice of bids shall be advertised
 3041 once in a newspaper in general circulation in either Manatee
 3042 County or Sarasota County. Any board seeking to construct or

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3043 improve a public building, structure, or other public works
 3044 shall comply with the bidding procedures of section 255.20,
 3045 Florida Statutes, as amended from time to time, and other
 3046 applicable general law. In each case, the bid of the lowest
 3047 responsive and responsible bidder shall be accepted unless all
 3048 bids are rejected because the bids are too high or the board
 3049 determines it is in the best interests of the District to reject
 3050 all bids. The board may require the bidders to furnish bond with
 3051 a responsible surety to be approved by the board. Nothing in
 3052 this section shall prevent the board from undertaking and
 3053 performing the construction, operation, and maintenance of any
 3054 project or facility authorized by this act by the employment of
 3055 labor, material, and machinery.

3056 (b) The provisions of the Consultants' Competitive
 3057 Negotiation Act, section 287.055, Florida Statutes, apply to
 3058 contracts for engineering, architecture, landscape architecture,
 3059 or registered surveying and mapping services let by the board.

3060 (c) Contracts for maintenance services for any District
 3061 facility or project shall be subject to competitive bidding
 3062 requirements when the amount thereof to be paid by the District
 3063 exceeds the amount provided in section 287.017, Florida
 3064 Statutes, as amended from time to time, for category four. The
 3065 District shall adopt rules, policies, or procedures establishing
 3066 competitive bidding procedures for maintenance services.

3067 Contracts for other services shall not be subject to competitive
 3068 bidding unless the District adopts a rule, policy, or procedure
 3069 applying competitive bidding procedures to said contracts.

3070 Nothing herein shall preclude the use of requests for proposal

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3071 instead of invitations to bid as determined by the District to
 3072 be in its best interest.

3073 (20) FEES, RENTALS, AND CHARGES; PROCEDURE FOR ADOPTION
 3074 AND MODIFICATIONS; MINIMUM REVENUE REQUIREMENTS.--

3075 (a) The District is authorized to prescribe, fix,
 3076 establish, and collect rates, fees, rentals, or other charges,
 3077 hereinafter sometimes referred to as "revenues," and to revise
 3078 the same from time to time, for the systems, facilities, and
 3079 services furnished by the District, within the limits of the
 3080 District, including, but not limited to, recreational
 3081 facilities, water management and control facilities, and water
 3082 and sewer systems; to recover the costs of making connection
 3083 with any District service, facility, or system; and to provide
 3084 for reasonable penalties against any user or property for any
 3085 such rates, fees, rentals, or other charges that are delinquent.

3086 (b) No such rates, fees, rentals, or other charges for any
 3087 of the facilities or services of the District shall be fixed
 3088 until after a public hearing at which all the users of the
 3089 proposed facility or services or owners, tenants, or occupants
 3090 served or to be served thereby and all other interested persons
 3091 shall have an opportunity to be heard concerning the proposed
 3092 rates, fees, rentals, or other charges. Rates, fees, rentals,
 3093 and other charges shall be adopted under the administrative
 3094 rulemaking authority of the District, but shall not apply to
 3095 District leases. Notice of such public hearing setting forth the
 3096 proposed schedule or schedules of rates, fees, rentals, and
 3097 other charges shall have been published in newspapers of general
 3098 circulation in Manatee and Sarasota Counties at least once and
 3099 at least 10 days prior to such public hearing. The rulemaking

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3100 hearing may be adjourned from time to time. After such hearing,
 3101 such schedule or schedules, either as initially proposed or as
 3102 modified or amended, may be finally adopted. A copy of the
 3103 schedule or schedules of such rates, fees, rentals, or charges
 3104 as finally adopted shall be kept on file in an office designated
 3105 by the board and shall be open at all reasonable times to public
 3106 inspection. The rates, fees, rentals, or charges so fixed for
 3107 any class of users or property served shall be extended to cover
 3108 any additional users or properties thereafter served which shall
 3109 fall in the same class, without the necessity of any notice or
 3110 hearing.

3111 (c) Such rates, fees, rentals, and charges shall be just
 3112 and equitable and uniform for users of the same class, and when
 3113 appropriate may be based or computed either upon the amount of
 3114 service furnished, upon the average number of persons residing
 3115 or working in or otherwise occupying the premises served, or
 3116 upon any other factor affecting the use of the facilities
 3117 furnished, or upon any combination of the foregoing factors, as
 3118 may be determined by the board on an equitable basis.

3119 (d) The rates, fees, rentals, or other charges prescribed
 3120 shall be such as will produce revenues, together with any other
 3121 assessments, taxes, revenues, or funds available or pledged for
 3122 such purpose, at least sufficient to provide for the items
 3123 hereinafter listed, but not necessarily in the order stated:

3124 1. To provide for all expenses of operation and
 3125 maintenance of such facility or service.

3126 2. To pay when due all bonds and interest thereon for the
 3127 payment of which such revenues are, or shall have been, pledged
 3128 or encumbered, including reserves for such purpose.

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3129 3. To provide for any other funds which may be required
 3130 under the resolution or resolutions authorizing the issuance of
 3131 bonds pursuant to this act.

3132 (e) The board shall have the power to enter into contracts
 3133 for the use of the projects of the District and with respect to
 3134 the services, systems, and facilities furnished or to be
 3135 furnished by the District.

3136 (21) RECOVERY OF DELINQUENT CHARGES.--In the event that
 3137 any rates, fees, rentals, charges, or delinquent penalties shall
 3138 not be paid as and when due and shall be in default for 60 days
 3139 or more, the unpaid balance thereof and all interest accrued
 3140 thereon, together with reasonable attorney's fees and costs, may
 3141 be recovered by the District in a civil action.

3142 (22) DISCONTINUANCE OF SERVICE.--In the event the fees,
 3143 rentals, or other charges for water and sewer services, or
 3144 either of them, are not paid when due, the board shall have the
 3145 power, under such reasonable rules and regulations as the board
 3146 may adopt, to discontinue and shut off both water and sewer
 3147 services until such fees, rentals, or other charges, including
 3148 interest, penalties, and charges for the shutting off and
 3149 discontinuance and the restoration of such water and sewer
 3150 services or both, are fully paid; and, for such purposes, the
 3151 board may enter on any lands, waters, or premises of any person,
 3152 firm, corporation, or body, public or private, within the
 3153 District limits. Such delinquent fees, rentals, or other
 3154 charges, together with interest, penalties, and charges for the
 3155 shutting off and discontinuance and the restoration of such
 3156 services and facilities and reasonable attorney's fees and other
 3157 expenses, may be recovered by the District, which may also

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3158 enforce payment of such delinquent fees, rentals, or other
 3159 charges by any other lawful method of enforcement.

3160 (23) ENFORCEMENT AND PENALTIES.--The board or any
 3161 aggrieved person may have recourse to such remedies in law and
 3162 at equity as may be necessary to ensure compliance with the
 3163 provisions of this act, including injunctive relief to enjoin or
 3164 restrain any person violating the provisions of this act or any
 3165 bylaws, resolutions, regulations, rules, codes, or orders
 3166 adopted under this act. In case any building or structure is
 3167 erected, constructed, reconstructed, altered, repaired,
 3168 converted, or maintained, or any building, structure, land, or
 3169 water is used, in violation of this act or of any code, order,
 3170 resolution, or other regulation made under authority conferred
 3171 by this act or under law, the board or any citizen residing in
 3172 the District may institute any appropriate action or proceeding
 3173 to prevent such unlawful erection, construction, reconstruction,
 3174 alteration, repair, conversion, maintenance, or use; to
 3175 restrain, correct, or avoid such violation; to prevent the
 3176 occupancy of such building, structure, land, or water; and to
 3177 prevent any illegal act, conduct, business, or use in or about
 3178 such premises, land, or water.

3179 (24) SUITS AGAINST THE DISTRICT.--Any suit or action
 3180 brought or maintained against the District for damages arising
 3181 out of tort, including, without limitation, any claim arising
 3182 upon account of an act causing an injury or loss of property,
 3183 personal injury, or death, shall be subject to the limitations
 3184 provided in section 768.28, Florida Statutes.

3185 (25) EXEMPTION OF DISTRICT PROPERTY FROM EXECUTION.--All
 3186 District property shall be exempt from levy and sale by virtue

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3187 of an execution, and no execution or other judicial process
 3188 shall issue against such property, nor shall any judgment
 3189 against the District be a charge or lien on its property or
 3190 revenues; however, nothing contained herein shall apply to or
 3191 limit the rights of bondholders to pursue any remedy for the
 3192 enforcement of any lien or pledge given by the District in
 3193 connection with any of the bonds or obligations of the District.

3194 (26) TERMINATION, CONTRACTION, OR EXPANSION OF DISTRICT.--

3195 (a) The board may ask the Legislature through its local
 3196 legislative delegations in and for Manatee and Sarasota Counties
 3197 to amend this act to contract, to expand or to contract, and to
 3198 expand the boundaries of the District by amendment of this
 3199 section.

3200 (b) The District shall remain in existence until:

3201 1. The District is terminated and dissolved pursuant to
 3202 amendment to this act by the Florida Legislature.

3203 2. The District has become inactive pursuant to section
 3204 189.4044, Florida Statutes.

3205 (27) INCLUSION OF TERRITORY.--The inclusion of any or all
 3206 territory of the District within a municipality does not change,
 3207 alter, or affect the boundary, territory, existence, or
 3208 jurisdiction of the District.

3209 (28) SALE OF REAL ESTATE WITHIN THE DISTRICT; REQUIRED
 3210 DISCLOSURE TO PURCHASER.--Subsequent to the creation of this
 3211 District under this act, each contract for the initial sale of a
 3212 parcel of real property and each contract for the initial sale
 3213 of a residential unit within the District shall include,
 3214 immediately prior to the space reserved in the contract for the
 3215 signature of the purchaser, the following disclosure statement

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3216 in boldfaced and conspicuous type which is larger than the type
 3217 in the remaining text of the contract: "THE LAKEWOOD RANCH
 3218 STEWARDSHIP DISTRICT MAY IMPOSE AND LEVY TAXES OR ASSESSMENTS,
 3219 OR BOTH TAXES AND ASSESSMENTS, ON THIS PROPERTY. THESE TAXES AND
 3220 ASSESSMENTS PAY FOR THE CONSTRUCTION, OPERATION, AND MAINTENANCE
 3221 COSTS OF CERTAIN PUBLIC SYSTEMS, FACILITIES, AND SERVICES OF THE
 3222 DISTRICT AND ARE SET ANNUALLY BY THE GOVERNING BOARD OF THE
 3223 DISTRICT. THESE TAXES AND ASSESSMENTS ARE IN ADDITION TO COUNTY
 3224 AND OTHER LOCAL GOVERNMENTAL TAXES AND ASSESSMENTS AND ALL OTHER
 3225 TAXES AND ASSESSMENTS PROVIDED FOR BY LAW."

3226 (29) NOTICE OF CREATION AND ESTABLISHMENT.--Within 30 days
 3227 after the election of the first Board of Supervisors creating
 3228 this District, the District shall cause to be recorded in the
 3229 grantor-grantee index of the property records in each county in
 3230 which it is located a "Notice of Creation and Establishment of
 3231 the Lakewood Ranch Stewardship District." The notice shall, at a
 3232 minimum, include the legal description of the property covered
 3233 by this act.

3234 (30) DISTRICT PROPERTY PUBLIC; FEES.--Any system,
 3235 facility, service, works, improvement, project, or other
 3236 infrastructure owned by the District, or funded by federal tax
 3237 exempt bonding issued by the District, is public; and the
 3238 District by rule may regulate, and may impose reasonable charges
 3239 or fees for, the use thereof but not to the extent that such
 3240 regulation or imposition of such charges or fees constitutes
 3241 denial of reasonable access.

3242 Section 7. If any provision of this act is determined
 3243 unconstitutional or otherwise determined invalid by a court of

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3244 law, all the rest and remainder of the act shall remain in full
 3245 force and effect as the law of this state.

3246 Section 8. This act shall take effect upon becoming a law,
 3247 except that the provisions of this act which authorize the levy
 3248 of ad valorem taxation shall take effect only upon express
 3249 approval by a majority vote of those qualified electors of the
 3250 Lakewood Ranch Stewardship District, as required by Section 9 of
 3251 Article VII of the State Constitution, voting in a referendum
 3252 election held at such time as all members of the board are
 3253 qualified electors who are elected by qualified electors of the
 3254 district as provided in this act.