

CHAMBER ACTION

1 The Local Government Council recommends the following:

2
3 **Council/Committee Substitute**

4 Remove the entire bill and insert:

5 A bill to be entitled

6 An act relating to Manatee and Sarasota Counties; creating
7 within portions of such counties the "Lakewood Ranch
8 Stewardship District Act"; providing a popular name;
9 providing legislative findings and intent; providing
10 definitions; stating legislative policy regarding creation
11 of the district; establishing compliance with minimum
12 requirements in s. 189.404(3), F.S., for creation of an
13 independent special district; providing for creation and
14 establishment of the district; establishing the legal
15 boundaries of the district; providing for the jurisdiction
16 and charter of the district; providing for a board of
17 supervisors and establishing membership criteria and
18 election procedures; providing for board members' terms of
19 office; providing for board meetings; providing for
20 administrative duties of the board; providing a method for
21 transition of the board from landowner control to control
22 by the resident electors of the district; providing for a
23 district manager and district personnel; providing for a

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24 district treasurer, selection of a public depository, and
 25 district budgets and financial reports; providing for the
 26 general powers of the district; providing for the special
 27 powers of the district to plan, finance, and provide
 28 community infrastructure and services within the district;
 29 providing that the exercise of the special powers by the
 30 district within Manatee and Sarasota Counties is limited
 31 until such time as the district enters into an interlocal
 32 agreement with the respective county; providing for
 33 required notices to purchasers of residential units within
 34 the district; providing severability; providing for a
 35 referendum; providing an effective date.

36
 37 Be It Enacted by the Legislature of the State of Florida:

38
 39 Section 1. This act may be cited as the "Lakewood Ranch
 40 Stewardship District Act."

41 Section 2. Legislative findings and intent; definitions;
 42 policy.--

43 (1) LEGISLATIVE FINDINGS AND INTENT.--

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

48 (b) There is a particular special need to use a
 49 specialized and limited single-purpose independent special
 50 district unit of local government for the Lakewood Ranch lands
 51 located within Sarasota and Manatee Counties and covered by this

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52 act to prevent urban sprawl by providing sustaining and
53 freestanding infrastructure and by preventing needless and
54 counterproductive community development when the existing urban
55 area is not yet developed, and to prevent the needless
56 duplication, fragmentation, and proliferation of local
57 government services in a proposed land use area.

58 (c) Management of conservation, environmental,
59 agricultural, and economic challenges and opportunities in the
60 Lakewood Ranch area transcends the boundaries and
61 responsibilities of both private landowners and individual units
62 of government.

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

70 (e) While chapter 190, Florida Statutes, provides an
71 opportunity for community development services and facilities to
72 be provided by the establishment of community development
73 districts in a manner that furthers the public interest, current
74 general law prohibits the establishment of a community
75 development district transcending county boundaries. Given the
76 vast nature of the lands covered by this act and the potentially
77 long-term nature of its development, establishing multiple
78 community development districts over these lands would result in
79 an inefficient, duplicative, and needless proliferation of local

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80 special purpose government, contrary to the public interest and
81 the Legislature's findings in chapter 190, Florida Statutes.
82 Instead, it is in the public interest that the long-range
83 provision for, and management, financing, and long-term
84 maintenance, upkeep, and operation of, services and facilities
85 to be provided for ultimate development of the lands covered by
86 this act be under one coordinated entity.

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

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

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

105 (i) The existence and use of such a limited specialized
106 single purpose local government for the Lakewood Ranch lands,
107 subject to the respective county comprehensive plans, will:

108 result in a high propensity to provide for orderly development
 109 and prevent urban sprawl; protect and preserve environmental,
 110 conservation, and agricultural uses and assets; enhance the
 111 market value for both present and future landowners of the
 112 property consistent with the need to protect private property;
 113 enhance the net economic benefit to the Sarasota and Manatee
 114 Counties area, including an enhanced and well-maintained tax
 115 base to the benefit of all present and future taxpayers in
 116 Sarasota and Manatee Counties; and result in the sharing of
 117 costs of providing certain systems, facilities, and services in
 118 an innovative, sequential, and flexible manner within the
 119 developing area to be serviced by the District.

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

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

134 (l) The creation and establishment of the District is a
 135 legitimate alternative method available to manage, own, operate,

136 construct, and finance capital infrastructure systems,
 137 facilities, and services.

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

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

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

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

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

163 (a) "Ad valorem bonds" means bonds which are payable from
 164 the proceeds of ad valorem taxes levied on real and tangible
 165 personal property and which are generally referred to as general
 166 obligation bonds.

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

171 (c) "Assessment bonds" means special obligations of the
 172 District which are payable solely from proceeds of the special
 173 assessments or benefit special assessments levied for assessable
 174 improvements, provided that, in lieu of issuing assessment bonds
 175 to fund the costs of assessable improvements, the District may
 176 issue revenue bonds for such purposes payable from special
 177 assessments.

178 (d) "Assessments" means those nonmillage District
 179 assessments which include special assessments, benefit special
 180 assessments, and maintenance special assessments and a
 181 nonmillage, non-ad valorem maintenance tax if authorized by
 182 general law.

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

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190 to operate with legal existence by this act, and the purpose of
 191 which is as set forth in this act.

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

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

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

205 (i) "Cost" or "costs," when used with reference to any
 206 project, includes, but is not limited to:

207 1. The expenses of determining the feasibility or
 208 practicability of acquisition, construction, or reconstruction.

209 2. The cost of surveys, estimates, plans, and
 210 specifications.

211 3. The cost of improvements.

212 4. Engineering, fiscal, and legal expenses and charges.

213 5. The cost of all labor, materials, machinery, and
 214 equipment.

215 6. The cost of all lands, properties, rights, easements,
 216 and franchises acquired.

217 7. Financing charges.

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218 8. The creation of initial reserve and debt service funds.

219 9. Working capital.

220 10. Interest charges incurred or estimated to be incurred
 221 on money borrowed prior to and during construction and
 222 acquisition and for such reasonable period of time after
 223 completion of construction or acquisition as the board may
 224 determine.

225 11. The cost of issuance of bonds pursuant to this act,
 226 including advertisements and printing.

227 12. The cost of any bond or tax referendum held pursuant
 228 to this act and all other expenses of issuance of bonds.

229 13. The discount, if any, on the sale or exchange of
 230 bonds.

231 14. Administrative expenses.

232 15. Such other expenses as may be necessary or incidental
 233 to the acquisition, construction, or reconstruction of any
 234 project, or to the financing thereof, or to the development of
 235 any lands within the District.

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

239 (j) "District" means the Lakewood Ranch Stewardship
 240 District.

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

242 (l) "District roads" means highways, streets, roads,
 243 alleys, sidewalks, landscaping, storm drains, bridges, and
 244 thoroughfares of all kinds.

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

253 (n) "Governing board member" means any member of the Board
 254 of Supervisors.

255 (o) "Land development regulations" means those regulations
 256 of general purpose local government, adopted under the Florida
 257 Local Government Comprehensive Planning and Land Development
 258 Regulation Act, codified as part II of chapter 163, Florida
 259 Statutes, to which the District is subject and as to which the
 260 District may not do anything that is inconsistent. Land
 261 development regulations shall not mean specific management,
 262 engineering, planning, and other criteria and standards needed
 263 in the daily management, implementation, and provision by the
 264 District of systems, facilities, services, works, improvements,
 265 projects, or infrastructure, including design criteria and
 266 standards, so long as they remain subject to and are not
 267 inconsistent with the applicable land development regulations.

268 (p) "Landowner" means the owner of a freehold estate as it
 269 appears on the deed record, including a trustee, a private
 270 corporation, and an owner of a condominium unit. "Landowner"
 271 does not include a reversioner, remainderman, mortgagee, or any
 272 governmental entity, who shall not be counted and need not be

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273 notified of proceedings under this act. "Landowner" also means
 274 the owner of a ground lease from a governmental entity, which
 275 leasehold interest has a remaining term, excluding all renewal
 276 options, in excess of 50 years.

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

279 (r) "Maintenance special assessments" are assessments
 280 imposed, levied, and collected pursuant to the provisions of
 281 section 6(12)(d).

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

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

289 1. "General powers," which means those organizational and
 290 administrative powers of the District as provided in its charter
 291 in order to carry out its single special purpose as a local
 292 government public corporate body politic.

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

298 3. Any other powers, authority, or functions set forth in
 299 this act.

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

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

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

316 (x) "Revenue bonds" means obligations of the District that
 317 are payable from revenues, including, but not limited to,
 318 special assessments and benefit special assessments, derived
 319 from sources other than ad valorem taxes on real or tangible
 320 personal property and that do not pledge the property, credit,
 321 or general tax revenue of the District.

322 (y) "Sewer system" means any plant, system, facility, or
 323 property, and additions, extensions, and improvements thereto at
 324 any future time constructed or acquired as part thereof, useful
 325 or necessary or having the present capacity for future use in
 326 connection with the collection, treatment, purification, or
 327 disposal of sewage, including, but not limited to, industrial

328 wastes resulting from any process of industry, manufacture,
 329 trade, or business or from the development of any natural
 330 resource. Sewer system also includes treatment plants, pumping
 331 stations, lift stations, valves, force mains, intercepting
 332 sewers, laterals, pressure lines, mains, and all necessary
 333 appurtenances and equipment; all sewer mains, laterals, and
 334 other devices for the reception and collection of sewage from
 335 premises connected therewith; and all real and personal property
 336 and any interest therein, and rights, easements, and franchises
 337 of any nature relating to any such system and necessary or
 338 convenient for operation thereof.

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

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

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

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

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

368 (3) POLICY.--Based upon its findings, ascertainments,
 369 determinations, intent, purpose, and definitions, the
 370 Legislature states its policy expressly:

371 (a) The District and the District charter, with its
 372 general and special powers, as created in this act, are
 373 essential and the best alternative for the residential,
 374 commercial, and other community uses, projects, or functions in
 375 the included portions of Sarasota and Manatee Counties
 376 consistent with the effective comprehensive plans and designed
 377 to serve a lawful public purpose.

378 (b) The District, which is a local government and a
 379 political subdivision, is limited to its special purpose as
 380 expressed in this act, with the power to provide, plan,
 381 implement, construct, maintain, and finance as a local
 382 government management entity its systems, facilities, services,
 383 improvements, infrastructure, and projects and possessing

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384 financing powers to fund its management power over the long term
 385 and with sustained levels of high quality.

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

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

401 (e) The special and single purpose Lakewood Ranch
 402 Stewardship District shall not have the power of a general-
 403 purpose local government to adopt a comprehensive plan or
 404 related land development regulation as those terms are defined
 405 in the Florida Local Government Comprehensive Planning and Land
 406 Development Regulation Act.

407 (f) This act may be amended, in whole or in part, only by
 408 special act of the Legislature. No amendment to this act that
 409 alters the District boundaries or the general or special powers
 410 of the District may be considered by the Legislature unless it
 411 is accompanied by a resolution or official statement as provided

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412 for in section 189.404(2)(e)4., Florida Statutes. However, if an
 413 amendment alters the District boundaries in only one county, or
 414 affects the District's special powers in only one county, it
 415 shall be necessary to secure the resolution or statement from
 416 only the affected county.

417 Section 3. Minimum charter requirements; creation and
 418 establishment; jurisdiction; construction; charter with legal
 419 description.--

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

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

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

432 (c) The provisions for methods for establishing the
 433 District are in this section.

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

436 (e) The provisions for the membership and organization of
 437 the governing board and the establishment of a quorum are in
 438 section 5.

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

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

443 (h) The provisions applicable to financial disclosure,
 444 noticing, and reporting requirements generally are set forth in
 445 sections 5 and 6.

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

448 (j) The provisions regarding elections or referenda and
 449 the qualifications of an elector of the District are in sections
 450 2 and 5.

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

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

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

461 (n) The provisions for planning requirements are in this
 462 section and section 6.

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

465 (2) The Lakewood Ranch Stewardship District, which also
 466 may be referred to as the "Stewardship District," "Lakewood

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467 Ranch District," or "District," is created and incorporated as a
 468 public body corporate and politic, an independent, limited,
 469 special purpose local government, an independent special
 470 district, under section 189.404, Florida Statutes, as amended
 471 from time to time, and as defined in this act and in section
 472 189.403(3), Florida Statutes, as amended from time to time, in
 473 and for portions of Manatee and Sarasota Counties. Any
 474 amendments to chapter 190, Florida Statutes, after January 1,
 475 2005, granting additional general powers, special powers,
 476 authorities, or projects to a community development district by
 477 amendment to its uniform charter, sections 190.006-190.041,
 478 Florida Statutes, shall constitute a general power, special
 479 power, authority, or function of the Lakewood Ranch Stewardship
 480 District; provided, however, that the exercise of any of such
 481 additional powers within Manatee County or Sarasota County shall
 482 be subject to the requirement that the district execute or amend
 483 an interlocal agreement with Manatee County or Sarasota County,
 484 respectively, consenting to the exercise of any of such
 485 additional powers as provided elsewhere in this act. All notices
 486 for the enactment by the Legislature of this special act have
 487 been provided pursuant to the State Constitution, the laws of
 488 Florida, and the Rules of the Florida House of Representatives
 489 and of the Florida Senate. No referendum subsequent to the
 490 effective date of this act is required as a condition of
 491 establishing the District. Therefore, the District, as created
 492 by this act, is established on the property described in this
 493 act.

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

497 (4) The jurisdiction of this District, in the exercise of
 498 its general and special powers, and in the carrying out of its
 499 special purposes, is both within the external boundaries of the
 500 legal description of this District and extraterritorially when
 501 limited to, and as authorized expressly elsewhere in, the
 502 charter of the District as created in this act or applicable
 503 general law. This special purpose District is created as a
 504 public body corporate and politic, and local government
 505 authority and power is limited by its charter, this act, and
 506 subject to the provisions of other general laws, including
 507 chapter 189, Florida Statutes, except that an inconsistent
 508 provision in this act shall control and the District has
 509 jurisdiction to perform such acts and exercise such authorities,
 510 functions, and powers as shall be necessary, convenient,
 511 incidental, proper, or reasonable for the implementation of its
 512 limited, single, and specialized purpose regarding the sound
 513 planning, provision, acquisition, development, operation,
 514 maintenance, and related financing of those public systems,
 515 facilities, services, improvements, projects, and infrastructure
 516 works as authorized herein, including those necessary and
 517 incidental thereto. The District shall exercise any of its
 518 powers extraterritorially within Manatee County only upon
 519 execution of an interlocal agreement between the District and
 520 Manatee County consenting to the District's exercise of any of
 521 such powers within Manatee County. The District shall exercise

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522 any of its powers extraterritorially within Sarasota County only
 523 upon execution of an interlocal agreement between the district
 524 and Sarasota County consenting to the District's exercise of any
 525 of such powers within Sarasota County.

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

530 Section 4. Legal description of the Lakewood Ranch
 531 Stewardship District.--

532
 533 LEGAL DESCRIPTION. The metes and bounds legal
 534 description of the District, within which there are no
 535 parcels of property owned by those who do not wish
 536 their property to be included within the District, is
 537 as follows:

538 Section 29, Township 34 South, Range 19 East:
 539 That portion of Section 29, lying south of the right-
 540 of-way of State Road 64 and east of the record plat of
 541 Lakewood Ranch Commerce Park, Block C, recorded in
 542 Plat Book 38, Page 160 through 163 of the Public
 543 Records of Manatee County, Florida;

544 Section 31, Township 34 South, Range 19 East:
 545 That portion of the southeast quarter of Section 31,
 546 lying east of Lakewood Ranch Boulevard, a 120-foot
 547 wide Public Right-of-Way, as recorded in Official
 548 Record Book 1429, Page 3703 Public Records of Manatee
 549 County, Florida; also that portion of the southeast

550 quarter of said Section 31, lying west of said
 551 Lakewood Ranch Boulevard, south of Lakewood Ranch
 552 Commerce Park, Block B, recorded in Plat Book 36,
 553 Pages 71 through 77 of said Public Records and east of
 554 the east line of the "Manatee County Landfill" as
 555 described in Special Warranty Deed to Manatee County,
 556 recorded in Official Record Book 1166, Page 3590,
 557 Public Records of Manatee County, Florida;
 558 Section 32, Township 34 South, Range 19 East:
 559 That portion of the west half of Section 32, lying
 560 east of Lakewood Ranch Boulevard, a 120-foot wide
 561 Public Right-of-Way, as recorded in Official Record
 562 Book 1429, Page 3703 of said Public Records, less and
 563 except the record plat of Lakewood Ranch Commerce
 564 Park, Block C, recorded in Plat Book 38, Page 160
 565 through 163 of said Public Records, also less and
 566 except premises described in Special Warranty Deed to
 567 Lakewood Flex Properties Phase II, Inc, recorded in
 568 Official Record Book 1934, Page 5505 Public Records of
 569 Manatee County, Florida;
 570 Also:
 571 The west half of the southeast quarter of said Section
 572 32;
 573 Also:
 574 The southeast quarter of the southeast quarter of said
 575 Section 32, less and except premises described in
 576 Special warranty Deed to Ashton Associates of
 577 Sarasota, L.L.C., recorded in Official Record Book

578 | 1888, Page 7567 Public Records of Manatee County,
 579 | Florida;
 580 | Also:
 581 | The northwest quarter of the northeast quarter lying
 582 | south of State Road 64, less and except the east 100-
 583 | feet described in Warranty Deed to John D. Taylor and
 584 | Beverly J. Taylor, recorded in Official Record Book
 585 | 1331, Page 0041 Public Records of Manatee County,
 586 | Florida;
 587 | Also:
 588 | That portion of the southwest quarter of the northeast
 589 | quarter being more particularly described as follows:
 590 | Begin at the northwest corner of the southwest quarter
 591 | of the northeast quarter of said Section 32; thence
 592 | east, 466.8 feet along north side of said 40 acre
 593 | tract; thence south, 466.8 feet; thence west, 466.8
 594 | feet to west line of 40 acre tract; thence north,
 595 | 466.8 feet to the POINT OF BEGINNING;
 596 | Also:
 597 | That part of the southwest quarter of the northeast
 598 | quarter of Section 32, Township 34 South, Range 19
 599 | East, described as follows: Commence at a concrete
 600 | monument found marking the southwest corner of the
 601 | southwest quarter of the northeast quarter of Section
 602 | 32, Township 34 South, Range 19 East, as occupied by
 603 | John D. Taylor & being the southwest corner of that
 604 | certain parcel of land as described in Official Record
 605 | Book 656 Page 103 of the Public Records of Manatee

606 County, Florida, for a POINT OF BEGINNING; thence
 607 S.89°35'55"E., along the south line of said southeast
 608 quarter of northeast quarter, 290.77 feet; thence N.
 609 00° 42' 08"E., parallel with the west line of said
 610 southwest quarter of northeast quarter, 299.62 feet;
 611 thence N. 89°35'55"W. along the northerly line of said
 612 land described in Official Record Book 656 Page 103,
 613 a distance of 290.77 feet to the intersection with the
 614 west line of said southwest quarter of the northeast
 615 quarter; thence S.00°42'08W., along the west line of
 616 said southwest quarter of the northeast quarter, a
 617 distance of 299.62 feet to the POINT OF BEGINNING,
 618 being & lying in the southwest quarter of the
 619 northeast quarter of Section 32, township 34 South,
 620 Range 19 East, Manatee County, Florida;
 621 Section 33, Township 34 South, Range 19 East:
 622 The east half, the northeast quarter of the northwest
 623 quarter, the northwest quarter of the northwest
 624 quarter, the southeast quarter of the northwest
 625 quarter, and the southwest quarter of the southwest
 626 quarter of Section 33, Township 34 South, Range 19
 627 East,
 628 Less:
 629 Road right-of-way for State Road 64 and less that part
 630 of the above described property, lying north and east
 631 of said State Road 64 as described in Official Record
 632 Book 1095, Page 256;
 633 Less:

634 | Road right-of-way for Pope Road;
 635 | Less:
 636 | Premises described in Special Warranty Deed to Roy F.
 637 | Green, recorded in Official Record Book 1752, Page
 638 | 4576;
 639 | Less:
 640 | Premises described in Special Warranty Deed to Triko
 641 | Enterprises, Inc, recorded in Official Record Book
 642 | 1407, Page 3313 and Official Record Book 1752, Page
 643 | 2251;
 644 | Less:
 645 | Premises described in Special Warranty Deed to Peoples
 646 | Gas System, recorded in Official Record Book 1576,
 647 | Page 4158;
 648 | Section 35, Township 34 South, Range 19 East:
 649 | The south half of the northeast quarter, and the east
 650 | half of the southeast quarter of Section 35, Township
 651 | 34 South, Range 19 East;
 652 | Less:
 653 | Road right-of-way for State Road 64
 654 | Section 36, Township 34 South, Range 19 East:
 655 | The west half of the northeast quarter, the southeast
 656 | quarter of the northeast quarter, the east half of the
 657 | northwest quarter, and the south half of Section 36,
 658 | Township 34 South, Range 19 East;
 659 | Less:
 660 | Road right-of-way for State Road 64
 661 | Section 1, Township 35 South, Range 19 East:

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662 | All of Section 1, Township 35 South, Range 19 East;
 663 | Less:
 664 | Road right-of-way for State Road 64
 665 | Section 2, Township 35 South, Range 19 East:
 666 | All of Section 2, Township 35 South, Range 19 East;
 667 | Less:
 668 | The northwest quarter of the northeast quarter, the
 669 | north half of the northwest quarter, and road right-
 670 | of-way for State Road 64;
 671 | Section 3, Township 35 South, Range 19 East:
 672 | The south half of the north half, the southeast
 673 | quarter of the southwest quarter, and the southeast
 674 | quarter of Section 3, Township 35 South, Range 19
 675 | East;
 676 | Less:
 677 | Road right-of-way for Lorraine Road
 678 | Section 4, Township 35 South, Range 19 East:
 679 | The northwest quarter of the northeast quarter, the
 680 | south-half of the northeast quarter, the east half of
 681 | the northeast quarter of the northwest quarter, the
 682 | southeast quarter of the northwest quarter, the south-
 683 | half of the southwest quarter of the northwest
 684 | quarter, the north-half of the south-half, the
 685 | southeast quarter of the southwest quarter, and the
 686 | south half of the southeast quarter of Section 4,
 687 | Township 35 South, Range 19 East;
 688 | Less:

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689 | Premises described in Special Warranty Deed to
 690 | Ellenton Fruit Company, recorded in Official Record
 691 | Book 1472, Page 4620
 692 | Less:
 693 | Road right-of-way for Pope Road, recorded in Road Plat
 694 | Book 8, Pages 138 through 152
 695 | Section 5, Township 35 South, Range 19 East:
 696 | All of Section 5, Township 35 South, Range 19 East;
 697 | Less:
 698 | Right-of-way for Lakewood Ranch Boulevard, as recorded
 699 | in Official Record Book 1429, Page 3703 Public Records
 700 | of Manatee County, Florida;
 701 | Less:
 702 | A portion of premises described in Warranty Deed to
 703 | the County of Manatee, recorded in Official Record
 704 | Book 1540, Page 7900 of said Public Records
 705 | Less:
 706 | Road right-of-way for Pope Road, recorded in Road Plat
 707 | Book 8, Pages 138 through 152
 708 | Section 6, Township 35 South, Range 19 East:
 709 | That portion of Section 6, Township 35 South, Range 19
 710 | East, lying easterly of east line of the "Manatee
 711 | County Landfill", as described in Special Warranty
 712 | Deed to Manatee County, recorded in Official Record
 713 | Book 1166, Page 3590, Public Records of Manatee
 714 | County, Florida;
 715 | Less:

716 Right-of-way for Lakewood Ranch Boulevard, as recorded
 717 in Official Record Book 1429, Page 3703 Public Records
 718 of Manatee County, Florida;

719 Less:

720 A portion of premises described in Warranty Deed to
 721 the County of Manatee, recorded in Official Record
 722 Book 1540, Page 7900 of said Public Records
 723 Section 7, Township 35 South, Range 19 East:

724 That portion of Section 7, Township 35 South, Range 19
 725 East, lying easterly of the easterly right-of-way line
 726 of Lakewood Ranch Boulevard, as recorded in Official
 727 Record Book 1429, Page 3703 Public Records of Manatee
 728 County, Florida;

729 Also:

730 That portion of Section 7, Township 35 South, Range 19
 731 East, lying southerly of the "Manatee County
 732 Landfill", as described in Special Warranty Deed to
 733 Manatee County, recorded in Official Record Book 1166,
 734 Page 3590, of said Public Records and northerly of the
 735 southerly line of the proposed 44th Avenue, said 44th
 736 Avenue being more particularly described as follows:

737 LEGAL DESCRIPTION OF PROPOSED 44 AVENUE RIGHT-OF-WAY
 738 (as prepared by the certifying Surveyor and Mapper):

739 A tract lying in Sections 7 and 8, Township 35 South,
 740 Range 19 East, Manatee County, Florida and described
 741 as follows:

742 Commence at the southwest corner of the North ½ of
 743 Section 17, Township 35 South, Range 19 East, also

744 being the Southeast corner of the North ½ of Section
 745 18, Township 35 South, Range 19 East; thence
 746 S.89°34'40"E., along the South line of the North ½ of
 747 said Section 17, a distance of 187.55 feet to the
 748 intersection with the Westerly Right-of-way of
 749 Lakewood Ranch Boulevard (formerly Upper Manatee River
 750 Road Extension), a 120-foot wide public right-of-way
 751 as recorded in Official Record Book 1429, Page 3703 of
 752 the Public Records of Manatee County, Florida, said
 753 point being on the arc of a curve to the right, whose
 754 radius point lies N.63°58'46"E., a radial distance of
 755 2310.00 feet; thence run northwesterly, along said
 756 westerly right-of-way for the following five calls;
 757 thence along the arc of said curve, through a central
 758 angle of 23°42'37", a distance of 955.93 feet to the
 759 point of tangency of said curve; thence N.02°18'37"W.,
 760 a distance of 1736.20 feet to the intersection with
 761 the common section line to Sections 7 and 18, Township
 762 35 South, Range 19 East, said point lying
 763 N.88°45'31"W., 141.64 feet from the section corner
 764 common to said Sections 7 and 18; thence continue
 765 N.02°18'37"W., a distance of 339.27 feet to the point
 766 of curvature of a curve to the right, having a radius
 767 of 4060.00 feet and a central angle of 06°59'18";
 768 thence run Northerly along the arc of said curve, a
 769 distance of 495.20 feet to the point of tangency of
 770 said curve; thence N.04°40'41"E., a distance of
 771 2,624.25 feet to the point of curvature of a curve to

772 the left having a radius of 1,940.00 feet and a
773 central angle of 26°40'32"; thence northerly along the
774 arc of said curve, an arc length of 903.21 feet to the
775 POINT OF BEGINNING; thence S.68°00'09"W., a distance
776 of 15.00 feet to a point on a curve to the left, of
777 which the radius point lies S.68°00'09'W., a radial
778 distance of 50.00 feet; thence northwesterly along the
779 arc of said curve, through a central angle of
780 83°34'33", an arc length of 72.93 feet to the point of
781 tangency of said curve; thence S.74°25'37"W., a
782 distance of 54.55 feet to the point of curvature of a
783 curve to the right having a radius of 2,952.50 feet
784 and a central angle of 12°46'49"; thence westerly
785 along the arc of said curve, an arc length of 658.58
786 feet to the end of said curve; thence N.02°47'34"W.,
787 along a line radial to the last described curve, a
788 distance of 12.50 feet to the point of curvature of a
789 non-tangent curve to the right, of which the radius
790 point lies N.02°47'34"W., a radial distance of
791 2,940.00 feet; thence westerly along the arc of said
792 curve, through a central angle of 24°02'05", an arc
793 length of 1,233.29 feet to the point of reverse
794 curvature of a curve to the left having a radius of
795 2,790.00 feet and a central angle of 31°26'50"; thence
796 westerly along the arc of said curve, a distance of
797 1,531.31 feet to the point of reverse curvature of a
798 curve to the right having a radius of 2,940.00 feet
799 and a central angle of 15°52'03"; thence westerly

800 along the arc of said curve, a distance of 814.20 feet
 801 to the northerly line of a 50-foot wide gas line
 802 easement as recorded in Official Record Book 27, Page
 803 220 and Official Record Book 396, Page 91 said public
 804 records; thence N.59°42'53"E., along said northerly
 805 line, a distance of 270.14 feet to the point of
 806 curvature of a non-tangent curve to the left, of which
 807 the radius point lies N.01°10'01"E., a radial distance
 808 of 2,790.00 feet; thence easterly along the arc of
 809 said curve, through a central angle of 11°22'19", an
 810 arc length of 553.75 feet to the point of reverse
 811 curvature of a curve to the right having a radius of
 812 2,940.00 feet and a central angle of 31°26'50"; thence
 813 easterly along the arc of said curve, a distance of
 814 1,613.64 feet to the point of reverse curvature of a
 815 curve to the left having a radius of 2,790.00 feet and
 816 a central angle of 24°02'05"; thence easterly along
 817 the arc of said curve, a distance of 1,170.37 feet to
 818 the end of said curve; thence N.02°47'34"W., a
 819 distance of 12.50 feet to the point of curvature of a
 820 non-tangent curve to the left, of which the radius
 821 point lies N.02°47'34"W., a radial distance of
 822 2,777.50 feet; thence easterly along the arc of said
 823 curve, through a central angle of 12°46'49", an arc
 824 length of 619.55 feet to the point of tangency of said
 825 curve; thence N.74°25'37"E., a distance of 12.28 feet
 826 to the point of curvature of a curve to the left
 827 having a radius of 50.00 feet and a central angle of

828 | 55°27'02"; thence northeasterly along the arc of said
 829 | curve, an arc length of 48.39 feet to a point on the
 830 | south line of Manatee County Pond Site Number 5, as
 831 | recorded in Official Record Book 1528, Page 7481 said
 832 | public records; thence S.87°35'31"E., along a line
 833 | non-tangent to the last described curve, being the
 834 | south line of said Pond Site Number 5, a distance of
 835 | 30.72 feet to the westerly right-of-way line of the
 836 | aforementioned Lakewood Ranch Boulevard and the point
 837 | of curvature of a non-tangent curve to the left, of
 838 | which the radius point lies N.66°15'14"E., a radial
 839 | distance of 1,560.00 feet; the following 2 calls are
 840 | along said westerly right-of-way line; thence
 841 | southeasterly along the arc of said curve, through a
 842 | central angle of 02°50'31", an arc length of 77.38
 843 | feet to the point of reverse curvature of a curve to
 844 | the right having a radius of 1,940.00 feet and a
 845 | central angle of 04°35'26"; thence southeasterly along
 846 | the arc of said curve, a distance of 155.44 feet to
 847 | the POINT OF BEGINNING.

848 | Said tract contains 650,151 square feet or 14.9254
 849 | acres, more or less.

850 | Also:

851 | A tract of land lying in Sections 7 and 8, Township 35
 852 | South, Range 19 East, Manatee County, Florida and
 853 | described as follows:

854 | Commence at the Southeast corner of Section 7,
 855 | Township 35 South, Range 19 East; thence

856 | S.89°34'35"E., a distance of 4,650.84 feet; thence
 857 | N.00°25'25"E., a distance of 1,889.17 feet; thence
 858 | S82°55'49"W, 912.79 feet to a point of curvature;
 859 | Thence 1,287.78 feet along the arc of said curve to
 860 | the left through a central angle of 34°25'49", said
 861 | curve having a radius of 2,143.00 feet and being
 862 | subtended by a chord which bears S65°42'55"W, 1,268.49
 863 | feet to a point of reverse curvature; Thence 1,575.57
 864 | feet along the arc of a curve to the right through a
 865 | central angle of 44°37'25", said curve having a radius
 866 | of 2,023.00 feet and being subtended by a chord which
 867 | bears S70°48'42"W, 1,536.04 feet to the point of
 868 | tangency of said curve; Thence N86°52'35"W, 1,131.57
 869 | feet to a point of curvature; Thence 79.90 feet along
 870 | the arc of said curve to the right through a central
 871 | angle of 91°33'16", said curve having a radius of
 872 | 50.00 feet and being subtended by a chord which bears
 873 | N41°05'57"W, 71.66 feet to the point of tangency of
 874 | said curve; said point being a point on the east line
 875 | of Lakewood Ranch Boulevard as recorded in Official
 876 | Record Book 1443, Page 4980 of the Public Records of
 877 | Manatee County, Florida; thence along said east line
 878 | of Lakewood Ranch Boulevard, N04°40'41"E, 1649.57
 879 | feet; Thence N85°19'19"W, 120.00 feet to an
 880 | intersection with the west line of said Lakewood Ranch
 881 | Boulevard and the POINT OF BEGINNING; Thence
 882 | S86°50'17"W, 227.27 feet; Thence S40°02'37"W, 121.13
 883 | feet; Thence S28°36'43"W, 108.34 feet; Thence

884 | S43°57'34"W, 79.62 feet; Thence S56°46'06"W, 71.21
 885 | feet; Thence N22°59'39"W, 32.80 feet; Thence
 886 | S59°56'00"W, 91.50 feet; Thence S54°50'36"W, 42.43
 887 | feet; Thence S21°03'16"W, 42.67 feet; Thence
 888 | S64°33'59"W, 57.70 feet; Thence S78°35'00"W, 52.83
 889 | feet; Thence S26°29'07"W, 28.22 feet; Thence
 890 | S72°42'09"W, 41.01 feet; Thence N88°04'14"W, 58.26
 891 | feet; Thence N63°20'21"W, 61.49 feet; Thence
 892 | N77°09'41"W, 34.90 feet; Thence N87°11'33"W, 50.79
 893 | feet; Thence N88°21'13"W, 70.97 feet; Thence
 894 | N59°06'15"W, 54.56 feet; Thence S87°08'17"W, 75.46
 895 | feet; Thence N27°44'24"E, 782.09 feet; Thence
 896 | N08°14'34"E, 859.88 feet; Thence N04°53'06"W, 605.45
 897 | feet to a point on the arc of a curve; Thence 552.19
 898 | feet along the arc of said curve to the left through a
 899 | central angle of 10°42'56", said curve having a radius
 900 | of 2,952.50 feet and being subtended by a chord which
 901 | bears N79°47'05"E, 551.38 feet to the point of
 902 | tangency of said curve; Thence N74°25'37"E, 69.64 feet
 903 | to a point of curvature; Thence 72.98 feet along the
 904 | arc of said curve to the right through a central angle
 905 | of 83°37'55", said curve having a radius of 50.00 feet
 906 | and being subtended by a chord which bears
 907 | S63°45'26"E, 66.67 feet to a point of compound
 908 | curvature; Thence 901.48 feet along the arc of said
 909 | curve to the right through a central angle of
 910 | 26°37'27", said curve having a radius of 1,940.00 feet
 911 | and being subtended by a chord which bears

912 | S08°38'03"E, 893.39 feet; Thence S04°40'41"W, 970.22
 913 | feet to the POINT OF BEGINNING.
 914 | Containing 39.281 acres, more or less.
 915 | Less:
 916 | Right-of-way for Lakewood Ranch Boulevard, as recorded
 917 | in Official Record Book 1429, Page 3703 Public Records
 918 | of Manatee County, Florida;
 919 | Less:
 920 | A portion of premises described in Warranty Deed to
 921 | the County of Manatee, recorded in Official Record
 922 | Book 1528, Page 7481 and Corrective Warranty Deed
 923 | recorded in Official Record Book 1540, Page 7918
 924 | Public Records of Manatee County, Florida;
 925 | Section 8, Township 35 South, Range 19 East:
 926 | All of Section 8, Township 35 South, Range 19 East;
 927 | Less:
 928 | Right-of-way for Lakewood Ranch Boulevard, as recorded
 929 | in Official Record Book 1429, Page 3703 Public Records
 930 | of Manatee County, Florida;
 931 | Less:
 932 | A portion of premises described in Warranty Deed to
 933 | the County of Manatee, recorded in Official Record
 934 | Book 1528, Page 7481 and Corrective Warranty Deed
 935 | recorded in Official Record Book 1540, Page 7918
 936 | Public Records of Manatee County, Florida;
 937 | Section 9, Township 35 South, Range 19 East:
 938 | All of Section 9, Township 35 South, Range 19 East;
 939 | Section 10, Township 35 South, Range 19 East:

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940 | The north half and the southeast quarter of Section
 941 | 10, Township 35 South, Range 19 East;
 942 | Less:
 943 | Road right-of-way for Lorraine Road;
 944 | Section 11, Township 35 South, Range 19 East:
 945 | All of Section 11, Township 35 South, Range 19 East;
 946 | Section 12, Township 35 South, Range 19 East:
 947 | All of Section 12, Township 35 South, Range 19 East;
 948 | Section 13, Township 35 South, Range 19 East:
 949 | All of Section 13, Township 35 South, Range 19 East;
 950 | Section 14, Township 35 South, Range 19 East:
 951 | All of Section 14, Township 35 South, Range 19 East;
 952 | Section 15, Township 35 South, Range 19 East:
 953 | The east-half, the Southwest quarter of the northwest
 954 | quarter, the southeast quarter of the southwest
 955 | quarter, and the northeast quarter of the southwest
 956 | quarter of Section 15, Township 35 South, Range 19
 957 | East;
 958 | Less:
 959 | Road right-of-way for Lorraine Road and State Road 70;
 960 | Less:
 961 | The northeast quarter of the southwest quarter of the
 962 | northwest quarter of Section 15, Township 35 South,
 963 | Range 19 East;
 964 | Less:
 965 | The east 66 feet of the northwest quarter of the
 966 | southwest quarter of the northwest quarter of Section
 967 | 15, Township 35 South, Range 19 East , described in

968 | Warranty Deed to Clive and Judith Morris, recorded in
 969 | Official Record Book 1574, Page 2146;
 970 | Less:
 971 | Premises described in Special Warranty Deed to Peace
 972 | River Electric Cooperative, Inc. described in Official
 973 | Record Book 1542, Page 5178;
 974 | Less:
 975 | Premises described in Special Warranty Deed to Peace
 976 | River Electric Cooperative, Inc. described in Official
 977 | Record Book 1747, Page 6675;
 978 | Less:
 979 | That part included in the plat of Crawley Substation
 980 | Roadway, recorded in Plat Book 43, Pages 84 and 85
 981 | Public Records of Manatee County, Florida;
 982 | Less:
 983 | Fire House Site
 984 | COMMENCE at a concrete monument found marking the
 985 | occupied northwest corner of the southwest ¼ of
 986 | Section 15, Township 35 South, Ranch 19 East; thence
 987 | S89°31'12"E, along the occupied north line of said
 988 | southwest ¼, a distance of 1343.23 ft. to the
 989 | intersection with the west line of the northeast ¼ of
 990 | said southwest ¼; thence S00°04'29"E, along said west
 991 | line, a distance of 1281.86 ft., thence S87°56'19"E, a
 992 | distance of 1049.55 ft. for a POINT OF BEGINNING, said
 993 | point lying on the northerly right-of-way of 59th
 994 | Avenue East, a 100 ft. wide public right-of-way as
 995 | shown on "Crawley Substation Roadway", a roadway plat

996 | as recorded in Plat Book 43, Pages 84 and 85, Public
 997 | Records of Manatee County, Florida; thence continue
 998 | S87°56'19"E, along said northerly right-of-way, a
 999 | distance of 398.37 ft. to the intersection with the
 1000 | westerly line of that certain parcel of land as
 1001 | described and recorded in Official Records Book 1542,
 1002 | Page 5178, said Public Records; thence N00°25'16"W,
 1003 | along said westerly line, a distance of 547.23 ft.;
 1004 | thence N87°56'19"W, 398.37 ft.; thence S00°25'16"E, a
 1005 | distance of 547.23 ft. to the POINT OF BEGINNING,
 1006 | being and lying in Section 15, Township 35 South,
 1007 | Range 19 East, Manatee County, Florida.
 1008 | Containing 5.00 acres, more or less.
 1009 | Section 16, Township 35 South, Range 19 East:
 1010 | All of Section 16, Township 35 South, Range 19 East;
 1011 | Less:
 1012 | Road right-of-way for State Road 70;
 1013 | Less:
 1014 | Road right-of-way for Pope Road
 1015 | Less:
 1016 | Premises described in Warranty Deed to the State of
 1017 | Florida Department of Transportation, recorded in
 1018 | Official Record Book 1915, Page 5768 Public Records of
 1019 | Manatee County, Florida;
 1020 | Less:
 1021 | Premises described in Warranty Deed to Covered Bridge
 1022 | Holdings III, LLC, recorded in Official Record Book

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1023 | 1970, Page 707 Public Records of Manatee County,
 1024 | Florida;
 1025 | Less:
 1026 | Premises described in Warranty Deed to the Diocese of
 1027 | Venice, recorded in Official Record Book 1451, Page
 1028 | 964, less premises conveyed to SMR 70, North 70, LLC,
 1029 | in Special Warranty Deed, recorded in Official Record
 1030 | Book 1928, Page 3315;
 1031 | Less:
 1032 | Premises described in Special Warranty Deed to the
 1033 | Diocese of Venice, recorded in Official Record Book
 1034 | 1928, Page 3321 Public Records of Manatee County,
 1035 | Florida;
 1036 | Section 17, Township 35 South, Range 19 East:
 1037 | All of Section 17, 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 | Less:
 1042 | Road right-of-way for State Road 70;
 1043 | Less:
 1044 | Premises described in Warranty Deed to the State of
 1045 | Florida Department of Transportation, recorded in
 1046 | Official Record Book 1915, Page 5768 Public Records of
 1047 | Manatee County, Florida;
 1048 | Less:
 1049 | A portion of premises described in Warranty Deed to
 1050 | the County of Manatee, recorded in Official Record

1051 Book 1528, Page 7481 and Corrective Warranty Deed
 1052 recorded in Official Record Book 1540, Page 7918
 1053 Public Records of Manatee County, Florida;
 1054 Section 18, Township 35 South, Range 19 East:
 1055 All of Section 18, Township 35 South, Range 19 East,
 1056 lying east of the right-of-way of Lakewood Ranch
 1057 Boulevard, as recorded in Official Record Book 1429,
 1058 Page 3703 Public Records of Manatee County, Florida;
 1059 Section 22, Township 35 South, Range 19 East:
 1060 That portion of Section 22, Township 35 South, Range
 1061 19 East, lying northerly of the northerly right-of-way
 1062 line of State Road 70;
 1063 Also:
 1064 That portion of Sections 22, 23 and 27, lying within
 1065 the following described property:
 1066 DESCRIPTION (Proposed Braden River Mitigation Bank)
 1067 A tract of land lying in Sections 22, 23 and 27,
 1068 Township 35 South, Range 19 East, Manatee County,
 1069 Florida and described as follows:
 1070 Commence at the northwest corner of Section 21,
 1071 Township 35 South, Range 19 East; thence S.89°24'47"E.
 1072 along the north line of said Section 21, a distance of
 1073 5379.98 feet to the northwest corner of said Section
 1074 22; thence S.00°30'23" W. along the west line of said
 1075 Section 22, a distance of 134.20 feet to a point on
 1076 the southerly Right-of-way line of State Road 70; the
 1077 following 4 calls are along said southerly right-of-
 1078 way line; thence S.89°19'57"E., a distance of 521.35

1079 | feet; thence S.89°21'15"E., a distance of 3,754.54
 1080 | feet to the point of curvature of a curve to the right
 1081 | having a radius of 1,777.86 feet and a central angle
 1082 | of 34°24'33"; thence easterly along the arc of said
 1083 | curve, an arc length of 1,067.70 feet to the point of
 1084 | tangency of said curve; thence S.54°56'41"E., a
 1085 | distance of 821.49 feet to the POINT OF BEGINNING;
 1086 | thence continue S.54°56'41"E. along the above
 1087 | mentioned southerly right-of-way line, a distance of
 1088 | 4,427.83 feet; thence S.15°00'00"W., a distance of
 1089 | 701.34 feet; thence N.71°00'00"W., a distance of
 1090 | 2,270.00 feet; thence S.45°00'00"W., a distance of
 1091 | 65.00 feet; thence S.00°00'00"W., a distance of 395.00
 1092 | feet; thence S.86°30'00"W., a distance of 1,250.00
 1093 | feet; thence S.00°00'00"W., a distance of 338.36 feet;
 1094 | thence S.43°00'00"E., a distance of 155.00 feet;
 1095 | thence S.00°00'00"W., a distance of 150.00 feet;
 1096 | thence S.59°56'21"W., a distance of 110.00 feet;
 1097 | thence N.63°00'00"W., a distance of 306.73 feet;
 1098 | thence N.10°00'00"W., a distance of 299.62 feet;
 1099 | thence S.89°37'37"W., a distance of 301.32 feet;
 1100 | thence S.72°00'46"W., a distance of 368.15 feet;
 1101 | thence S.48°06'41"W., a distance of 169.68 feet;
 1102 | thence N.08°37'00"E., a distance of 159.00 feet;
 1103 | thence N.57°02'56"E., a distance of 594.02 feet;
 1104 | thence N.07°52'51"W., a distance of 27.87 feet; thence
 1105 | N.61°22'29"W., a distance of 167.29 feet; thence
 1106 | N.83°56'09"W., a distance of 103.18 feet; thence

1107 | S.85°40'21"W., a distance of 75.29 feet; thence
 1108 | S.44°35'18"W., a distance of 66.94 feet; thence
 1109 | S.82°54'53"W., a distance of 86.64 feet; thence
 1110 | S.48°07'08"W., a distance of 74.53 feet; thence
 1111 | S.26°33'46"W., a distance of 49.90 feet; thence
 1112 | S.39°24'11"W., a distance of 50.01 feet to a point on
 1113 | the northerly line of a Conservation Easement as
 1114 | recorded in the Official Records Book 1524, Page 5098
 1115 | of the Public Records of Manatee County, Florida; the
 1116 | following 15 calls are along the northerly and
 1117 | westerly lines of said Conservation Easement; thence
 1118 | S.63°06'49"W., a distance of 38.30 feet; thence
 1119 | S.30°38'41"W., a distance of 53.69 feet; thence
 1120 | S.68°49'15"W., a distance of 91.30 feet; thence
 1121 | S.51°14'32"W., a distance of 68.98 feet; thence
 1122 | S.76°31'40"W., a distance of 62.88 feet; thence
 1123 | S.45°09'35"W., a distance of 35.02 feet; thence
 1124 | S.36°11'14"E., a distance of 48.92 feet; thence
 1125 | S.18°26'10"E., a distance of 45.74 feet; thence
 1126 | S.09°12'08"W., a distance of 19.73 feet; thence
 1127 | S.32°09'14"E., a distance of 76.50 feet; thence
 1128 | S.07°27'24"E., a distance of 35.67 feet; thence
 1129 | S.29°09'12"E., a distance of 41.08 feet; thence
 1130 | S.11°37'55"E., a distance of 49.89 feet; thence
 1131 | S.51°55'08"E., a distance of 29.11 feet; thence
 1132 | S.67°03'11"E., a distance of 66.38 feet; thence
 1133 | N.66°35'24"E., a distance of 31.03 feet; thence
 1134 | S.45°47'43"E., a distance of 148.54 feet; thence

1135 | S.18°48'41"W., a distance of 163.72 feet; thence
 1136 | S.82°50'11"W., a distance of 81.44 feet; thence
 1137 | N.69°18'50"W., a distance of 147.54 feet; thence
 1138 | N.16°28'56"W., a distance of 96.10 feet; thence
 1139 | N.07°30'43"W., a distance of 141.37 feet; thence
 1140 | S.65°00'00"W., a distance of 1,078.77 feet; thence
 1141 | S.83°00'00"W., a distance of 630.49 feet; thence
 1142 | S.62°15'00"W., a distance of 585.88 feet; thence
 1143 | S.55°30'00"W., a distance of 859.04 feet; thence
 1144 | S.35°00'00"W., a distance of 453.13 feet; thence
 1145 | S.69°00'00"W., a distance of 637.50 feet; thence
 1146 | N.65°15'00"W., a distance of 464.25 feet; thence
 1147 | N.35°51'00"W., a distance of 385.00 feet; thence
 1148 | N.83°00'00"W., a distance of 137.04 feet to the point
 1149 | of curvature of a non-tangent curve to the left, of
 1150 | which the radius point lies S.85°59'50"W., a radial
 1151 | distance of 6,090.00 feet; thence northerly along the
 1152 | arc of said curve, through a central angle of
 1153 | 00°49'46", an arc length of 88.17 feet to the point of
 1154 | tangency of said curve; thence N.00°51'26"E., a
 1155 | distance of 490.58 feet; thence N.00°30'20"E., a
 1156 | distance of 355.33 feet to the point of curvature of a
 1157 | curve to the right having a radius of 2,880.00 feet
 1158 | and a central angle of 07°28'45"; thence northerly
 1159 | along the arc of said curve, an arc length of 375.94
 1160 | feet to the end of said curve; thence S.67°11'02"E.
 1161 | non-radial to the last described curve, a distance of
 1162 | 629.23 feet; thence S.81°49'22"E., a distance of

1163 | 263.52 feet; thence N.80°03'53"E., a distance of
 1164 | 275.24 feet; thence N.69°59'29"E., a distance of
 1165 | 317.24 feet; thence N.57°35'22"E., a distance of
 1166 | 178.26 feet; thence N.81°03'05"E., a distance of
 1167 | 234.09 feet; thence N.63°21'55"E., a distance of
 1168 | 439.23 feet; thence N.44°11'27"E., a distance of
 1169 | 241.21 feet; thence N.63°21'56"E., a distance of
 1170 | 148.94 feet; thence N.74°49'49"E., a distance of
 1171 | 163.40 feet; thence N.75°39'49"E., a distance of
 1172 | 461.38 feet; thence N.52°24'58"E., a distance of
 1173 | 284.05 feet; thence N.37°35'20"E., a distance of
 1174 | 294.52 feet; thence N.33°58'26"E., a distance of
 1175 | 687.37 feet; thence N.46°31'18"E., a distance of
 1176 | 195.52 feet; thence N.76°15'16"E., a distance of
 1177 | 235.33 feet; thence N.53°47'33"E., a distance of
 1178 | 231.66 feet; thence N.15°20'53"E., a distance of
 1179 | 147.34 feet; thence N.32°20'46"E., a distance of
 1180 | 368.15 feet; thence S.83°51'29"E., a distance of
 1181 | 332.08 feet; thence S.56°57'53"E., a distance of
 1182 | 139.47 feet; thence N.35°53'49"E., a distance of
 1183 | 417.52 feet; thence N.50°25'21"W., a distance of
 1184 | 348.47 feet; thence N.00°06'50"E., a distance of
 1185 | 135.65 feet; thence N.24°22'30"E., a distance of
 1186 | 201.08 feet; thence N.61°14'22"E., a distance of
 1187 | 113.08 feet; thence S.62°11'08"E., a distance of
 1188 | 197.43 feet to the point of curvature of a curve to
 1189 | the right having a radius of 100.00 feet and a central
 1190 | angle of 88°54'40"; thence southerly along the arc of

1191 said curve, an arc length of 155.18 feet to the point
 1192 of tangency of said curve; thence S.26°43'33"W., a
 1193 distance of 224.96 feet; thence S.50°07'45"E., a
 1194 distance of 125.37 feet; thence N.49°56'25"E., a
 1195 distance of 228.41 feet; thence N.08°47'40"E., a
 1196 distance of 153.43 feet; thence N.38°13'49"W., a
 1197 distance of 139.09 feet; thence N.11°59'28"E., a
 1198 distance of 271.56 feet; thence N.37°00'30"E., a
 1199 distance of 306.68 feet to the POINT OF BEGINNING.
 1200 Said tract contains 15,214,335 square feet or 349.2731
 1201 acres, more or less.
 1202 Also:
 1203 That portion of Sections 22 and 23, lying within the
 1204 following described property:
 1205 A tract of land lying in Section 22, Township 35
 1206 South, Range 19 East, Manatee County, Florida and
 1207 being more particularly described as follows:
 1208 Commence at the southeast corner of Section 22,
 1209 Township 35 South, Range 19 East; thence N.89°29'42"W.
 1210 along the south line of said Section 22, 587.90 feet;
 1211 thence N.00°30'18"E., perpendicular with said south
 1212 line, a distance of 802.96 feet to the POINT OF
 1213 BEGINNING; thence N.66°35'24"E., a distance of 31.03
 1214 feet; thence S.45°47'43"E., a distance of 68.87 feet;
 1215 thence N.22°15'45"E., a distance of 66.77 feet; thence
 1216 N.21°25'53"E., a distance of 88.19 feet; thence
 1217 N.08°37'00"E., a distance of 159.00 feet; thence
 1218 N.57°02'56"E., a distance of 594.02 feet; thence

1219 N.07°52'51"W., a distance of 27.87 feet; thence
 1220 N.61°22'29"W., a distance of 167.29 feet; thence
 1221 N.83°56'09"W., a distance of 103.18 feet; thence
 1222 S.85°40'21"W., a distance of 75.29 feet; thence
 1223 S.44°35'18"W., a distance of 66.94 feet; thence
 1224 S.82°54'53"W., a distance of 86.64 feet; thence
 1225 S.48°07'08"W., a distance of 74.53 feet; thence
 1226 S.26°33'46"W., a distance of 49.90 feet; thence
 1227 S.39°24'11"W., a distance of 50.01 feet to a point on
 1228 the northerly line of a Conservation Easement as
 1229 recorded in the Official Records Book 1524, Page 5098
 1230 of the Public Records of Manatee County, Florida; the
 1231 following 15 calls are along the northerly and
 1232 westerly lines of said Conservation Easement; thence
 1233 S.63°06'49"W., a distance of 38.30 feet; thence
 1234 S.30°38'41"W., a distance of 53.69 feet; thence
 1235 S.68°49'15"W., a distance of 91.30 feet; thence
 1236 S.51°14'32"W., a distance of 68.98 feet; thence
 1237 S.76°31'40"W., a distance of 62.88 feet; thence
 1238 S.45°09'35"W., a distance of 35.02 feet; thence
 1239 S.36°11'14"E., a distance of 48.92 feet; thence
 1240 S.18°26'10"E., a distance of 45.74 feet; thence
 1241 S.09°12'08"W., a distance of 19.73 feet; thence
 1242 S.32°09'14"E., a distance of 76.50 feet; thence
 1243 S.07°27'24"E., a distance of 35.67 feet; thence
 1244 S.29°09'12"E., a distance of 41.08 feet; thence
 1245 S.11°37'55"E., a distance of 49.89 feet; thence
 1246 S.51°55'08"E., a distance of 29.11 feet; thence

1247 S.67°03'11"E., a distance of 66.38 feet to the POINT
 1248 OF BEGINNING.
 1249 Said tract contains 249,186 square feet or 5.7205
 1250 acres, more or less.
 1251 Section 23, Township 35 South, Range 19 East:
 1252 That portion of Section 23, Township 35 South, Range
 1253 19 East, lying north of State Road 70;
 1254 Also:
 1255 That portion of Section 23, Township 35 South, Range
 1256 19 East, lying southerly of the right-of-way line for
 1257 State Road 70, easterly of premises described in
 1258 Special Warranty Deed to Sarasota Development, L.L.C.,
 1259 recorded in Official Record Book 1892, Page 750 of
 1260 said Public Records and easterly of the (Proposed
 1261 Braden River Mitigation Bank), described above;
 1262 Section 24, Township 35 South, Range 19 East:
 1263 All of Section 24, Township 35 South, Range 19 East;
 1264 Less:
 1265 Right-of-way for State Road 70;
 1266 Section 25, Township 35 South, Range 19 East:
 1267 All of Section 25, Township 35 South, Range 19 East;
 1268 Less:
 1269 Right-of-way for State Road 70;
 1270 Section 26, Township 35 South, Range 19 East:
 1271 All of Section 26, Township 35 South, Range 19 East;
 1272 Less:
 1273 Premises described in Special Warranty Deed to
 1274 Sarasota Development, L.L.C., recorded in Official

1275 | Record Book 1892, Page 750 Public Records of Manatee
 1276 | County, Florida;
 1277 | Less:
 1278 | Premises described in Memorandum of Purchase Option
 1279 | Agreement, recorded in Official Record Book 1892, Page
 1280 | 776 Public Records of Manatee County, Florida;
 1281 | Section 27, Township 35 South, Range 19 East:
 1282 | All of Section 27, lying southerly of the Phase 2
 1283 | Parcel, described in Memorandum of Purchase Option
 1284 | Agreement, recorded in Official Record Book 1892, Page
 1285 | 776 of said Public Records and Phase 1 Parcel and
 1286 | Entry Road Parcel, described in Special Warranty Deed
 1287 | to Sarasota Development, L.L.C., recorded in Official
 1288 | Record Book 1892, Page 750 Public Records of Manatee
 1289 | County, Florida;
 1290 | Less:
 1291 | Right-of-way for Lorraine Road;
 1292 | Section 34, Township 35 South, Range 19 East:
 1293 | All of Section 34, Township 35 South, Range 19 East,
 1294 | lying easterly of the east right-of-way line of
 1295 | Lorraine Road;
 1296 | Less:
 1297 | Premises described in Special Warranty Deed to The
 1298 | School Board of Manatee County, recorded in Official
 1299 | Record Book 1959, Page 2350 Public Records of Manatee
 1300 | County, Florida; (School Site J)
 1301 | Less:

1302 Premises described in Special Warranty Deed to the
 1303 Diocese of Venice, recorded in Official Record Book
 1304 1532, Page 5848, Less and except premises described in
 1305 Special Warranty Deed to Schoreder-Manatee Ranch,
 1306 Inc., recorded in Official Record Book 1928, Page 3242
 1307 of said Public Records:

1308 Less:

1309 Premises described in Special Warranty Deed to the
 1310 Diocese of Venice, recorded in Official Record Book
 1311 1928, Page 3248 Public Records of Manatee County,
 1312 Florida;

1313 Less:

1314 Premises described in Corrective Warranty Deed to
 1315 Harvest United Methodist Church, Inc., recorded in
 1316 Official Record Book 1747, Page 777 of said Public
 1317 Records:

1318 Section 35, Township 35 South, Range 19 East:
 1319 All of Section 35, Township 35 South, Range 19 East;

1320 Section 36, Township 35 South, Range 19 East:
 1321 All of Section 36, Township 35 South, Range 19 East;

1322 Section 1, Township 36 South, Range 19 East:
 1323 All of Section 1, Township 36 South, Range 19 East;

1324 Section 2, Township 36 South, Range 19 East:
 1325 All of Section 2, Township 36 South, Range 19 East;

1326 Section 3, Township 36 South, Range 19 East:
 1327 All of Section 3, Township 36 South, Range 19 East;

1328 Less:

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1329 Premises described in Special Warranty Deed to Polo
 1330 Ranches of Sarasota, Inc., recorded in Official Record
 1331 Book 2602, Page 702 of the Public Records of Sarasota
 1332 County, Florida;
 1333 Less:
 1334 Premises described in Special Warranty Deed to Polo
 1335 Ranches of Sarasota, Inc., recorded in Official
 1336 Instrument Number 2000076164 of the Public Records of
 1337 Sarasota County, Florida;
 1338 Section 4, Township 36 South, Range 19 East:
 1339 All of Section 4, Township 36 South, Range 19 East;
 1340 Less:
 1341 Premises described in Special Warranty Deed to Polo
 1342 Ranches of Sarasota, Inc., recorded in Official Record
 1343 Book 2602, Page 702 of the Public Records of Sarasota
 1344 County, Florida;
 1345 Less:
 1346 A portion of Premises described in Warranty Deed to
 1347 Out-of-Door Academy of Sarasota, Inc., recorded in
 1348 Official Record Book 2858, Page 189 of the Public
 1349 Records of Sarasota County, Florida
 1350 Section 5, Township 36 South, Range 19 East:
 1351 That portion of Section 5, Township 36 South, Range 19
 1352 East, lying east of premises described in Warranty
 1353 Deed to Out-of-Door Academy of Sarasota, Inc.,
 1354 recorded in Official Record Book 2858, Page 189 of the
 1355 Public Records of Sarasota County, Florida;
 1356 Also:

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1357 That portion of Section 5, Township 36 South, Range 19
 1358 East, lying southerly of the following described
 1359 properties:
 1360 Premises described in Warranty Deed to Out-of-Door
 1361 Academy of Sarasota, Inc., recorded in Official Record
 1362 Book 2858, Page 189 of the Public Records of Sarasota
 1363 County, Florida
 1364 Lakewood Ranch Corporate Park, Unit 3C, recorded in
 1365 Plat Book 43, Page 34, Public Records of Sarasota
 1366 County, Florida;
 1367 Lakewood Ranch Corporate Park, Unit 3B, recorded in
 1368 Plat Book 42, Page 30, Public Records of Sarasota
 1369 County, Florida;
 1370 Lakewood Ranch Corporate Park, Unit 3A, recorded in
 1371 Plat Book 41, Page 19, Public Records of Sarasota
 1372 County, Florida;
 1373 Lakewood Ranch Corporate Park, Unit 1, recorded in
 1374 Plat Book 38, Page 26, Public Records of Sarasota
 1375 County, Florida;
 1376 Lakewood Ranch Corporate Park, Unit 4, Phase 1,
 1377 recorded in Plat Book 43, Page 22, Public Records of
 1378 Sarasota County, Florida;
 1379 Section 6, Township 36 South, Range 19 East:
 1380 That portion of Section 6, Township 36 South, Range 19
 1381 East, lying east of the right-of-way of Interstate 75
 1382 and south of the following described properties:

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1383 | Lakewood Ranch Corporate Park, Unit 4, Phase 1,
 1384 | recorded in Plat Book 43, Page 22, Public Records of
 1385 | Sarasota County, Florida;
 1386 | Lakewood Ranch Corporate Park, Unit 4, recorded in
 1387 | Plat Book 40, Page 37, Public Records of Sarasota
 1388 | County, Florida;
 1389 | Lakewood Ranch Corporate Park, Unit 6, Phase 2,
 1390 | recorded in Plat Book 42, Page 23, Public Records of
 1391 | Sarasota County, Florida;
 1392 | Less:
 1393 | Premises described in Corporate Warranty Deed to
 1394 | Sarasota County, recorded in Official Record
 1395 | Instrument Number 2002146329, Public Records of
 1396 | Sarasota County, Florida;
 1397 | Section 7, Township 36 South, Range 19 East:
 1398 | That portion of Section 7, Township 36 South, Range 19
 1399 | East, lying east of the right-of-way of Interstate 75;
 1400 | Less:
 1401 | Premises described in Warranty Deed to Sarasota
 1402 | County, recorded in Official Instrument Number
 1403 | 2004118447, Public Records of Sarasota County,
 1404 | Florida;
 1405 | Less:
 1406 | Premises described in Corporate Warranty Deed to
 1407 | Sarasota County, recorded in Official Record Book
 1408 | 2880, Page 1528, Public Records of Sarasota County,
 1409 | Florida;
 1410 | Section 8, Township 36 South, Range 19 East:

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1411 All of Section 8, Township 36 South, Range 19 East;
 1412 Less:
 1413 Premises described in Special Warranty Deed to Florida
 1414 Power & Light Company, recorded in Official Record
 1415 Book 2848, Page 77, Public Records of Sarasota County,
 1416 Florida;
 1417 Section 9, Township 36 South, Range 19 East:
 1418 All of Section 9, Township 36 South, Range 19 East;
 1419 Section 10, Township 36 South, Range 19 East:
 1420 All of Section 10, Township 36 South, Range 19 East;
 1421 Section 11, Township 36 South, Range 19 East:
 1422 All of Section 11, Township 36 South, Range 19 East;
 1423 Section 12, Township 36 South, Range 19 East:
 1424 All of Section 12, Township 36 South, Range 19 East;
 1425 Section 5, Township 36 South, Range 20 East:
 1426 The south half of Section 5, Township 36 South, Range
 1427 20 East;
 1428 Section 6, Township 36 South, Range 20 East:
 1429 All of Section 6, Township 36 South, Range 20 East;
 1430 Section 7, Township 36 South, Range 20 East:
 1431 All of Section 7, Township 36 South, Range 20 East;
 1432 Section 8, Township 36 South, Range 20 East:
 1433 All of Section 8, Township 36 South, Range 20 East;
 1434 Less:
 1435 A strip of land 50-feet wide, described as beginning
 1436 at the southwest corner of Section 8, Township 36
 1437 South, Range 20 East, thence South 87°10'13" East,
 1438 511.24 feet for POINT OF BEGINNING; thence North

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1439 42°59'05" West to a point lying 50 feet north of the
 1440 south line of Section 8; thence easterly along a line
 1441 parallel to and 50 feet north of, the south line of
 1442 Section 8 to a point lying 529.3 feet west of the east
 1443 line of said Section 8; thence southwesterly 70.7 feet
 1444 to point on south line of Section 8, lying 600 feet
 1445 westerly of the southeast corner of Section 8; thence
 1446 westerly along the south section line of said Section
 1447 8 to the POINT OF BEGINNING, lying and being in
 1448 Section 8, Township 36 South, Range 20 East, Sarasota
 1449 County, Florida.

1450 CONTAINING A TOTAL AREA OF 23,055 ACRES, PLUS OR MINUS.

1451
 1452 Section 5. Board of Supervisors; members and meetings;
 1453 organization; powers; duties; terms of office; related election
 1454 requirements.--

1455 (1) The board of the District shall exercise the powers
 1456 granted to the District pursuant to this act. The board shall
 1457 consist of five members, each of whom shall hold office for a
 1458 term of 4 years, as provided in this section, except as
 1459 otherwise provided herein for initial board members, and until a
 1460 successor is chosen and qualified. The members of the board must
 1461 be residents of the state and citizens of the United States.

1462 (2)(a) Within 90 days following the effective date of the
 1463 law establishing the District, there shall be held a meeting of
 1464 the landowners of the District for the purpose of electing five
 1465 supervisors for the District. Notice of the landowners' meeting
 1466 shall be published once a week for 2 consecutive weeks in a

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1467 newspaper which is in general circulation in the area of the
 1468 District, the last day of such publication to be not fewer than
 1469 14 days or more than 28 days before the date of the election.
 1470 The landowners, when assembled at such meeting, shall organize
 1471 by electing a chair, who shall conduct the meeting. The chair
 1472 may be any person present at the meeting. If the chair is a
 1473 landowner or proxy holder of a landowner, he or she may nominate
 1474 candidates and make and second motions. The landowners present
 1475 at the meeting, in person or by proxy, shall constitute a
 1476 quorum. At any landowners' meeting, 50 percent of the District
 1477 acreage shall not be required to constitute a quorum, and each
 1478 governing board member elected by landowners shall be elected by
 1479 a majority of the acreage represented either by owner or proxy
 1480 present and voting at said meeting.

1481 (b) At such meeting, each landowner shall be entitled to
 1482 cast one vote per acre of land owned by him or her and located
 1483 within the District for each person to be elected. A landowner
 1484 may vote in person or by proxy in writing. Each proxy must be
 1485 signed by one of the legal owners of the property for which the
 1486 vote is cast and must contain the typed or printed name of the
 1487 individual who signed the proxy; the street address, legal
 1488 description of the property, or tax parcel identification
 1489 number; and the number of authorized votes. If the proxy
 1490 authorizes more than one vote, each property must be listed and
 1491 the number of acres of each property must be included. The
 1492 signature on a proxy need not be notarized. A fraction of an
 1493 acre shall be treated as 1 acre, entitling the landowner to one
 1494 vote with respect thereto. The two candidates receiving the

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1495 highest number of votes shall be elected for a term expiring
 1496 November 18, 2008, and the three candidates receiving the next
 1497 largest number of votes shall be elected for a term expiring
 1498 November 7, 2006, with the term of office for each successful
 1499 candidate commencing upon election. The members of the first
 1500 board elected by landowners shall serve their respective terms;
 1501 however, the next election of board members shall be held on the
 1502 first Tuesday after the first Monday in November 2006.
 1503 Thereafter, there shall be an election by landowners for the
 1504 District every 2 years on the first Tuesday after the first
 1505 Monday in November, which shall be noticed pursuant to paragraph
 1506 (a). The second and subsequent landowners' election shall be
 1507 announced at a public meeting of the board at least 90 days
 1508 prior to the date of the landowners' meeting and shall also be
 1509 noticed pursuant to paragraph (a). Instructions on how all
 1510 landowners may participate in the election, along with sample
 1511 proxies, shall be provided during the board meeting that
 1512 announces the landowners' meeting. Each supervisor elected in or
 1513 after November 2006 shall serve a 4-year term.

1514 (3)(a)1. The board may not exercise the ad valorem taxing
 1515 power authorized by this act until such time as all members of
 1516 the board are qualified electors who are elected by qualified
 1517 electors of the District.

1518 2.a. Regardless of whether the District has proposed to
 1519 levy ad valorem taxes, board members shall begin being elected
 1520 by qualified electors of the District as the District becomes
 1521 populated with qualified electors. The transition shall occur
 1522 such that the composition of the Board, after the first general

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1523 election following a trigger of the qualified elector population
 1524 thresholds set forth below, shall be as follows:

1525 (I) Once 10,000 qualified electors reside within the
 1526 District, one governing board member shall be a person who was
 1527 elected by the qualified electors, and four governing board
 1528 members shall persons who were elected by the landowners.

1529 (II) Once 20,000 qualified electors reside within the
 1530 District, two governing board members shall be persons who were
 1531 elected by the qualified electors, and three governing board
 1532 members shall be persons elected by the landowners.

1533 (III) Once 30,000 qualified electors reside within the
 1534 District, three governing board members shall be persons who
 1535 were elected by the qualified electors and two governing board
 1536 members shall be persons who were elected by the landowners.

1537 (IV) Once 40,000 qualified electors reside within the
 1538 District, four governing board members shall be persons who were
 1539 elected by the qualified electors and one governing board member
 1540 shall be a person who was elected by the landowners.

1541 (V) Once 45,000 qualified electors reside within the
 1542 District, all five governing board members shall be persons who
 1543 were elected by the qualified electors.

1544
 1545 Nothing in this sub-subparagraph is intended to require an
 1546 election prior to the expiration of an existing board member's
 1547 term.

1548 b. On or before June 1 of each year, the board shall
 1549 determine the number of qualified electors in the District as of
 1550 the immediately preceding April 15. The board shall use and rely

1551 upon the official records maintained by the supervisor of
 1552 elections and property appraiser or tax collector in each county
 1553 in making this determination. Such determination shall be made
 1554 at a properly noticed meeting of the board and shall become a
 1555 part of the official minutes of the District.

1556 c. All governing board members elected by qualified
 1557 electors shall be elected at large at an election occurring as
 1558 provided in subsection (2) and this subsection.

1559 d. The board member seat first available for election by
 1560 qualified electors because the District has 10,000 qualified
 1561 electors shall be designated seat number one. The board member
 1562 seat first available for election by qualified electors because
 1563 the District has 20,000 qualified electors shall be designated
 1564 seat number two. The board member seat first available for
 1565 election by qualified electors because the District has 30,000
 1566 qualified electors shall be designated seat number three. The
 1567 board member seat first available for election by qualified
 1568 electors because the District has 40,000 qualified electors
 1569 shall be designated seat number four. The board member seat
 1570 first available for election by qualified electors because the
 1571 District has 45,000 qualified electors shall be designated seat
 1572 number five.

1573 e. The board member elected to fill seat one when that
 1574 seat is first filled by election by qualified electors of the
 1575 District shall be a qualified elector of Manatee County.
 1576 However, if, at the time that seat is available for election,
 1577 the District does not have both an executed interlocal agreement
 1578 with Manatee County and at least 500 qualified electors residing

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1579 within the District in Manatee County, the seat shall be filled
 1580 by a qualified elector of Sarasota County.

1581 f. The board member elected to fill seat two when that
 1582 seat is first filled by election by qualified electors of the
 1583 District shall be a qualified elector of Sarasota County.
 1584 However, if, at the time that seat is available for election,
 1585 seat one has already been designated as the seat to be filled by
 1586 a qualified elector of Sarasota County pursuant to paragraph e.,
 1587 seat two shall be filled by a qualified elector of Manatee
 1588 County. Provided further that, if at the time seat two is
 1589 available for election the District does not have both an
 1590 executed interlocal agreement with Sarasota County and at least
 1591 500 qualified electors residing in Sarasota County, the seat
 1592 shall be filled by a qualified elector of Manatee County. In
 1593 such event, the next seat available for election after the
 1594 District has both an interlocal agreement with Sarasota County
 1595 and at least 500 qualified electors in Sarasota County shall be
 1596 filled by a qualified elector of Sarasota County.

1597 g. Once one seat is designated as a seat to be filled by a
 1598 qualified elector from a specific county, that seat shall
 1599 thereafter be filled by a qualified elector who resides within
 1600 that county.

1601 h. Once a District qualifies to have any of its board
 1602 members elected by the qualified electors of the District, the
 1603 initial and all subsequent elections by the qualified electors
 1604 of the District shall be held at the general election in
 1605 November. The board shall adopt a resolution if necessary to
 1606 implement this requirement. The transition process described

1607 herein is intended to be in lieu of the process set forth in
 1608 section 189.4051, Florida Statutes.

1609 (b) Elections of board members by qualified electors held
 1610 pursuant to this subsection shall be nonpartisan and shall be
 1611 conducted in the manner prescribed by law for holding general
 1612 elections. Board members shall assume the office on the second
 1613 Tuesday following their election.

1614 (c) Candidates seeking election to office by qualified
 1615 electors under this subsection shall conduct their campaigns in
 1616 accordance with the provisions of chapter 106, Florida Statutes,
 1617 and shall file qualifying papers and qualify for individual
 1618 seats in accordance with section 99.061, Florida Statutes.
 1619 Candidates shall pay a qualifying fee, which shall consist of a
 1620 filing fee and an election assessment or, as an alternative,
 1621 shall file a petition signed by not less than 1 percent of the
 1622 registered voters of the District, and take the oath required in
 1623 section 99.021, Florida Statutes, with the supervisor of
 1624 elections in the county affected by such candidacy. The amount
 1625 of the filing fee is 3 percent of \$4,800; however, if the
 1626 electors have provided for compensation, the amount of the
 1627 filing fee is 3 percent of the maximum annual compensation so
 1628 provided. The amount of the election assessment is 1 percent of
 1629 \$4,800; however, if the electors have provided for compensation,
 1630 the amount of the election assessment is 1 percent of the
 1631 maximum annual compensation so provided. The filing fee and
 1632 election assessment shall be distributed as provided in section
 1633 105.031(3), Florida Statutes.

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1634 (d) The supervisors of elections shall appoint the
 1635 inspectors and clerks of elections, prepare and furnish the
 1636 ballots, designate polling places, and canvass the returns of
 1637 the election of board members by qualified electors. The county
 1638 canvassing boards shall declare and certify the results of the
 1639 election.

1640 (4) Members of the board, regardless of how elected, shall
 1641 be public officers, shall be known as supervisors, and, upon
 1642 entering into office, shall take and subscribe to the oath of
 1643 office as prescribed by section 876.05, Florida Statutes.
 1644 Members of the board shall be subject to ethics and conflict of
 1645 interest laws of the state that apply to all local public
 1646 officers. They shall hold office for the terms for which they
 1647 were elected or appointed and until their successors are chosen
 1648 and qualified. If, during the term of office, a vacancy occurs,
 1649 the remaining members of the board shall fill each vacancy by an
 1650 appointment for the remainder of the unexpired term.

1651 (5) Any elected member of the Board of Supervisors may be
 1652 removed by the Governor for malfeasance, misfeasance,
 1653 dishonesty, incompetency, or failure to perform the duties
 1654 imposed upon him or her by this act, and any vacancies that may
 1655 occur in such office for such reasons shall be filled by the
 1656 Governor as soon as practicable.

1657 (6) A majority of the members of the board constitutes a
 1658 quorum for the purposes of conducting its business and
 1659 exercising its powers and for all other purposes. Action taken
 1660 by the District shall be upon a vote of a majority of the

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1661 members present unless general law or a rule of the District
 1662 requires a greater number.

1663 (7) As soon as practicable after each election or
 1664 appointment, the board shall organize by electing one of its
 1665 members as chair and by electing a secretary, who need not be a
 1666 member of the board, and such other officers as the board may
 1667 deem necessary.

1668 (8) The board shall keep a permanent record book entitled
 1669 "Record of Proceedings of Lakewood Ranch Stewardship District,"
 1670 in which shall be recorded minutes of all meetings, resolutions,
 1671 proceedings, certificates, bonds given by all employees, and any
 1672 and all corporate acts. The record book and all other District
 1673 records shall at reasonable times be opened to inspection in the
 1674 same manner as state, county, and municipal records pursuant to
 1675 chapter 119, Florida Statutes. The record book shall be kept at
 1676 the office or other regular place of business maintained by the
 1677 board in a designated location in either Manatee County or
 1678 Sarasota County.

1679 (9) Each supervisor shall be entitled to receive for his
 1680 or her services an amount not to exceed \$200 per meeting of the
 1681 Board of Supervisors, not to exceed \$4,800 per year per
 1682 supervisor, or an amount established by the electors at
 1683 referendum. In addition, each supervisor shall receive travel
 1684 and per diem expenses as set forth in section 112.061, Florida
 1685 Statutes.

1686 (10) All meetings of the board shall be open to the public
 1687 and governed by the provisions of chapter 286, Florida Statutes.

1688 Section 6. Board of Supervisors; general duties.--

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1689 (1) DISTRICT MANAGER AND EMPLOYEES.--The board shall
 1690 employ and fix the compensation of a district manager, who shall
 1691 have charge and supervision of the works of the District and
 1692 shall be responsible for preserving and maintaining any
 1693 improvement or facility constructed or erected pursuant to the
 1694 provisions of this act, for maintaining and operating the
 1695 equipment owned by the District, and for performing such other
 1696 duties as may be prescribed by the board. It shall not be a
 1697 conflict of interest under chapter 112, Florida Statutes, for a
 1698 board member, the district manager, or another employee of the
 1699 District to be a stockholder, officer, or employee of a
 1700 landowner. The district manager may hire or otherwise employ and
 1701 terminate the employment of such other persons, including,
 1702 without limitation, professional, supervisory, and clerical
 1703 employees, as may be necessary and authorized by the board. The
 1704 compensation and other conditions of employment of the officers
 1705 and employees of the District shall be as provided by the board.

1706 (2) TREASURER.--The board shall designate a person who is
 1707 a resident of the state as treasurer of the District, who shall
 1708 have charge of the funds of the District. Such funds shall be
 1709 disbursed only upon the order of or pursuant to a resolution of
 1710 the board by warrant or check countersigned by the treasurer and
 1711 by such other person as may be authorized by the board. The
 1712 board may give the treasurer such other or additional powers and
 1713 duties as the board may deem appropriate and may fix his or her
 1714 compensation. The board may require the treasurer to give a bond
 1715 in such amount, on such terms, and with such sureties as may be
 1716 deemed satisfactory to the board to secure the performance by

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1717 the treasurer of his or her powers and duties. The financial
 1718 records of the board shall be audited by an independent
 1719 certified public accountant at least once a year.

1720 (3) PUBLIC DEPOSITORY.--The board is authorized to select
 1721 as a depository for its funds any qualified public depository as
 1722 defined in section 280.02, Florida Statutes, which meets all the
 1723 requirements of chapter 280, Florida Statutes, and has been
 1724 designated by the treasurer as a qualified public depository
 1725 upon such terms and conditions as to the payment of interest by
 1726 such depository upon the funds so deposited as the board may
 1727 deem just and reasonable.

1728 (4) BUDGET; REPORTS AND REVIEWS.--

1729 (a) The District shall provide financial reports in such
 1730 form and such manner as prescribed pursuant to this act and
 1731 chapter 218, Florida Statutes, as amended from time to time.

1732 (b) On or before July 15 of each year, the district
 1733 manager shall prepare a proposed budget for the ensuing fiscal
 1734 year to be submitted to the board for board approval. The
 1735 proposed budget shall include at the direction of the board an
 1736 estimate of all necessary expenditures of the District for the
 1737 ensuing fiscal year and an estimate of income to the District
 1738 from the taxes and assessments provided in this act. The board
 1739 shall consider the proposed budget item by item and may either
 1740 approve the budget as proposed by the district manager or modify
 1741 the same in part or in whole. The board shall indicate its
 1742 approval of the budget by resolution, which resolution shall
 1743 provide for a hearing on the budget as approved. Notice of the
 1744 hearing on the budget shall be published in a newspaper of

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1745 general circulation in the area of the District once a week for
 1746 2 consecutive weeks, except that the first publication shall be
 1747 not fewer than 15 days prior to the date of the hearing. The
 1748 notice shall further contain a designation of the day, time, and
 1749 place of the public hearing. At the time and place designated in
 1750 the notice, the board shall hear all objections to the budget as
 1751 proposed and may make such changes as the board deems necessary.
 1752 At the conclusion of the budget hearing, the board shall, by
 1753 resolution, adopt the budget as finally approved by the board.
 1754 The budget shall be adopted prior to October 1 of each year.

1755 (c) At least 60 days prior to adoption, the Board of
 1756 Supervisors of the District shall submit to the Manatee County
 1757 and Sarasota County Boards of County Commissioners, for purposes
 1758 of disclosure and information only, the proposed annual budget
 1759 for the ensuing fiscal year, and each Board of County
 1760 Commissioners may submit written comments to the Board of
 1761 Supervisors solely for the assistance and information of the
 1762 Board of Supervisors of the District in adopting its annual
 1763 District budget.

1764 (d) The Board of Supervisors of the District shall submit
 1765 annually, to the Boards of County Commissioners of Manatee and
 1766 Sarasota Counties, its District public facilities report under
 1767 section 189.415(2), Florida Statutes, which report the boards of
 1768 county commissioners shall use and rely on the District public
 1769 facilities report in the preparation or revision of their
 1770 respective comprehensive plans, specifically under section
 1771 189.415(6), Florida Statutes.

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1772 (5) DISCLOSURE OF PUBLIC FINANCING.--The District shall
 1773 take affirmative steps to provide for the full disclosure of
 1774 information relating to the public financing and maintenance of
 1775 improvements to real property undertaken by the District. Such
 1776 information shall be made available to all existing residents
 1777 and all prospective residents of the District. The District
 1778 shall furnish each developer of a residential development within
 1779 the District with sufficient copies of that information to
 1780 provide each prospective initial purchaser of property in that
 1781 development with a copy; and any developer of a residential
 1782 development within the District, when required by law to provide
 1783 a public offering statement, shall include a copy of such
 1784 information relating to the public financing and maintenance of
 1785 improvements in the public offering statement. The Division of
 1786 Florida Land Sales, Condominiums, and Mobile Homes of the
 1787 Department of Business and Professional Regulation shall ensure
 1788 that disclosures made by developers pursuant to chapter 498,
 1789 Florida Statutes, meet the requirements of section 190.009(1),
 1790 Florida Statutes.

1791 (6) GENERAL POWERS.--The District shall have, and the
 1792 board may exercise, the following general powers:

1793 (a) To sue and be sued in the name of the District; to
 1794 adopt and use a seal and authorize the use of a facsimile
 1795 thereof; to acquire, by purchase, gift, devise, or otherwise,
 1796 and to dispose of, real and personal property, or any estate
 1797 therein; and to make and execute contracts and other instruments
 1798 necessary or convenient to the exercise of its powers.

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1799 (b) To apply for coverage of its employees under the
 1800 Florida Retirement System in the same manner as if such
 1801 employees were state employees, subject to necessary action by
 1802 the District to pay employer contributions into the Florida
 1803 Retirement System Trust Fund.

1804 (c) To contract for the services of consultants to perform
 1805 planning, engineering, legal, or other appropriate services of a
 1806 professional nature. Such contracts shall be subject to public
 1807 bidding or competitive negotiation requirements as set forth in
 1808 general law applicable to independent special districts.

1809 (d) To borrow money and accept gifts; to apply for and use
 1810 grants or loans of money or other property from the United
 1811 States, the state, a unit of local government, or any person for
 1812 any District purposes and enter into agreements required in
 1813 connection therewith; and to hold, use, and dispose of such
 1814 moneys or property for any District purposes in accordance with
 1815 the terms of the gift, grant, loan, or agreement relating
 1816 thereto.

1817 (e) To adopt and enforce rules and orders pursuant to the
 1818 provisions of chapter 120, Florida Statutes, prescribing the
 1819 powers, duties, and functions of the officers of the District;
 1820 the conduct of the business of the District; the maintenance of
 1821 records; and the form of certificates evidencing tax liens and
 1822 all other documents and records of the District. The board may
 1823 also adopt and enforce administrative rules with respect to any
 1824 of the projects of the District and define the area to be
 1825 included therein. The board may also adopt resolutions which may
 1826 be necessary for the conduct of District business.

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1827 (f) To maintain an office at such place or places as the
 1828 Board of Supervisors designates in either Manatee County or
 1829 Sarasota County, and within the District when facilities are
 1830 available.

1831 (g) To hold, control, and acquire by donation, purchase,
 1832 or condemnation, or dispose of, any public easements,
 1833 dedications to public use, platted reservations for public
 1834 purposes, or any reservations for those purposes authorized by
 1835 this act and to make use of such easements, dedications, or
 1836 reservations for the purposes authorized by this act.

1837 (h) To lease as lessor or lessee to or from any person,
 1838 firm, corporation, association, or body, public or private, any
 1839 projects of the type that the District is authorized to
 1840 undertake and facilities or property of any nature for the use
 1841 of the District to carry out the purposes authorized by this
 1842 act.

1843 (i) To borrow money and issue bonds, certificates,
 1844 warrants, notes, or other evidence of indebtedness as
 1845 hereinafter provided; to levy such taxes and assessments as may
 1846 be authorized; and to charge, collect, and enforce fees and
 1847 other user charges.

1848 (j) To raise, by user charges or fees authorized by
 1849 resolution of the board, amounts of money which are necessary
 1850 for the conduct of District activities and services and to
 1851 enforce their receipt and collection in the manner prescribed by
 1852 resolution not inconsistent with law.

1853 (k) To exercise within the District, or beyond the
 1854 District with prior approval by vote of a resolution of the

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1855 governing body of the county if the taking will occur in an
 1856 unincorporated area in that county, the right and power of
 1857 eminent domain, pursuant to the provisions of chapters 73 and
 1858 74, Florida Statutes, over any property within the state, except
 1859 municipal, county, state, and federal property, for the uses and
 1860 purpose of the District relating solely to water, sewer,
 1861 District roads, and water management, specifically including,
 1862 without limitation, the power for the taking of easements for
 1863 the drainage of the land of one person over and through the land
 1864 of another.

1865 (l) To cooperate with, or contract with, other
 1866 governmental agencies as may be necessary, convenient,
 1867 incidental, or proper in connection with any of the powers,
 1868 duties, or purposes authorized by this act.

1869 (m) To assess and to impose upon lands in the District ad
 1870 valorem taxes as provided by this act.

1871 (n) If and when authorized by general law, to determine,
 1872 order, levy, impose, collect, and enforce maintenance taxes.

1873 (o) To determine, order, levy, impose, collect, and
 1874 enforce assessments pursuant to this act and chapter 170,
 1875 Florida Statutes, as amended from time to time, pursuant to
 1876 authority granted in section 197.3631, Florida Statutes, or
 1877 pursuant to other provisions of general law now or hereinafter
 1878 enacted which provide or authorize a supplemental means to
 1879 order, levy, impose, or collect special assessments. Such
 1880 special assessments, in the discretion of the District, may be
 1881 collected and enforced pursuant to the provisions of sections
 1882 197.3632 and 197.3635, Florida Statutes, and chapters 170 and

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1883 | 173, Florida Statutes, as they may be amended from time to time,
 1884 | or as provided by this act, or by other means authorized by
 1885 | general law now or hereinafter enacted.

1886 | (p) To exercise such special powers and other express
 1887 | powers as may be authorized and granted by this act in the
 1888 | charter of the District, including powers as provided in any
 1889 | interlocal agreement entered into pursuant to chapter 163,
 1890 | Florida Statutes, or which shall be required or permitted to be
 1891 | undertaken by the District pursuant to any development order or
 1892 | development of regional impact, including any interlocal service
 1893 | agreement with Manatee County or Sarasota County for fair-share
 1894 | capital construction funding for any certain capital facilities
 1895 | or systems required of the developer pursuant to any applicable
 1896 | development order or agreement.

1897 | (q) To exercise all of the powers necessary, convenient,
 1898 | incidental, or proper in connection with any other powers or
 1899 | duties or the special purpose of the District authorized by this
 1900 | act.

1901 |
 1902 | The provisions of this subsection shall be construed liberally
 1903 | in order to carry out effectively the specialized purpose of
 1904 | this act. However, nothing in this subsection regarding the
 1905 | exercise of general powers by the District is intended to allow
 1906 | the District to exercise one or more special powers in Manatee
 1907 | County absent an interlocal agreement with Manatee County
 1908 | consenting to the exercise of such powers within that county, or
 1909 | to allow the District to exercise one or more special powers in
 1910 | Sarasota County absent an interlocal agreement with Sarasota

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1911 County consenting to the exercise of such powers within that
 1912 county.

1913 (7) SPECIAL POWERS.--The District shall have, and the
 1914 board may exercise, the following special powers to implement
 1915 its lawful and special purpose and to provide, pursuant to that
 1916 purpose, systems, facilities, services, improvements, projects,
 1917 works, and infrastructure, each of which constitutes a lawful
 1918 public purpose when exercised pursuant to this charter, subject
 1919 to, and not inconsistent with, the regulatory jurisdiction and
 1920 permitting authority of all other applicable governmental
 1921 bodies, agencies, and any special districts having authority
 1922 with respect to any area included therein, and to plan,
 1923 establish, acquire, construct or reconstruct, enlarge or extend,
 1924 equip, operate, finance, fund, and maintain improvements,
 1925 systems, facilities, services, works, projects, and
 1926 infrastructure. Any or all of the following special powers are
 1927 granted by this act in order to implement the special purpose of
 1928 the District:

1929 (a) To provide water management and control for the lands
 1930 within the District and to connect some or any of such
 1931 facilities with roads and bridges. In the event that the board
 1932 assumes the responsibility for providing water management and
 1933 control for the District which is to be financed by benefit
 1934 special assessments, the board shall adopt plans and assessments
 1935 pursuant to law or may proceed to adopt water management and
 1936 control plans, assess for benefits, and apportion and levy
 1937 special assessments, as follows:

1938 1. The board shall cause to be made by the District's
 1939 engineer, or such other engineer or engineers as the board may
 1940 employ for that purpose, complete and comprehensive water
 1941 management and control plans for the lands located within the
 1942 District that will be improved in any part or in whole by any
 1943 system of facilities that may be outlined and adopted, and the
 1944 engineer shall make a report in writing to the board with maps
 1945 and profiles of said surveys and an estimate of the cost of
 1946 carrying out and completing the plans.

1947 2. Upon the completion of such plans, the board shall hold
 1948 a hearing thereon to hear objections thereto, shall give notice
 1949 of the time and place fixed for such hearing by publication once
 1950 each week for 2 consecutive weeks in a newspaper of general
 1951 circulation in the general area of the District, and shall
 1952 permit the inspection of the plan at the office of the District
 1953 by all persons interested. All objections to the plan shall be
 1954 filed at or before the time fixed in the notice for the hearing
 1955 and shall be in writing.

1956 3. After the hearing, the board shall consider the
 1957 proposed plan and any objections thereto and may modify, reject,
 1958 or adopt the plan or continue the hearing until a day certain
 1959 for further consideration of the proposed plan or modifications
 1960 thereof.

1961 4. When the board approves a plan, a resolution shall be
 1962 adopted and a certified copy thereof shall be filed in the
 1963 office of the secretary and incorporated by him or her into the
 1964 records of the District.

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1965 5. The water management and control plan may be altered in
 1966 detail from time to time until the appraisal record herein
 1967 provided is filed but not in such manner as to affect materially
 1968 the conditions of its adoption. After the appraisal record has
 1969 been filed, no alteration of the plan shall be made, except as
 1970 provided by this act.

1971 6. Within 20 days after the final adoption of the plan by
 1972 the board, the board shall proceed pursuant to section 298.301,
 1973 Florida Statutes.

1974 (b) To provide water supply, sewer, and wastewater
 1975 management, reclamation, and reuse, or any combination thereof,
 1976 and any irrigation systems, facilities, and services and to
 1977 construct and operate connecting intercepting or outlet sewers
 1978 and sewer mains and pipes and water mains, conduits, or
 1979 pipelines in, along, and under any street, alley, highway, or
 1980 other public place or ways, and to dispose of any effluent,
 1981 residue, or other byproducts of such system or sewer system.

1982 1. The District may not purchase or sell a water, sewer,
 1983 or wastewater reuse utility that provides service to the public
 1984 for compensation, or enter into a wastewater facility
 1985 privatization contract for a wastewater facility, until the
 1986 governing body of the District has held a public hearing on the
 1987 purchase, sale, or wastewater facility privatization contract
 1988 and made a determination that the purchase, sale, or wastewater
 1989 facility privatization contract is in the public interest.

1990 2. In determining if the purchase, sale, or wastewater
 1991 facility privatization contract is in the public interest, the
 1992 District shall consider, at a minimum, the following:

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- 1993 | a. The most recent available income and expense statement
 1994 | for the utility.
- 1995 | b. The most recent available balance sheet for the
 1996 | utility, listing assets and liabilities and clearly showing the
 1997 | amount of contributions in aid of construction and the
 1998 | accumulated depreciation thereon.
- 1999 | c. A statement of the existing rate base of the utility
 2000 | for regulatory purposes.
- 2001 | d. The physical condition of the utility facilities being
 2002 | purchased or sold or subject to a wastewater facility
 2003 | privatization contract.
- 2004 | e. The reasonableness of the purchase, sale, or wastewater
 2005 | facility privatization contract price and terms.
- 2006 | f. The impacts of the purchase, sale, or wastewater
 2007 | facility privatization contract on utility customers, both
 2008 | positive and negative.
- 2009 | g. Any additional investment required and the ability and
 2010 | willingness of the purchaser or the private firm under a
 2011 | wastewater facility privatization contract to make that
 2012 | investment, whether the purchaser is the District or the entity
 2013 | purchasing the utility from the District.
- 2014 | h. In the case of a wastewater facility privatization
 2015 | contract, the terms and conditions on which the private firm
 2016 | will provide capital investment and financing or a combination
 2017 | thereof for contemplated capital replacements, additions,
 2018 | expansions, and repairs.
- 2019 | i. The alternatives to the purchase, sale, or wastewater
 2020 | facility privatization contract and the potential impact on

2021 utility customers if the purchase, sale, or wastewater facility
 2022 privatization contract is not made.

2023 j. The ability of the purchaser or the private firm under
 2024 a wastewater facility privatization contract to provide and
 2025 maintain high-quality and cost-effective utility service,
 2026 whether the purchaser is the District or the entity purchasing
 2027 the utility from the District.

2028 k. In the case of a wastewater facility privatization
 2029 contract, the District shall give significant weight to the
 2030 technical expertise and experience of the private firm in
 2031 carrying out the obligations specified in the wastewater
 2032 facility privatization contract.

2033 l. All moneys paid by a private firm to a District
 2034 pursuant to a wastewater facility privatization contract shall
 2035 be used for the purpose of reducing or offsetting property
 2036 taxes, wastewater service rates, or debt reduction or making
 2037 infrastructure improvements or capital asset expenditures or
 2038 other public purpose, provided, however, that nothing herein
 2039 shall preclude the District from using all or part of the moneys
 2040 for the purpose of the District's qualification for relief from
 2041 the repayment of federal grant awards associated with the
 2042 wastewater system as may be required by federal law or
 2043 regulation. The District shall prepare a statement showing that
 2044 the purchase, sale, or wastewater facility privatization
 2045 contract is in the public interest, including a summary of the
 2046 purchaser's or private firm's experience in water, sewer, or
 2047 wastewater reuse utility operation and a showing of financial
 2048 ability to provide the service, whether the purchaser or private

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2049 firm is the District or the entity purchasing the utility from
 2050 the District.

2051 (c) To provide bridges or culverts that may be needed
 2052 across any drain, ditch, canal, floodway, holding basin,
 2053 excavation, public highway, tract, grade, fill, or cut and
 2054 roadways over levees and embankments, and to construct any and
 2055 all of such works and improvements across, through, or over any
 2056 public right-of way, highway, grade, fill, or cut.

2057 (d) To provide district roads equal to or exceeding the
 2058 specifications of the county in which such District roads are
 2059 located, and to provide street lights, including conditions of
 2060 development approval for which specifications may sometimes be
 2061 different than the normal specifications of the county. This
 2062 special power includes, but is not limited to, roads, parkways,
 2063 bridges, landscaping, hardscaping, irrigation, bicycle lanes,
 2064 jogging paths, street lighting, traffic signals, regulatory or
 2065 informational signage, road striping, underground conduit,
 2066 underground cable or fiber or wire installed to pursuant an
 2067 agreement with or tariff of a retail provider of services, and
 2068 all other customary elements of a functioning modern road system
 2069 in general or as tied to the conditions of development approval
 2070 for the area within the District, and parking facilities that
 2071 are freestanding or that may be related to any innovative
 2072 strategic intermodal system of transportation pursuant to
 2073 applicable federal, state, and local law and ordinance.

2074 (e) To provide buses, trolleys, transit shelters,
 2075 ridesharing facilities and services, parking improvements, and
 2076 related signage.

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2077 (f) To provide investigation and remediation costs
 2078 associated with the cleanup of actual or perceived environmental
 2079 contamination within the District under the supervision or
 2080 direction of a competent governmental authority unless the
 2081 covered costs benefit any person who is a landowner within the
 2082 District and who caused or contributed to the contamination.

2083 (g) To provide observation areas, mitigation areas, and
 2084 wildlife habitat, including the maintenance of any plant or
 2085 animal species, and any related interest in real or personal
 2086 property.

2087 (h) Using its general and special powers as set forth in
 2088 this act, to provide any other project within or without the
 2089 boundaries of the District when the project is the subject of an
 2090 agreement between the District and the Board of County
 2091 Commissioners of either Manatee County or Sarasota County or
 2092 with any other applicable public or private entity, and is not
 2093 inconsistent with the effective local comprehensive plans.

2094 (i) To provide parks and facilities for indoor and outdoor
 2095 recreational, cultural, and educational uses.

2096 (j) To provide fire prevention and control, including fire
 2097 stations, water mains and plugs, fire trucks, and other vehicles
 2098 and equipment.

2099 (k) To provide school buildings and related structures,
 2100 which may be leased, sold, or donated to the school district,
 2101 for use in the educational system when authorized by the
 2102 district school board.

2103 (l) To provide security, including, but not limited to,
 2104 guardhouses, fences, and gates, electronic intrusion-detection

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2105 systems, and patrol cars, when authorized by proper governmental
 2106 agencies; however, the District may not exercise any powers of a
 2107 law enforcement agency but may contract with the appropriate
 2108 local general-purpose government agencies for an increased level
 2109 of such services within the District boundaries. Notwithstanding
 2110 any provision of general law, the District may operate
 2111 guardhouses for the limited purpose of providing security for
 2112 the residents of the District and which serve a predominate
 2113 public, as opposed to private, purpose. Such guardhouses shall
 2114 be operated by the District or any other unit of local
 2115 government pursuant to procedures designed to serve such
 2116 security purposes as set forth in rules adopted by the board,
 2117 from time to time, following the procedures set forth in chapter
 2118 120, Florida Statutes.

2119 (m) To provide control and elimination of mosquitoes and
 2120 other arthropods of public health importance.

2121 (n) To provide waste collection and disposal.

2122 (o) To enter into impact fee credit agreements with
 2123 Manatee County or Sarasota County. Under such agreements, if the
 2124 District constructs or makes contributions for public systems,
 2125 facilities, services, projects, improvements, works, and
 2126 infrastructures for which impact fee credits would be available
 2127 to the landowner developer under the applicable impact fee
 2128 ordinance, the agreement authorized by this act shall provide
 2129 that such impact fee credit shall inure to the landowners within
 2130 the District in proportion to assessments or other burdens
 2131 levied and imposed upon the landowners with respect to
 2132 assessable improvements giving rise to such impact fee credits,

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2133 | and the District shall from time to time execute such
 2134 | instruments, such as assignments of impact fee credits, as may
 2135 | be necessary, appropriate, or desirable to accomplish or to
 2136 | confirm the foregoing.

2137 | (p) To provide buildings and structures for District
 2138 | offices, maintenance facilities, meeting facilities, town
 2139 | centers, or any other project authorized or granted by this act.

2140 | (q) To establish and create, at noticed meetings, such
 2141 | governmental departments of the Board of Supervisors of the
 2142 | District, as well as committees, task forces, boards, or
 2143 | commissions, or other agencies under the supervision and control
 2144 | of the District, as from time to time the members of the board
 2145 | may deem necessary or desirable in the performance of the acts
 2146 | or other things necessary to exercise the board's general or
 2147 | special powers to implement an innovative project to carry out
 2148 | the special purpose of the District as provided in this act and
 2149 | to delegate the exercise of its powers to such departments,
 2150 | boards, task forces, committees, or other agencies and such
 2151 | administrative duties and other powers as the board may deem
 2152 | necessary or desirable but only if there is a set of expressed
 2153 | limitations for accountability, notice, and periodic written
 2154 | reporting to the board that shall retain the powers of the
 2155 | board.

2156 |
 2157 | The enumeration of special powers herein shall not be deemed
 2158 | exclusive or restrictive but shall be deemed to incorporate all
 2159 | powers express or implied necessary or incident to carrying out
 2160 | such enumerated special powers, including also the general

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2161 powers provided by this special act charter to the District to
 2162 implement its single purpose. Further, the provisions of this
 2163 subsection shall be construed liberally in order to carry out
 2164 effectively the special purpose of this District under this act.
 2165 The District shall only exercise the special powers described in
 2166 paragraphs (a) through (p) within Manatee County upon the
 2167 execution of an interlocal agreement between the District and
 2168 Manatee County consenting to the District's exercise of those
 2169 powers within Manatee County. The District shall only exercise
 2170 the special powers described in paragraphs (a) through (p)
 2171 within Sarasota County upon the execution of an interlocal
 2172 agreement between the District and Sarasota County consenting to
 2173 the District's exercise of those powers within Sarasota County.
 2174 The District may exercise different powers within each county,
 2175 depending upon the timing and content of the respective
 2176 interlocal agreement, as either may be amended from time to
 2177 time.

2178 (8) ISSUANCE OF BOND ANTICIPATION NOTES.--In addition to
 2179 the other powers provided for in this act, and not in limitation
 2180 thereof, the District shall have the power, at any time and from
 2181 time to time after the issuance of any bonds of the District
 2182 shall have been authorized, to borrow money for the purposes for
 2183 which such bonds are to be issued in anticipation of the receipt
 2184 of the proceeds of the sale of such bonds and to issue bond
 2185 anticipation notes in a principal sum not in excess of the
 2186 authorized maximum amount of such bond issue. Such notes shall
 2187 be in such denomination or denominations, bear interest at such
 2188 rate as the board may determine not to exceed the maximum rate

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2189 allowed by general law, mature at such time or times not later
 2190 than 5 years from the date of issuance, and be in such form and
 2191 executed in such manner as the board shall prescribe. Such notes
 2192 may be sold at either public or private sale or, if such notes
 2193 shall be renewal notes, may be exchanged for notes then
 2194 outstanding on such terms as the board shall determine. Such
 2195 notes shall be paid from the proceeds of such bonds when issued.
 2196 The board may, in its discretion, in lieu of retiring the notes
 2197 by means of bonds, retire them by means of current revenues or
 2198 from any taxes or assessments levied for the payment of such
 2199 bonds, but, in such event, a like amount of the bonds authorized
 2200 shall not be issued.

2201 (9) BORROWING.--The District at any time may obtain loans,
 2202 in such amount and on such terms and conditions as the board may
 2203 approve, for the purpose of paying any of the expenses of the
 2204 District or any costs incurred or that may be incurred in
 2205 connection with any of the projects of the District, which loans
 2206 shall bear interest as the board determines, not to exceed the
 2207 maximum rate allowed by general law, and may be payable from and
 2208 secured by a pledge of such funds, revenues, taxes, and
 2209 assessments as the board may determine, subject, however, to the
 2210 provisions contained in any proceeding under which bonds were
 2211 theretofore issued and are then outstanding. For the purpose of
 2212 defraying such costs and expenses, the District may issue
 2213 negotiable notes, warrants, or other evidences of debt to be
 2214 payable at such times and to bear such interest as the board may
 2215 determine, not to exceed the maximum rate allowed by general
 2216 law, and to be sold or discounted at such price or prices not

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2217 less than 95 percent of par value and on such terms as the board
 2218 may deem advisable. The board shall have the right to provide
 2219 for the payment thereof by pledging the whole or any part of the
 2220 funds, revenues, taxes, and assessments of the District. The
 2221 approval of the electors residing in the District shall not be
 2222 necessary except when required by the State Constitution.

2223 (10) BONDS.--

2224 (a) Sale of bonds.--Bonds may be sold in blocks or
 2225 installments at different times, or an entire issue or series
 2226 may be sold at one time. Bonds may be sold at public or private
 2227 sale after such advertisement, if any, as the board may deem
 2228 advisable but not in any event at less than 90 percent of the
 2229 par value thereof, together with accrued interest thereon. Bonds
 2230 may be sold or exchanged for refunding bonds. Special assessment
 2231 and revenue bonds may be delivered by the District as payment of
 2232 the purchase price of any project or part thereof, or a
 2233 combination of projects or parts thereof, or as the purchase
 2234 price or exchange for any property, real, personal, or mixed,
 2235 including franchises or services rendered by any contractor,
 2236 engineer, or other person, all at one time or in blocks from
 2237 time to time, in such manner and upon such terms as the board in
 2238 its discretion shall determine. The price or prices for any
 2239 bonds sold, exchanged, or delivered may be:

2240 1. The money paid for the bonds.

2241 2. The principal amount, plus accrued interest to the date
 2242 of redemption or exchange, or outstanding obligations exchanged
 2243 for refunding bonds.

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2244 3. In the case of special assessment or revenue bonds, the
 2245 amount of any indebtedness to contractors or other persons paid
 2246 with such bonds, or the fair value of any properties exchanged
 2247 for the bonds, as determined by the board.

2248 (b) Authorization and form of bonds.--Any general
 2249 obligation bonds, special assessment bonds, or revenue bonds may
 2250 be authorized by resolution or resolutions of the board which
 2251 shall be adopted by a majority of all the members thereof then
 2252 in office. Such resolution or resolutions may be adopted at the
 2253 same meeting at which they are introduced and need not be
 2254 published or posted. The board may, by resolution, authorize the
 2255 issuance of bonds and fix the aggregate amount of bonds to be
 2256 issued; the purpose or purposes for which the moneys derived
 2257 therefrom shall be expended, including, but not limited to,
 2258 payment of costs as defined in section 2(2)(i); the rate or
 2259 rates of interest, not to exceed the maximum rate allowed by
 2260 general law; the denomination of the bonds; whether or not the
 2261 bonds are to be issued in one or more series; the date or dates
 2262 of maturity, which shall not exceed 40 years from their
 2263 respective dates of issuance; the medium of payment; the place
 2264 or places within or without the state at which payment shall be
 2265 made; registration privileges; redemption terms and privileges,
 2266 whether with or without premium; the manner of execution; the
 2267 form of the bonds, including any interest coupons to be attached
 2268 thereto; the manner of execution of bonds and coupons; and any
 2269 and all other terms, covenants, and conditions thereof and the
 2270 establishment of revenue or other funds. Such authorizing
 2271 resolution or resolutions may further provide for the contracts

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2272 authorized by section 159.825(1)(f) and (g), Florida Statutes,
 2273 regardless of the tax treatment of such bonds being authorized,
 2274 subject to the finding by the board of a net saving to the
 2275 District resulting by reason thereof. Such authorizing
 2276 resolution may further provide that such bonds may be executed
 2277 in accordance with the Registered Public Obligations Act, except
 2278 that bonds not issued in registered form shall be valid if
 2279 manually countersigned by an officer designated by appropriate
 2280 resolution of the board. The seal of the District may be
 2281 affixed, lithographed, engraved, or otherwise reproduced in
 2282 facsimile on such bonds. In case any officer whose signature
 2283 shall appear on any bonds or coupons shall cease to be such
 2284 officer before the delivery of such bonds, such signature or
 2285 facsimile shall nevertheless be valid and sufficient for all
 2286 purposes the same as if he or she had remained in office until
 2287 such delivery.

2288 (c) Interim certificates; replacement
 2289 certificates.--Pending the preparation of definitive bonds, the
 2290 board may issue interim certificates or receipts or temporary
 2291 bonds, in such form and with such provisions as the board may
 2292 determine, exchangeable for definitive bonds when such bonds
 2293 have been executed and are available for delivery. The board may
 2294 also provide for the replacement of any bonds which become
 2295 mutilated, lost, or destroyed.

2296 (d) Negotiability of bonds.--Any bond issued under this
 2297 act or any temporary bond, in the absence of an express recital
 2298 on the face thereof that it is nonnegotiable, shall be fully
 2299 negotiable and shall be and constitute a negotiable instrument

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2300 within the meaning and for all purposes of the law merchant and
 2301 the laws of the state.

2302 (e) Defeasance.--The board may make such provision with
 2303 respect to the defeasance of the right, title, and interest of
 2304 the holders of any of the bonds and obligations of the District
 2305 in any revenues, funds, or other properties by which such bonds
 2306 are secured as the board deems appropriate and, without
 2307 limitation on the foregoing, may provide that when such bonds or
 2308 obligations become due and payable or shall have been called for
 2309 redemption and the whole amount of the principal and interest
 2310 and premium, if any, due and payable upon the bonds or
 2311 obligations then outstanding shall be held in trust for such
 2312 purpose, and provision shall also be made for paying all other
 2313 sums payable in connection with such bonds or other obligations,
 2314 then and in such event the right, title, and interest of the
 2315 holders of the bonds in any revenues, funds, or other properties
 2316 by which such bonds are secured shall thereupon cease,
 2317 terminate, and become void; and the board may apply any surplus
 2318 in any sinking fund established in connection with such bonds or
 2319 obligations and all balances remaining in all other funds or
 2320 accounts other than moneys held for the redemption or payment of
 2321 the bonds or other obligations to any lawful purpose of the
 2322 District as the board shall determine.

2323 (f) Issuance of additional bonds.--If the proceeds of any
 2324 bonds are less than the cost of completing the project in
 2325 connection with which such bonds were issued, the board may
 2326 authorize the issuance of additional bonds, upon such terms and
 2327 conditions as the board may provide in the resolution

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2328 authorizing the issuance thereof, but only in compliance with
 2329 the resolution or other proceedings authorizing the issuance of
 2330 the original bonds.

2331 (g) Refunding bonds.--The District shall have the power to
 2332 issue bonds to provide for the retirement or refunding of any
 2333 bonds or obligations of the District that at the time of such
 2334 issuance are or subsequent thereto become due and payable, or
 2335 that at the time of issuance have been called or are or will be
 2336 subject to call for redemption within 10 years thereafter, or
 2337 the surrender of which can be procured from the holders thereof
 2338 at prices satisfactory to the board. Refunding bonds may be
 2339 issued at any time that in the judgment of the board such
 2340 issuance will be advantageous to the District. No approval of
 2341 the qualified electors residing in the District shall be
 2342 required for the issuance of refunding bonds except in cases in
 2343 which such approval is required by the State Constitution. The
 2344 board may by resolution confer upon the holders of such
 2345 refunding bonds all rights, powers, and remedies to which the
 2346 holders would be entitled if they continued to be the owners and
 2347 had possession of the bonds for the refinancing of which such
 2348 refunding bonds are issued, including, but not limited to, the
 2349 preservation of the lien of such bonds on the revenues of any
 2350 project or on pledged funds, without extinguishment, impairment,
 2351 or diminution thereof. The provisions of this act pertaining to
 2352 bonds of the District shall, unless the context otherwise
 2353 requires, govern the issuance of refunding bonds, the form and
 2354 other details thereof, the rights of the holders thereof, and
 2355 the duties of the board with respect to them.

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2356 (h) Revenue bonds.--
 2357 1. The District shall have the power to issue revenue
 2358 bonds from time to time without limitation as to amount. Such
 2359 revenue bonds may be secured by, or payable from, the gross or
 2360 net pledge of the revenues to be derived from any project or
 2361 combination of projects; from the rates, fees, or other charges
 2362 to be collected from the users of any project or projects; from
 2363 any revenue-producing undertaking or activity of the District;
 2364 from special assessments; or from benefit special assessments;
 2365 or from any other source or pledged security. Such bonds shall
 2366 not constitute an indebtedness of the District, and the approval
 2367 of the qualified electors shall not be required unless such
 2368 bonds are additionally secured by the full faith and credit and
 2369 taxing power of the District.
 2370 2. Any two or more projects may be combined and
 2371 consolidated into a single project and may hereafter be operated
 2372 and maintained as a single project. The revenue bonds authorized
 2373 herein may be issued to finance any one or more of such
 2374 projects, regardless of whether or not such projects have been
 2375 combined and consolidated into a single project. If the board
 2376 deems it advisable, the proceedings authorizing such revenue
 2377 bonds may provide that the District may thereafter combine the
 2378 projects then being financed or theretofore financed with other
 2379 projects to be subsequently financed by the District and that
 2380 revenue bonds to be thereafter issued by the District shall be
 2381 on parity with the revenue bonds then being issued, all on such
 2382 terms, conditions, and limitations as shall have been provided
 2383 in the proceeding which authorized the original bonds.

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2384 | (i) General obligation bonds.--
 2385 | 1. Subject to the limitations of this charter, the
 2386 | District shall have the power from time to time to issue general
 2387 | obligation bonds to finance or refinance capital projects or to
 2388 | refund outstanding bonds in an aggregate principal amount of
 2389 | bonds outstanding at any one time not in excess of 35 percent of
 2390 | the assessed value of the taxable property within the District
 2391 | as shown on the pertinent tax records at the time of the
 2392 | authorization of the general obligation bonds for which the full
 2393 | faith and credit of the District is pledged. Except for
 2394 | refunding bonds, no general obligation bonds shall be issued
 2395 | unless the bonds are issued to finance or refinance a capital
 2396 | project and the issuance has been approved at an election held
 2397 | in accordance with the requirements for such election as
 2398 | prescribed by the State Constitution. Such elections shall be
 2399 | called to be held in the District by the Board of County
 2400 | Commissioners of Manatee and Sarasota Counties upon the request
 2401 | of the board of the District. The expenses of calling and
 2402 | holding an election shall be at the expense of the District, and
 2403 | the District shall reimburse the county for any expenses
 2404 | incurred in calling or holding such election.
 2405 | 2. The District may pledge its full faith and credit for
 2406 | the payment of the principal and interest on such general
 2407 | obligation bonds and for any reserve funds provided therefor and
 2408 | may unconditionally and irrevocably pledge itself to levy ad
 2409 | valorem taxes on all taxable property in the District, to the
 2410 | extent necessary for the payment thereof, without limitation as
 2411 | to rate or amount.

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2412 3. If the board determines to issue general obligation
 2413 bonds for more than one capital project, the approval of the
 2414 issuance of the bonds for each and all such projects may be
 2415 submitted to the electors on one and the same ballot. The
 2416 failure of the electors to approve the issuance of bonds for any
 2417 one or more capital projects shall not defeat the approval of
 2418 bonds for any capital project which has been approved by the
 2419 electors.

2420 4. In arriving at the amount of general obligation bonds
 2421 permitted to be outstanding at any one time pursuant to
 2422 subparagraph 1., there shall not be included any general
 2423 obligation bonds which are additionally secured by the pledge
 2424 of:

2425 a. Any assessments levied in an amount sufficient to pay
 2426 the principal and interest on the general obligation bonds so
 2427 additionally secured, which assessments have been equalized and
 2428 confirmed by resolution of the board pursuant to this act or
 2429 section 170.08, Florida Statutes.

2430 b. Water revenues, sewer revenues, or water and sewer
 2431 revenues of the District to be derived from user fees in an
 2432 amount sufficient to pay the principal and interest on the
 2433 general obligation bonds so additionally secured.

2434 c. Any combination of assessments and revenues described
 2435 in sub-subparagraphs a. and b.

2436 (j) Bonds as legal investment or security.--

2437 1. Notwithstanding any provisions of any other law to the
 2438 contrary, all bonds issued under the provisions of this act
 2439 shall constitute legal investments for savings banks, banks,

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2440 trust companies, insurance companies, executors, administrators,
 2441 trustees, guardians, and other fiduciaries and for any board,
 2442 body, agency, instrumentality, county, municipality, or other
 2443 political subdivision of the state and shall be and constitute
 2444 security which may be deposited by banks or trust companies as
 2445 security for deposits of state, county, municipal, or other
 2446 public funds or by insurance companies as required or voluntary
 2447 statutory deposits.

2448 2. Any bonds issued by the District shall be incontestable
 2449 in the hands of bona fide purchasers or holders for value and
 2450 shall not be invalid because of any irregularity or defect in
 2451 the proceedings for the issue and sale thereof.

2452 (k) Covenants.--Any resolution authorizing the issuance of
 2453 bonds may contain such covenants as the board may deem
 2454 advisable, and all such covenants shall constitute valid and
 2455 legally binding and enforceable contracts between the District
 2456 and the bondholders, regardless of the time of issuance thereof.
 2457 Such covenants may include, without limitation, covenants
 2458 concerning the disposition of the bond proceeds; the use and
 2459 disposition of project revenues; the pledging of revenues,
 2460 taxes, and assessments; the obligations of the District with
 2461 respect to the operation of the project and the maintenance of
 2462 adequate project revenues; the issuance of additional bonds; the
 2463 appointment, powers, and duties of trustees and receivers; the
 2464 acquisition of outstanding bonds and obligations; restrictions
 2465 on the establishing of competing projects or facilities;
 2466 restrictions on the sale or disposal of the assets and property
 2467 of the District; the priority of assessment liens; the priority

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2468 of claims by bondholders on the taxing power of the District;
 2469 the maintenance of deposits to ensure the payment of revenues by
 2470 users of District facilities and services; the discontinuance of
 2471 District services by reason of delinquent payments; acceleration
 2472 upon default; the execution of necessary instruments; the
 2473 procedure for amending or abrogating covenants with the
 2474 bondholders; and such other covenants as may be deemed necessary
 2475 or desirable for the security of the bondholders.

2476 (l) Validation proceedings.--The power of the District to
 2477 issue bonds under the provisions of this act may be determined,
 2478 and any of the bonds of the District maturing over a period of
 2479 more than 5 years shall be validated and confirmed, by court
 2480 decree, under the provisions of chapter 75, Florida Statutes,
 2481 and laws amendatory thereof or supplementary thereto.

2482 (m) Tax exemption.--To the extent allowed by general law,
 2483 all bonds issued hereunder and interest paid thereon and all
 2484 fees, charges, and other revenues derived by the District from
 2485 the projects provided by this act are exempt from all taxes by
 2486 the state or by any political subdivision, agency, or
 2487 instrumentality thereof; however, any interest, income, or
 2488 profits on debt obligations issued hereunder are not exempt from
 2489 the tax imposed by chapter 220, Florida Statutes. Further, the
 2490 District is not exempt from the provisions of chapter 212,
 2491 Florida Statutes.

2492 (n) Application of section 189.4085, Florida
 2493 Statutes.--Bonds issued by the District shall meet the criteria
 2494 set forth in section 189.4085, Florida Statutes.

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2495 (o) Act furnishes full authority for issuance of
 2496 bonds.--This act constitutes full and complete authority for the
 2497 issuance of bonds and the exercise of the powers of the District
 2498 provided herein. No procedures or proceedings, publications,
 2499 notices, consents, approvals, orders, acts, or things by the
 2500 board, or any board, officer, commission, department, agency, or
 2501 instrumentality of the District, other than those required by
 2502 this act, shall be required to perform anything under this act,
 2503 except that the issuance or sale of bonds pursuant to the
 2504 provisions of this act shall comply with the general law
 2505 requirements applicable to the issuance or sale of bonds by the
 2506 District. Nothing in this act shall be construed to authorize
 2507 the District to utilize bond proceeds to fund the ongoing
 2508 operations of the District.

2509 (p) Pledge by the state to the bondholders of the
 2510 District.--The state pledges to the holders of any bonds issued
 2511 under this act that it will not limit or alter the rights of the
 2512 District to own, acquire, construct, reconstruct, improve,
 2513 maintain, operate, or furnish the projects or to levy and
 2514 collect the taxes, assessments, rentals, rates, fees, and other
 2515 charges provided for herein and to fulfill the terms of any
 2516 agreement made with the holders of such bonds or other
 2517 obligations and that it will not in any way impair the rights or
 2518 remedies of such holders.

2519 (q) Default.--A default on the bonds or obligations of a
 2520 District shall not constitute a debt or obligation of the state
 2521 or any general-purpose local government or the state.

2522 (11) TRUST AGREEMENTS.--Any issue of bonds shall be
 2523 secured by a trust agreement by and between the District and a
 2524 corporate trustee or trustees, which may be any trust company or
 2525 bank having the powers of a trust company within or without the
 2526 state. The resolution authorizing the issuance of the bonds or
 2527 such trust agreement may pledge the revenues to be received from
 2528 any projects of the District and may contain such provisions for
 2529 protecting and enforcing the rights and remedies of the
 2530 bondholders as the board may approve, including, without
 2531 limitation, covenants setting forth the duties of the District
 2532 in relation to: the acquisition, construction, reconstruction,
 2533 improvement, maintenance, repair, operation, and insurance of
 2534 any projects; the fixing and revising of the rates, fees, and
 2535 charges; and the custody, safeguarding, and application of all
 2536 moneys and for the employment of consulting engineers in
 2537 connection with such acquisition, construction, reconstruction,
 2538 improvement, maintenance, repair, or operation. It shall be
 2539 lawful for any bank or trust company within or without the state
 2540 which may act as a depository of the proceeds of bonds or of
 2541 revenues to furnish such indemnifying bonds or to pledge such
 2542 securities as may be required by the District. Such resolution
 2543 or trust agreement may set forth the rights and remedies of the
 2544 bondholders and of the trustee, if any, and may restrict the
 2545 individual right of action by bondholders. The board may provide
 2546 for the payment of proceeds of the sale of the bonds and the
 2547 revenues of any project to such officer, board, or depository as
 2548 it may designate for the custody thereof and may provide for the
 2549 method of disbursement thereof with such safeguards and

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2550 restrictions as it may determine. All expenses incurred in
 2551 carrying out the provisions of such resolution or trust
 2552 agreement may be treated as part of the cost of operation of the
 2553 project to which such trust agreement pertains.

2554 (12) AD VALOREM TAXES; ASSESSMENTS, BENEFIT SPECIAL
 2555 ASSESSMENTS, MAINTENANCE SPECIAL ASSESSMENTS, AND SPECIAL
 2556 ASSESSMENTS; MAINTENANCE TAXES.--

2557 (a) Ad valorem taxes.--An elected board shall have the
 2558 power to levy and assess an ad valorem tax on all the taxable
 2559 property in the District to construct, operate, and maintain
 2560 assessable improvements; to pay the principal of, and interest
 2561 on, any general obligation bonds of the District; and to provide
 2562 for any sinking or other funds established in connection with
 2563 any such bonds. An ad valorem tax levied by the board for
 2564 operating purposes, exclusive of debt service on bonds, shall
 2565 not exceed 3 mills. The ad valorem tax provided for herein shall
 2566 be in addition to county and all other ad valorem taxes provided
 2567 for by law. Such tax shall be assessed, levied, and collected in
 2568 the same manner and at the same time as county taxes. The levy
 2569 of ad valorem taxes must be approved by referendum as required
 2570 by Section 9 of Article VII of the State Constitution.

2571 (b) Benefit special assessments.--The board annually shall
 2572 determine, order, and levy the annual installment of the total
 2573 benefit special assessments for bonds issued and related
 2574 expenses to finance assessable improvements. These assessments
 2575 may be due and collected during each year that county taxes are
 2576 due and collected, in which case such annual installment and
 2577 levy shall be evidenced to and certified to the property

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2578 appraiser by the board not later than August 31 of each year.
 2579 Such assessment shall be entered by the property appraiser on
 2580 the county tax rolls and shall be collected and enforced by the
 2581 tax collector in the same manner and at the same time as county
 2582 taxes, and the proceeds thereof shall be paid to the District.
 2583 However, this subsection shall not prohibit the District in its
 2584 discretion from using the method prescribed in either section
 2585 197.3632 or chapter 173, Florida Statutes, as each may be
 2586 amended from time to time, for collecting and enforcing these
 2587 assessments. Each annual installment of benefit special
 2588 assessments shall be a lien on the property against which
 2589 assessed until paid and shall be enforceable in like manner as
 2590 county taxes. The amount of the assessment for the exercise of
 2591 the District's powers under subsections (6) and (7) shall be
 2592 determined by the board based upon a report of the District's
 2593 engineer and assessed by the board upon such lands, which may be
 2594 part or all of the lands within the District benefited by the
 2595 improvement, apportioned between benefited lands in proportion
 2596 to the benefits received by each tract of land. The board may,
 2597 if it determines it is in the best interests of the District,
 2598 set forth in the proceedings initially levying such benefit
 2599 special assessments or in subsequent proceedings a formula for
 2600 the determination of an amount, which when paid by a taxpayer
 2601 with respect to any tax parcel, shall constitute a prepayment of
 2602 all future annual installments of such benefit special
 2603 assessments and that the payment of which amount with respect to
 2604 such tax parcel shall relieve and discharge such tax parcel of
 2605 the lien of such benefit special assessments and any subsequent

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2606 annual installment thereof. The board may provide further that
 2607 upon delinquency in the payment of any annual installment of
 2608 benefit special assessments, the prepayment amount of all future
 2609 annual installments of benefit special assessments as determined
 2610 in the preceding sentence shall be and become immediately due
 2611 and payable together with such delinquent annual installment.

2612 (c) Non-ad valorem maintenance taxes.--If and when
 2613 authorized by general law, to maintain and to preserve the
 2614 physical facilities and services constituting the works,
 2615 improvements, or infrastructure provided by the District
 2616 pursuant to this act, to repair and restore any one or more of
 2617 them, when needed, and to defray the current expenses of the
 2618 District, including any sum which may be required to pay state
 2619 and county ad valorem taxes on any lands which may have been
 2620 purchased and which are held by the District under the
 2621 provisions of this act, the Board of Supervisors may, upon the
 2622 completion of said systems, facilities, services, works,
 2623 improvements, or infrastructure, in whole or in part, as may be
 2624 certified to the board by the engineer of the board, levy
 2625 annually a non-ad valorem and nonmillage tax upon each tract or
 2626 parcel of land within the District, to be known as a
 2627 "maintenance tax." This non-ad valorem maintenance tax shall be
 2628 apportioned upon the basis of the net assessments of benefits
 2629 assessed as accruing from the original construction and shall be
 2630 evidenced to and certified by the Board of Supervisors of the
 2631 District not later than June 1 of each year to the property
 2632 appraisers of Manatee and Sarasota Counties and shall be
 2633 extended by the property appraiser on the tax roll of the

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2634 property appraiser, as certified by the property appraiser to
 2635 the tax collector, and collected by the tax collector on the
 2636 merged collection roll of the tax collector in the same manner
 2637 and at the same time as county ad valorem taxes, and the
 2638 proceeds therefrom shall be paid to the District. This non-ad
 2639 valorem maintenance tax shall be a lien until paid on the
 2640 property against which assessed and enforceable in like manner
 2641 and of the same dignity as county ad valorem taxes.

2642 (d) Maintenance special assessments.--To maintain and
 2643 preserve the facilities and projects of the District, the board
 2644 may levy a maintenance special assessment. This assessment may
 2645 be evidenced to and certified to the property appraiser by the
 2646 Board of Supervisors not later than August 31 of each year and
 2647 shall be entered by the property appraiser on the county tax
 2648 rolls and shall be collected and enforced by the tax collector
 2649 in the same manner and at the same time as county taxes, and the
 2650 proceeds therefrom shall be paid to the District. However, this
 2651 subsection shall not prohibit the District in its discretion
 2652 from using the method prescribed in either section 197.363,
 2653 section 197.3631, or section 197.3632, Florida Statutes, for
 2654 collecting and enforcing these assessments. These maintenance
 2655 special assessments shall be a lien on the property against
 2656 which assessed until paid and shall be enforceable in like
 2657 manner as county taxes. The amount of the maintenance special
 2658 assessment for the exercise of the District's powers under this
 2659 section shall be determined by the board based upon a report of
 2660 the District's engineer and assessed by the board upon such
 2661 lands, which may be all of the lands within the District

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2662 benefited by the maintenance thereof, apportioned between the
 2663 benefited lands in proportion to the benefits received by each
 2664 tract of land.

2665 (e) Special assessments.--To levy and impose any special
 2666 assessments pursuant to this subsection.

2667 (f) Enforcement of taxes.--The collection and enforcement
 2668 of all taxes levied by the District shall be at the same time
 2669 and in like manner as county taxes, and the provisions of the
 2670 laws of Florida relating to the sale of lands for unpaid and
 2671 delinquent county taxes; the issuance, sale, and delivery of tax
 2672 certificates for such unpaid and delinquent county taxes; the
 2673 redemption thereof; the issuance to individuals of tax deeds
 2674 based thereon; and all other procedures in connection therewith
 2675 shall be applicable to the District to the same extent as if
 2676 such statutory provisions were expressly set forth herein. All
 2677 taxes shall be subject to the same discounts as county taxes.

2678 (g) When unpaid tax is delinquent; penalty.--All taxes
 2679 provided for in this act shall become delinquent and bear
 2680 penalties on the amount of such taxes in the same manner as
 2681 county taxes.

2682 (h) Status of assessments.--Benefit special assessments,
 2683 maintenance special assessments, and special assessments are
 2684 hereby found and determined to be non-ad valorem assessments as
 2685 defined by section 197.3632, Florida Statutes. Maintenance taxes
 2686 are non-ad valorem taxes and are not special assessments.

2687 (i) Assessments constitute liens; collection.--Any and all
 2688 assessments, including special assessments, benefit special
 2689 assessments, and maintenance special assessments authorized by

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2690 this section, and including special assessments as defined by
 2691 section 2(2)(z) and granted and authorized by this subsection,
 2692 and including maintenance taxes if authorized by general law,
 2693 shall constitute a lien on the property against which assessed
 2694 from the date of levy and imposition thereof until paid, coequal
 2695 with the lien of state, county, municipal, and school board
 2696 taxes. These assessments may be collected, at the District's
 2697 discretion, under authority of section 197.3631, Florida
 2698 Statutes, as amended from time to time, by the tax collector
 2699 pursuant to the provisions of sections 197.3632 and 197.3635,
 2700 Florida Statutes, as amended from time to time, or in accordance
 2701 with other collection measures provided by law. In addition to,
 2702 and not in limitation of, any powers otherwise set forth herein
 2703 or in general law, these assessments may also be enforced
 2704 pursuant to the provisions of chapter 173, Florida Statutes, as
 2705 amended from time to time.

2706 (j) Land owned by governmental entity.--Except as
 2707 otherwise provided by law, no levy of ad valorem taxes or non-ad
 2708 valorem assessments under this act, chapter 170, or chapter 197,
 2709 Florida Statutes, as each may be amended from time to time, or
 2710 otherwise, by a board of a District, on property of a
 2711 governmental entity that is subject to a ground lease as
 2712 described in section 190.003(13), Florida Statutes, shall
 2713 constitute a lien or encumbrance on the underlying fee interest
 2714 of such governmental entity.

2715 (13) SPECIAL ASSESSMENTS.--

2716 (a) As an alternative method to the levy and imposition of
 2717 special assessments pursuant to chapter 170, Florida Statutes,

2718 pursuant to the authority of section 197.3631, Florida Statutes,
 2719 or pursuant to other provisions of general law, now or hereafter
 2720 enacted, which provide a supplemental means or authority to
 2721 impose, levy, and collect special assessments as otherwise
 2722 authorized under this act, the board may levy and impose special
 2723 assessments to finance the exercise of any of its powers
 2724 permitted under this act using the following uniform procedures:

2725 1. At a noticed meeting, the Board of Supervisors of the
 2726 District may consider and review an engineer's report on the
 2727 costs of the systems, facilities, and services to be provided, a
 2728 preliminary assessment methodology, and a preliminary roll based
 2729 on acreage or platted lands, depending upon whether platting has
 2730 occurred.

2731 a. The assessment methodology shall address and discuss
 2732 and the board shall consider whether the systems, facilities,
 2733 and services being contemplated will result in special benefits
 2734 peculiar to the property, different in kind and degree than
 2735 general benefits, as a logical connection between the systems,
 2736 facilities, and services themselves and the property, and
 2737 whether the duty to pay the assessments by the property owners
 2738 is apportioned in a manner that is fair and equitable and not in
 2739 excess of the special benefit received. It shall be fair and
 2740 equitable to designate a fixed proportion of the annual debt
 2741 service, together with interest thereon, on the aggregate
 2742 principal amount of bonds issued to finance such systems,
 2743 facilities, and services which give rise to unique, special, and
 2744 peculiar benefits to property of the same or similar
 2745 characteristics under the assessment methodology so long as such

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2746 fixed proportion does not exceed the unique, special, and
 2747 peculiar benefits enjoyed by such property from such systems,
 2748 facilities, and services.

2749 b. The engineer's cost report shall identify the nature of
 2750 the proposed systems, facilities, and services, their location,
 2751 a cost breakdown plus a total estimated cost, including cost of
 2752 construction or reconstruction, labor, and materials, lands,
 2753 property, rights, easements, franchises, or systems, facilities,
 2754 and services to be acquired, cost of plans and specifications,
 2755 surveys of estimates of costs and revenues, costs of
 2756 engineering, legal, and other professional consultation
 2757 services, and other expenses or costs necessary or incident to
 2758 determining the feasibility or practicability of such
 2759 construction, reconstruction, or acquisition, administrative
 2760 expenses, relationship to the authority and power of the
 2761 District in its charter, and such other expenses or costs as may
 2762 be necessary or incident to the financing to be authorized by
 2763 the Board of Supervisors.

2764 c. The preliminary assessment roll to be prepared will be
 2765 in accordance with the method of assessment provided for in the
 2766 assessment methodology and as may be adopted by the Board of
 2767 Supervisors; the assessment roll shall be completed as promptly
 2768 as possible and shall show the acreage, lots, lands, or plats
 2769 assessed and the amount of the fairly and reasonably apportioned
 2770 assessment based on special and peculiar benefit to the
 2771 property, lot, parcel, or acreage of land; and, if the
 2772 assessment against each such lot, parcel, acreage, or portion of
 2773 land is to be paid in installments, the number of annual

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2774 installments in which the assessment is divided shall be entered
2775 into and shown upon the assessment roll.

2776 2. The Board of Supervisors of the District may determine
2777 and declare by an initial assessment resolution to levy and
2778 assess the assessments with respect to assessable improvements
2779 stating the nature of the systems, facilities, and services,
2780 improvements, projects, or infrastructure constituting such
2781 assessable improvements, the information in the engineer's cost
2782 report, the information in the assessment methodology as
2783 determined by the board at the noticed meeting and referencing
2784 and incorporating as part of the resolution the engineer's cost
2785 report, the preliminary assessment methodology, and the
2786 preliminary assessment roll as referenced exhibits to the
2787 resolution by reference. If the board determines to declare and
2788 levy the special assessments by the initial assessment
2789 resolution, the board shall also adopt and declare a notice
2790 resolution which shall provide and cause the initial assessment
2791 resolution to be published once a week for a period of 2 weeks
2792 in newspapers of general circulation published in Manatee and
2793 Sarasota Counties and said board shall by the same resolution
2794 fix a time and place at which the owner or owners of the
2795 property to be assessed or any other persons interested therein
2796 may appear before said board and be heard as to the propriety
2797 and advisability of making such improvements, as to the costs
2798 thereof, as to the manner of payment therefor, and as to the
2799 amount thereof to be assessed against each property so improved.
2800 Thirty days' notice in writing of such time and place shall be
2801 given to such property owners. The notice shall include the

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2802 amount of the assessment and shall be served by mailing a copy
 2803 to each assessed property owner at his or her last known
 2804 address, the names and addresses of such property owners to be
 2805 obtained from the record of the property appraiser of the county
 2806 political subdivision in which the land is located or from such
 2807 other sources as the district manager or engineer deems
 2808 reliable, and proof of such mailing shall be made by the
 2809 affidavit of the manager of the District or by the engineer,
 2810 said proof to be filed with the district manager, provided that
 2811 failure to mail said notice or notices shall not invalidate any
 2812 of the proceedings hereunder. It is provided further that the
 2813 last publication shall be at least 1 week prior to the date of
 2814 the hearing on the final assessment resolution. Said notice
 2815 shall describe the general areas to be improved and advise all
 2816 persons interested that the description of each property to be
 2817 assessed and the amount to be assessed to each piece, parcel,
 2818 lot, or acre of property may be ascertained at the office of the
 2819 manager of the District. Such service by publication shall be
 2820 verified by the affidavit of the publisher and filed with the
 2821 manager of the District. Moreover, the initial assessment
 2822 resolution with its attached, referenced, and incorporated
 2823 engineer's cost report, preliminary assessment methodology, and
 2824 preliminary assessment roll, along with the notice resolution,
 2825 shall be available for public inspection at the office of the
 2826 manager and the office of the engineer or any other office
 2827 designated by the Board of Supervisors in the notice resolution.
 2828 Notwithstanding the foregoing, the landowners of all of the
 2829 property which is proposed to be assessed may give the District

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2830 written notice of waiver of any notice and publication provided
2831 for in this subparagraph and such notice and publication shall
2832 not be required, provided, however, that any meeting of the
2833 Board of Supervisors to consider such resolution shall be a
2834 publicly noticed meeting.

2835 3. At the time and place named in the noticed resolution
2836 as provided for in subparagraph 2., the Board of Supervisors of
2837 the District shall meet and hear testimony from affected
2838 property owners as to the propriety and advisability of making
2839 the systems, facilities, services, projects, works,
2840 improvements, or infrastructure and funding them with
2841 assessments referenced in the initial assessment resolution on
2842 the property. Following the testimony and questions from the
2843 members of the board or any professional advisors to the
2844 District of the preparers of the engineer's cost report, the
2845 assessment methodology, and the assessment roll, the Board of
2846 Supervisors shall make a final decision on whether to levy and
2847 assess the particular assessments. Thereafter, the Board of
2848 Supervisors shall meet as an equalizing board to hear and to
2849 consider any and all complaints as to the particular assessments
2850 and shall adjust and equalize the assessments on the basis of
2851 justice and right.

2852 4. When so equalized and approved by resolution or
2853 ordinance by the Board of Supervisors, to be called the final
2854 assessment resolution, a final assessment roll shall be filed
2855 with the clerk of the board and such assessment shall stand
2856 confirmed and remain legal, valid, and binding first liens on
2857 the property against which such assessments are made until paid,

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2858 equal in dignity to the first liens of ad valorem taxation of
 2859 county and municipal governments and school boards. However,
 2860 upon completion of the systems, facilities, service, project,
 2861 improvement, works, or infrastructure, the District shall credit
 2862 to each of the assessments the difference in the assessment as
 2863 originally made, approved, levied, assessed, and confirmed and
 2864 the proportionate part of the actual cost of the improvement to
 2865 be paid by the particular special assessments as finally
 2866 determined upon the completion of the improvement; but in no
 2867 event shall the final assessment exceed the amount of the
 2868 special and peculiar benefits as apportioned fairly and
 2869 reasonably to the property from the system, facility, or service
 2870 being provided as originally assessed. Promptly after such
 2871 confirmation, the assessment shall be recorded by the clerk of
 2872 the District in the minutes of the proceedings of the District,
 2873 and the record of the lien in this set of minutes shall
 2874 constitute prima facie evidence of its validity. The Board of
 2875 Supervisors, in its sole discretion, may, by resolution grant a
 2876 discount equal to all or a part of the payee's proportionate
 2877 share of the cost of the project consisting of bond financing
 2878 cost, such as capitalized interest, funded reserves, and bond
 2879 discounts included in the estimated cost of the project, upon
 2880 payment in full of any assessments during such period prior to
 2881 the time such financing costs are incurred as may be specified
 2882 by the Board of Supervisors in such resolution.

2883 5. District assessments may be made payable in
 2884 installments over no more than 30 years from the date of the

2885 payment of the first installment thereof and may bear interest
 2886 at fixed or variable rates.

2887 (b) Notwithstanding any provision of this act or chapter
 2888 170, Florida Statutes, that portion of section 170.09, Florida
 2889 Statutes, that provides that assessments may be paid without
 2890 interest at any time within 30 days after the improvement is
 2891 completed and a resolution accepting the same has been adopted
 2892 by the governing authority shall not be applicable to any
 2893 District assessments, whether imposed, levied, and collected
 2894 pursuant to the provisions of this act or other provisions of
 2895 Florida law, including, but not limited to chapter 170, Florida
 2896 Statutes.

2897 (c) In addition, the District is authorized expressly in
 2898 the exercise of its rulemaking power to adopt a rule or rules
 2899 which provides or provide for notice, levy, imposition,
 2900 equalization, and collection of assessments.

2901 (14) ISSUANCE OF CERTIFICATES OF INDEBTEDNESS BASED ON
 2902 ASSESSMENTS FOR ASSESSABLE IMPROVEMENTS; ASSESSMENT BONDS.--

2903 (a) The board may, after any special assessments or
 2904 benefit special assessments for assessable improvements are
 2905 made, determined, and confirmed as provided in this act, issue
 2906 certificates of indebtedness for the amount so assessed against
 2907 the abutting property or property otherwise benefited, as the
 2908 case may be, and separate certificates shall be issued against
 2909 each part or parcel of land or property assessed, which
 2910 certificates shall state the general nature of the improvement
 2911 for which the assessment is made. The certificates shall be
 2912 payable in annual installments in accordance with the

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2913 installments of the special assessment for which they are
 2914 issued. The board may determine the interest to be borne by such
 2915 certificates, not to exceed the maximum rate allowed by general
 2916 law, and may sell such certificates at either private or public
 2917 sale and determine the form, manner of execution, and other
 2918 details of such certificates. The certificates shall recite that
 2919 they are payable only from the special assessments levied and
 2920 collected from the part or parcel of land or property against
 2921 which they are issued. The proceeds of such certificates may be
 2922 pledged for the payment of principal of and interest on any
 2923 revenue bonds or general obligation bonds issued to finance in
 2924 whole or in part such assessable improvement, or, if not so
 2925 pledged, may be used to pay the cost or part of the cost of such
 2926 assessable improvements.

2927 (b) The District may also issue assessment bonds, revenue
 2928 bonds, or other obligations payable from a special fund into
 2929 which such certificates of indebtedness referred to in the
 2930 preceding subsection may be deposited or, if such certificates
 2931 of indebtedness have not been issued, the District may assign to
 2932 such special fund for the benefit of the holders of such
 2933 assessment bonds or other obligations, or to a trustee for such
 2934 bondholders, the assessment liens provided for in this act
 2935 unless such certificates of indebtedness or assessment liens
 2936 have been theretofore pledged for any bonds or other obligations
 2937 authorized hereunder. In the event of the creation of such
 2938 special fund and the issuance of such assessment bonds or other
 2939 obligations, the proceeds of such certificates of indebtedness
 2940 or assessment liens deposited therein shall be used only for the

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2941 payment of the assessment bonds or other obligations issued as
 2942 provided in this section. The District is authorized to covenant
 2943 with the holders of such assessment bonds, revenue bonds, or
 2944 other obligations that it will diligently and faithfully enforce
 2945 and collect all the special assessments, and interest and
 2946 penalties thereon, for which such certificates of indebtedness
 2947 or assessment liens have been deposited in or assigned to such
 2948 fund; to foreclose such assessment liens so assigned to such
 2949 special fund or represented by the certificates of indebtedness
 2950 deposited in the special fund, after such assessment liens have
 2951 become delinquent, and deposit the proceeds derived from such
 2952 foreclosure, including interest and penalties, in such special
 2953 fund; and to make any other covenants deemed necessary or
 2954 advisable in order to properly secure the holders of such
 2955 assessment bonds or other obligations.

2956 (c) The assessment bonds, revenue bonds, or other
 2957 obligations issued pursuant to this section shall have such
 2958 dates of issue and maturity as shall be deemed advisable by the
 2959 board; however, the maturities of such assessment bonds or other
 2960 obligations shall not be more than 2 years after the due date of
 2961 the last installment which will be payable on any of the special
 2962 assessments for which such assessment liens, or the certificates
 2963 of indebtedness representing such assessment liens, are assigned
 2964 to or deposited in such special fund.

2965 (d) Such assessment bonds, revenue bonds, or other
 2966 obligations issued under this section shall bear such interest
 2967 as the board may determine, not to exceed the maximum rate
 2968 allowed by general law, and shall be executed, shall have such

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2969 provisions for redemption prior to maturity, shall be sold in
 2970 the manner, and shall be subject to all of the applicable
 2971 provisions contained in this act for revenue bonds, except as
 2972 the same may be inconsistent with the provisions of this
 2973 section.

2974 (e) All assessment bonds, revenue bonds, or other
 2975 obligations issued under the provisions of this section shall
 2976 be, shall constitute, and shall have all the qualities and
 2977 incidents of negotiable instruments under the law merchant and
 2978 the laws of the state.

2979 (15) TAX LIENS.--All taxes of the District provided for in
 2980 this act, except together with all penalties for default in the
 2981 payment of the same and all costs in collecting the same,
 2982 including a reasonable attorney's fee fixed by the court and
 2983 taxed as a cost in the action brought to enforce payment, shall,
 2984 from January 1 for each year the property is liable to
 2985 assessment and until paid, constitute a lien of equal dignity
 2986 with the liens for state and county taxes and other taxes of
 2987 equal dignity with state and county taxes upon all the lands
 2988 against which such taxes shall be levied. A sale of any of the
 2989 real property within the District for state and county or other
 2990 taxes shall not operate to relieve or release the property so
 2991 sold from the lien for subsequent District taxes or installments
 2992 of District taxes, which lien may be enforced against such
 2993 property as though no such sale thereof had been made. In
 2994 addition to, and not in limitation of, the preceding sentence,
 2995 for purposes of section 197.552, Florida Statutes, the lien of
 2996 all special assessments levied by the District shall constitute

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2997 | a lien of record held by a municipal or county governmental
 2998 | unit. The provisions of sections 194.171, 197.122, 197.333, and
 2999 | 197.432, Florida Statutes, shall be applicable to District taxes
 3000 | with the same force and effect as if such provisions were
 3001 | expressly set forth in this act.

3002 | (16) PAYMENT OF TAXES AND REDEMPTION OF TAX LIENS BY THE
 3003 | DISTRICT; SHARING IN PROCEEDS OF TAX SALE.--

3004 | (a) The District shall have the power and right to:

3005 | 1. Pay any delinquent state, county, District, municipal,
 3006 | or other tax or assessment upon lands located wholly or
 3007 | partially within the boundaries of the District.

3008 | 2. Redeem or purchase any tax sales certificates issued or
 3009 | sold on account of any state, county, District, municipal, or
 3010 | other taxes or assessments upon lands located wholly or
 3011 | partially within the boundaries of the District.

3012 | (b) Delinquent taxes paid, or tax sales certificates
 3013 | redeemed or purchased, by the District, together with all
 3014 | penalties for the default in payment of the same and all costs
 3015 | in collecting the same and a reasonable attorney's fee, shall
 3016 | constitute a lien in favor of the District of equal dignity with
 3017 | the liens of state and county taxes and other taxes of equal
 3018 | dignity with state and county taxes upon all the real property
 3019 | against which the taxes were levied. The lien of the District
 3020 | may be foreclosed in the manner provided in this act.

3021 | (c) In any sale of land pursuant to section 197.542,
 3022 | Florida Statutes, as may be amended from time to time, the
 3023 | District may certify to the clerk of the circuit court of the
 3024 | county holding such sale the amount of taxes due to the District

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3025 upon the lands sought to be sold, and the District shall share
 3026 in the disbursement of the sales proceeds in accordance with the
 3027 provisions of this act and under the laws of the state.

3028 (17) FORECLOSURE OF LIENS.--Any lien in favor of the
 3029 District arising under this act may be foreclosed by the
 3030 District by foreclosure proceedings in the name of the District
 3031 in a court of competent jurisdiction as provided by general law
 3032 in like manner as is provided in chapter 173, Florida Statutes,
 3033 and amendments thereto and the provisions of that chapter shall
 3034 be applicable to such proceedings with the same force and effect
 3035 as if those provisions were expressly set forth in this act. Any
 3036 act required or authorized to be done by or on behalf of a
 3037 municipality in foreclosure proceedings under chapter 173,
 3038 Florida Statutes, may be performed by such officer or agent of
 3039 the District as the Board of Supervisors may designate. Such
 3040 foreclosure proceedings may be brought at any time after the
 3041 expiration of 1 year from the date any tax, or installment
 3042 thereof, becomes delinquent; however, no lien shall be
 3043 foreclosed against any political subdivision or agency of the
 3044 state. Other legal remedies shall remain available.

3045 (18) MANDATORY USE OF CERTAIN DISTRICT SYSTEMS,
 3046 FACILITIES, AND SERVICES.--To the full extent permitted by law,
 3047 the District shall require all lands, buildings, premises,
 3048 persons, firms, and corporations within the District to use the
 3049 water management and control facilities and water and sewer
 3050 facilities of the District.

3051 (19) COMPETITIVE PROCUREMENT; BIDS; NEGOTIATIONS; RELATED
 3052 PROVISIONS REQUIRED.--

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3053 (a) No contract shall be let by the board for any goods,
 3054 supplies, or materials to be purchased when the amount thereof
 3055 to be paid by the District shall exceed the amount provided in
 3056 section 287.017, Florida Statutes, as amended from time to time,
 3057 for category four, unless notice of bids shall be advertised
 3058 once in a newspaper in general circulation in either Manatee
 3059 County or Sarasota County. Any board seeking to construct or
 3060 improve a public building, structure, or other public works
 3061 shall comply with the bidding procedures of section 255.20,
 3062 Florida Statutes, as amended from time to time, and other
 3063 applicable general law. In each case, the bid of the lowest
 3064 responsive and responsible bidder shall be accepted unless all
 3065 bids are rejected because the bids are too high or the board
 3066 determines it is in the best interests of the District to reject
 3067 all bids. The board may require the bidders to furnish bond with
 3068 a responsible surety to be approved by the board. Nothing in
 3069 this section shall prevent the board from undertaking and
 3070 performing the construction, operation, and maintenance of any
 3071 project or facility authorized by this act by the employment of
 3072 labor, material, and machinery.

3073 (b) The provisions of the Consultants' Competitive
 3074 Negotiation Act, section 287.055, Florida Statutes, apply to
 3075 contracts for engineering, architecture, landscape architecture,
 3076 or registered surveying and mapping services let by the board.

3077 (c) Contracts for maintenance services for any District
 3078 facility or project shall be subject to competitive bidding
 3079 requirements when the amount thereof to be paid by the District
 3080 exceeds the amount provided in section 287.017, Florida

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3081 Statutes, as amended from time to time, for category four. The
 3082 District shall adopt rules, policies, or procedures establishing
 3083 competitive bidding procedures for maintenance services.

3084 Contracts for other services shall not be subject to competitive
 3085 bidding unless the District adopts a rule, policy, or procedure
 3086 applying competitive bidding procedures to said contracts.

3087 Nothing herein shall preclude the use of requests for proposal
 3088 instead of invitations to bid as determined by the District to
 3089 be in its best interest.

3090 (20) FEES, RENTALS, AND CHARGES; PROCEDURE FOR ADOPTION
 3091 AND MODIFICATIONS; MINIMUM REVENUE REQUIREMENTS.--

3092 (a) The District is authorized to prescribe, fix,
 3093 establish, and collect rates, fees, rentals, or other charges,
 3094 hereinafter sometimes referred to as "revenues," and to revise
 3095 the same from time to time, for the systems, facilities, and
 3096 services furnished by the District, within the limits of the
 3097 District, including, but not limited to, recreational
 3098 facilities, water management and control facilities, and water
 3099 and sewer systems; to recover the costs of making connection
 3100 with any District service, facility, or system; and to provide
 3101 for reasonable penalties against any user or property for any
 3102 such rates, fees, rentals, or other charges that are delinquent.

3103 (b) No such rates, fees, rentals, or other charges for any
 3104 of the facilities or services of the District shall be fixed
 3105 until after a public hearing at which all the users of the
 3106 proposed facility or services or owners, tenants, or occupants
 3107 served or to be served thereby and all other interested persons
 3108 shall have an opportunity to be heard concerning the proposed

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3109 rates, fees, rentals, or other charges. Rates, fees, rentals,
 3110 and other charges shall be adopted under the administrative
 3111 rulemaking authority of the District, but shall not apply to
 3112 District leases. Notice of such public hearing setting forth the
 3113 proposed schedule or schedules of rates, fees, rentals, and
 3114 other charges shall have been published in newspapers of general
 3115 circulation in Manatee and Sarasota Counties at least once and
 3116 at least 10 days prior to such public hearing. The rulemaking
 3117 hearing may be adjourned from time to time. After such hearing,
 3118 such schedule or schedules, either as initially proposed or as
 3119 modified or amended, may be finally adopted. A copy of the
 3120 schedule or schedules of such rates, fees, rentals, or charges
 3121 as finally adopted shall be kept on file in an office designated
 3122 by the board and shall be open at all reasonable times to public
 3123 inspection. The rates, fees, rentals, or charges so fixed for
 3124 any class of users or property served shall be extended to cover
 3125 any additional users or properties thereafter served which shall
 3126 fall in the same class, without the necessity of any notice or
 3127 hearing.

3128 (c) Such rates, fees, rentals, and charges shall be just
 3129 and equitable and uniform for users of the same class, and when
 3130 appropriate may be based or computed either upon the amount of
 3131 service furnished, upon the average number of persons residing
 3132 or working in or otherwise occupying the premises served, or
 3133 upon any other factor affecting the use of the facilities
 3134 furnished, or upon any combination of the foregoing factors, as
 3135 may be determined by the board on an equitable basis.

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3136 (d) The rates, fees, rentals, or other charges prescribed
 3137 shall be such as will produce revenues, together with any other
 3138 assessments, taxes, revenues, or funds available or pledged for
 3139 such purpose, at least sufficient to provide for the items
 3140 hereinafter listed, but not necessarily in the order stated:

3141 1. To provide for all expenses of operation and
 3142 maintenance of such facility or service.

3143 2. To pay when due all bonds and interest thereon for the
 3144 payment of which such revenues are, or shall have been, pledged
 3145 or encumbered, including reserves for such purpose.

3146 3. To provide for any other funds which may be required
 3147 under the resolution or resolutions authorizing the issuance of
 3148 bonds pursuant to this act.

3149 (e) The board shall have the power to enter into contracts
 3150 for the use of the projects of the District and with respect to
 3151 the services, systems, and facilities furnished or to be
 3152 furnished by the District.

3153 (21) RECOVERY OF DELINQUENT CHARGES.--In the event that
 3154 any rates, fees, rentals, charges, or delinquent penalties shall
 3155 not be paid as and when due and shall be in default for 60 days
 3156 or more, the unpaid balance thereof and all interest accrued
 3157 thereon, together with reasonable attorney's fees and costs, may
 3158 be recovered by the District in a civil action.

3159 (22) DISCONTINUANCE OF SERVICE.--In the event the fees,
 3160 rentals, or other charges for water and sewer services, or
 3161 either of them, are not paid when due, the board shall have the
 3162 power, under such reasonable rules and regulations as the board
 3163 may adopt, to discontinue and shut off both water and sewer

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3164 services until such fees, rentals, or other charges, including
 3165 interest, penalties, and charges for the shutting off and
 3166 discontinuance and the restoration of such water and sewer
 3167 services or both, are fully paid; and, for such purposes, the
 3168 board may enter on any lands, waters, or premises of any person,
 3169 firm, corporation, or body, public or private, within the
 3170 District limits. Such delinquent fees, rentals, or other
 3171 charges, together with interest, penalties, and charges for the
 3172 shutting off and discontinuance and the restoration of such
 3173 services and facilities and reasonable attorney's fees and other
 3174 expenses, may be recovered by the District, which may also
 3175 enforce payment of such delinquent fees, rentals, or other
 3176 charges by any other lawful method of enforcement.

3177 (23) ENFORCEMENT AND PENALTIES.--The board or any
 3178 aggrieved person may have recourse to such remedies in law and
 3179 at equity as may be necessary to ensure compliance with the
 3180 provisions of this act, including injunctive relief to enjoin or
 3181 restrain any person violating the provisions of this act or any
 3182 bylaws, resolutions, regulations, rules, codes, or orders
 3183 adopted under this act. In case any building or structure is
 3184 erected, constructed, reconstructed, altered, repaired,
 3185 converted, or maintained, or any building, structure, land, or
 3186 water is used, in violation of this act or of any code, order,
 3187 resolution, or other regulation made under authority conferred
 3188 by this act or under law, the board or any citizen residing in
 3189 the District may institute any appropriate action or proceeding
 3190 to prevent such unlawful erection, construction, reconstruction,
 3191 alteration, repair, conversion, maintenance, or use; to

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3192 restrain, correct, or avoid such violation; to prevent the
 3193 occupancy of such building, structure, land, or water; and to
 3194 prevent any illegal act, conduct, business, or use in or about
 3195 such premises, land, or water.

3196 (24) SUITS AGAINST THE DISTRICT.--Any suit or action
 3197 brought or maintained against the District for damages arising
 3198 out of tort, including, without limitation, any claim arising
 3199 upon account of an act causing an injury or loss of property,
 3200 personal injury, or death, shall be subject to the limitations
 3201 provided in section 768.28, Florida Statutes.

3202 (25) EXEMPTION OF DISTRICT PROPERTY FROM EXECUTION.--All
 3203 District property shall be exempt from levy and sale by virtue
 3204 of an execution, and no execution or other judicial process
 3205 shall issue against such property, nor shall any judgment
 3206 against the District be a charge or lien on its property or
 3207 revenues; however, nothing contained herein shall apply to or
 3208 limit the rights of bondholders to pursue any remedy for the
 3209 enforcement of any lien or pledge given by the District in
 3210 connection with any of the bonds or obligations of the District.

3211 (26) TERMINATION, CONTRACTION, OR EXPANSION OF DISTRICT.--

3212 (a) The board may ask the Legislature through its local
 3213 legislative delegations in and for Manatee and Sarasota Counties
 3214 to amend this act to contract, to expand or to contract, and to
 3215 expand the boundaries of the District by amendment of this
 3216 section.

3217 (b) The District shall remain in existence until:

3218 1. The District is terminated and dissolved pursuant to
 3219 amendment to this act by the Florida Legislature.

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3220 2. The District has become inactive pursuant to section
 3221 189.4044, Florida Statutes.

3222 (27) INCLUSION OF TERRITORY.--The inclusion of any or all
 3223 territory of the District within a municipality does not change,
 3224 alter, or affect the boundary, territory, existence, or
 3225 jurisdiction of the District.

3226 (28) SALE OF REAL ESTATE WITHIN THE DISTRICT; REQUIRED
 3227 DISCLOSURE TO PURCHASER.--Subsequent to the creation of this
 3228 District under this act, each contract for the initial sale of a
 3229 parcel of real property and each contract for the initial sale
 3230 of a residential unit within the District shall include,
 3231 immediately prior to the space reserved in the contract for the
 3232 signature of the purchaser, the following disclosure statement
 3233 in boldfaced and conspicuous type which is larger than the type
 3234 in the remaining text of the contract: "THE LAKEWOOD RANCH
 3235 STEWARDSHIP DISTRICT MAY IMPOSE AND LEVY TAXES OR ASSESSMENTS,
 3236 OR BOTH TAXES AND ASSESSMENTS, ON THIS PROPERTY. THESE TAXES AND
 3237 ASSESSMENTS PAY FOR THE CONSTRUCTION, OPERATION, AND MAINTENANCE
 3238 COSTS OF CERTAIN PUBLIC SYSTEMS, FACILITIES, AND SERVICES OF THE
 3239 DISTRICT AND ARE SET ANNUALLY BY THE GOVERNING BOARD OF THE
 3240 DISTRICT. THESE TAXES AND ASSESSMENTS ARE IN ADDITION TO COUNTY
 3241 AND OTHER LOCAL GOVERNMENTAL TAXES AND ASSESSMENTS AND ALL OTHER
 3242 TAXES AND ASSESSMENTS PROVIDED FOR BY LAW."

3243 (29) NOTICE OF CREATION AND ESTABLISHMENT.--Within 30 days
 3244 after the election of the first Board of Supervisors creating
 3245 this District, the District shall cause to be recorded in the
 3246 grantor-grantee index of the property records in each county in
 3247 which it is located a "Notice of Creation and Establishment of

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3248 | the Lakewood Ranch Stewardship District." The notice shall, at a
 3249 | minimum, include the legal description of the property covered
 3250 | by this act.

3251 | (30) DISTRICT PROPERTY PUBLIC; FEES.--Any system,
 3252 | facility, service, works, improvement, project, or other
 3253 | infrastructure owned by the District, or funded by federal tax
 3254 | exempt bonding issued by the District, is public; and the
 3255 | District by rule may regulate, and may impose reasonable charges
 3256 | or fees for, the use thereof but not to the extent that such
 3257 | regulation or imposition of such charges or fees constitutes
 3258 | denial of reasonable access.

3259 | Section 7. If any provision of this act is determined
 3260 | unconstitutional or otherwise determined invalid by a court of
 3261 | law, all the rest and remainder of the act shall remain in full
 3262 | force and effect as the law of this state.

3263 | Section 8. This act shall take effect upon becoming a law,
 3264 | except that the provisions of this act which authorize the levy
 3265 | of ad valorem taxation shall take effect only upon express
 3266 | approval by a majority vote of those qualified electors of the
 3267 | Lakewood Ranch Stewardship District, as required by Section 9 of
 3268 | Article VII of the State Constitution, voting in a referendum
 3269 | election held at such time as all members of the board are
 3270 | qualified electors who are elected by qualified electors of the
 3271 | district as provided in this act.