

ENROLLED

HB 1429, Engrossed 1

2005 Legislature

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

Page 1 of 118

CODING: Words ~~stricken~~ are deletions; words underlined are additions.

hb1429-03-er

ENROLLED
 HB 1429, Engrossed 1

2005 Legislature

29 required notices to purchasers of residential units within
 30 the district; providing severability; providing for a
 31 referendum; providing an effective date.

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

34
 35 Section 1. This act may be cited as the "Lakewood Ranch
 36 Stewardship District Act."

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

39 (1) LEGISLATIVE FINDINGS AND INTENT.--

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

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

54 (c) Management of conservation, environmental,
 55 agricultural, and economic challenges and opportunities in the
 56 Lakewood Ranch area transcends the boundaries and

ENROLLED

HB 1429, Engrossed 1

2005 Legislature

57 | responsibilities of both private landowners and individual units
58 | of government.

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

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

83 | (f) Longer involvement of the initial landowner with
84 | regard to the provision of systems, facilities, and services for

ENROLLED

HB 1429, Engrossed 1

2005 Legislature

85 the Lakewood Ranch lands, coupled with a severely limited and
86 highly specialized single purpose of the District is in the
87 public interest.

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

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

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

ENROLLED
 HB 1429, Engrossed 1

2005 Legislature

113 costs of providing certain systems, facilities, and services in
 114 an innovative, sequential, and flexible manner within the
 115 developing area to be serviced by the District.

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

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

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

134 (m) In order to be responsive to the critical timing
 135 required through the exercise of its special management
 136 functions, an independent district requires financing of those
 137 functions, including bondable lienable and nonlienable revenue,
 138 with full and continuing public disclosure and accountability,
 139 funded by landowners, both present and future, and funded also
 140 by users of the systems, facilities, and services provided to

ENROLLED
 HB 1429, Engrossed 1

2005 Legislature

141 | the land area by the District, without unduly burdening the
 142 | taxpayers and citizens of the state, Sarasota County, Manatee
 143 | County, or any municipality therein.

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

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

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

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

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

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

167 | (c) "Assessment bonds" means special obligations of the
 168 | District which are payable solely from proceeds of the special

ENROLLED
 HB 1429, Engrossed 1

2005 Legislature

169 assessments or benefit special assessments levied for assessable
 170 improvements, provided that, in lieu of issuing assessment bonds
 171 to fund the costs of assessable improvements, the District may
 172 issue revenue bonds for such purposes payable from special
 173 assessments.

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

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

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

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

ENROLLED
 HB 1429, Engrossed 1

2005 Legislature

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

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

203 1. The expenses of determining the feasibility or
 204 practicability of acquisition, construction, or reconstruction.

205 2. The cost of surveys, estimates, plans, and
 206 specifications.

207 3. The cost of improvements.

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

209 5. The cost of all labor, materials, machinery, and
 210 equipment.

211 6. The cost of all lands, properties, rights, easements,
 212 and franchises acquired.

213 7. Financing charges.

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

215 9. Working capital.

216 10. Interest charges incurred or estimated to be incurred
 217 on money borrowed prior to and during construction and
 218 acquisition and for such reasonable period of time after
 219 completion of construction or acquisition as the board may
 220 determine.

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

ENROLLED
 HB 1429, Engrossed 1

2005 Legislature

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

225 13. The discount, if any, on the sale or exchange of
 226 bonds.

227 14. Administrative expenses.

228 15. Such other expenses as may be necessary or incidental
 229 to the acquisition, construction, or reconstruction of any
 230 project, or to the financing thereof, or to the development of
 231 any lands within the District.

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

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

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

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

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

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

ENROLLED
 HB 1429, Engrossed 1

2005 Legislature

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

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

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

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

ENROLLED
 HB 1429, Engrossed 1

2005 Legislature

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

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

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

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

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

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

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

ENROLLED
 HB 1429, Engrossed 1

2005 Legislature

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

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

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

ENROLLED
 HB 1429, Engrossed 1

2005 Legislature

333 of any nature relating to any such system and necessary or
 334 convenient for operation thereof.

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

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

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

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

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

ENROLLED
 HB 1429, Engrossed 1

2005 Legislature

361 all rights, easements, and franchises of any nature relating to
 362 any such system and necessary or convenient for the operation
 363 thereof.

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

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

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

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

ENROLLED
 HB 1429, Engrossed 1

2005 Legislature

389 regulations, rules, policies, and ordinances apply to all
 390 development of the land within the jurisdiction of the District
 391 as created by this act.

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

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

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

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

ENROLLED

HB 1429, Engrossed 1

2005 Legislature

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

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

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

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

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

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

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

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

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

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

ENROLLED

HB 1429, Engrossed 1

2005 Legislature

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

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

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

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

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

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

461 (2) The Lakewood Ranch Stewardship District, which also
462 may be referred to as the "Stewardship District," "Lakewood
463 Ranch District," or "District," is created and incorporated as a
464 public body corporate and politic, an independent, limited,
465 special purpose local government, an independent special
466 district, under section 189.404, Florida Statutes, as amended
467 from time to time, and as defined in this act and in section
468 189.403(3), Florida Statutes, as amended from time to time, in
469 and for portions of Manatee and Sarasota Counties. Any
470 amendments to chapter 190, Florida Statutes, after January 1,
471 2005, granting additional general powers, special powers,

ENROLLED

HB 1429, Engrossed 1

2005 Legislature

472 authorities, or projects to a community development district by
473 amendment to its uniform charter, sections 190.006-190.041,
474 Florida Statutes, shall constitute a general power, special
475 power, authority, or function of the Lakewood Ranch Stewardship
476 District; provided, however, that the exercise of any of such
477 additional powers within Manatee County or Sarasota County shall
478 be subject to the requirement that the district execute or amend
479 an interlocal agreement with Manatee County or Sarasota County,
480 respectively, consenting to the exercise of any of such
481 additional powers as provided elsewhere in this act. All notices
482 for the enactment by the Legislature of this special act have
483 been provided pursuant to the State Constitution, the laws of
484 Florida, and the Rules of the Florida House of Representatives
485 and of the Florida Senate. No referendum subsequent to the
486 effective date of this act is required as a condition of
487 establishing the District. Therefore, the District, as created
488 by this act, is established on the property described in this
489 act.

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

493 (4) The jurisdiction of this District, in the exercise of
494 its general and special powers, and in the carrying out of its
495 special purposes, is both within the external boundaries of the
496 legal description of this District and extraterritorially when
497 limited to, and as authorized expressly elsewhere in, the
498 charter of the District as created in this act or applicable
499 general law. This special purpose District is created as a

ENROLLED
 HB 1429, Engrossed 1

2005 Legislature

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

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

526 Section 4. Legal description of the Lakewood Ranch
 527 Stewardship District.--

ENROLLED

HB 1429, Engrossed 1

2005 Legislature

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

ENROLLED

HB 1429, Engrossed 1

2005 Legislature

555 That portion of the west half of Section 32, lying
 556 east of Lakewood Ranch Boulevard, a 120-foot wide
 557 Public Right-of-Way, as recorded in Official Record
 558 Book 1429, Page 3703 of said Public Records, less and
 559 except the record plat of Lakewood Ranch Commerce
 560 Park, Block C, recorded in Plat Book 38, Page 160
 561 through 163 of said Public Records, also less and
 562 except premises described in Special Warranty Deed to
 563 Lakewood Flex Properties Phase II, Inc, recorded in
 564 Official Record Book 1934, Page 5505 Public Records of
 565 Manatee County, Florida;

566 Also:
 567 The west half of the southeast quarter of said Section
 568 32;

569 Also:
 570 The southeast quarter of the southeast quarter of said
 571 Section 32, less and except premises described in
 572 Special warranty Deed to Ashton Associates of
 573 Sarasota, L.L.C., recorded in Official Record Book
 574 1888, Page 7567 Public Records of Manatee County,
 575 Florida;

576 Also:
 577 The northwest quarter of the northeast quarter lying
 578 south of State Road 64, less and except the east 100-
 579 feet described in Warranty Deed to John D. Taylor and
 580 Beverly J. Taylor, recorded in Official Record Book
 581 1331, Page 0041 Public Records of Manatee County,
 582 Florida;

ENROLLED

HB 1429, Engrossed 1

2005 Legislature

583 Also:
 584 That portion of the southwest quarter of the northeast
 585 quarter being more particularly described as follows:
 586 Begin at the northwest corner of the southwest quarter
 587 of the northeast quarter of said Section 32; thence
 588 east, 466.8 feet along north side of said 40 acre
 589 tract; thence south, 466.8 feet; thence west, 466.8
 590 feet to west line of 40 acre tract; thence north,
 591 466.8 feet to the POINT OF BEGINNING;

592 Also:
 593 That part of the southwest quarter of the northeast
 594 quarter of Section 32, Township 34 South, Range 19
 595 East, described as follows: Commence at a concrete
 596 monument found marking the southwest corner of the
 597 southwest quarter of the northeast quarter of Section
 598 32, Township 34 South, Range 19 East, as occupied by
 599 John D. Taylor & being the southwest corner of that
 600 certain parcel of land as described in Official Record
 601 Book 656 Page 103 of the Public Records of Manatee
 602 County, Florida, for a POINT OF BEGINNING; thence
 603 S.89°35'55"E., along the south line of said southeast
 604 quarter of northeast quarter, 290.77 feet; thence N.
 605 00° 42' 08"E., parallel with the west line of said
 606 southwest quarter of northeast quarter, 299.62 feet;
 607 thence N. 89°35'55"W. along the northerly line of said
 608 land described in Official Record Book 656 Page 103,
 609 a distance of 290.77 feet to the intersection with the
 610 west line of said southwest quarter of the northeast

ENROLLED

HB 1429, Engrossed 1

2005 Legislature

611 quarter; thence S.00°42'08W., along the west line of
 612 said southwest quarter of the northeast quarter, a
 613 distance of 299.62 feet to the POINT OF BEGINNING,
 614 being & lying in the southwest quarter of the
 615 northeast quarter of Section 32, township 34 South,
 616 Range 19 East, Manatee County, Florida;
 617 Section 33, Township 34 South, Range 19 East:
 618 The east half, the northeast quarter of the northwest
 619 quarter, the northwest quarter of the northwest
 620 quarter, the southeast quarter of the northwest
 621 quarter, and the southwest quarter of the southwest
 622 quarter of Section 33, Township 34 South, Range 19
 623 East,
 624 Less:
 625 Road right-of-way for State Road 64 and less that part
 626 of the above described property, lying north and east
 627 of said State Road 64 as described in Official Record
 628 Book 1095, Page 256;
 629 Less:
 630 Road right-of-way for Pope Road;
 631 Less:
 632 Premises described in Special Warranty Deed to Roy F.
 633 Green, recorded in Official Record Book 1752, Page
 634 4576;
 635 Less:
 636 Premises described in Special Warranty Deed to Triko
 637 Enterprises, Inc, recorded in Official Record Book

ENROLLED

HB 1429, Engrossed 1

2005 Legislature

638 1407, Page 3313 and Official Record Book 1752, Page
 639 2251;
 640 Less:
 641 Premises described in Special Warranty Deed to Peoples
 642 Gas System, recorded in Official Record Book 1576,
 643 Page 4158;
 644 Section 35, Township 34 South, Range 19 East:
 645 The south half of the northeast quarter, and the east
 646 half of the southeast quarter of Section 35, Township
 647 34 South, Range 19 East;
 648 Less:
 649 Road right-of-way for State Road 64
 650 Section 36, Township 34 South, Range 19 East:
 651 The west half of the northeast quarter, the southeast
 652 quarter of the northeast quarter, the east half of the
 653 northwest quarter, and the south half of Section 36,
 654 Township 34 South, Range 19 East;
 655 Less:
 656 Road right-of-way for State Road 64
 657 Section 1, Township 35 South, Range 19 East:
 658 All of Section 1, Township 35 South, Range 19 East;
 659 Less:
 660 Road right-of-way for State Road 64
 661 Section 2, Township 35 South, Range 19 East:
 662 All of Section 2, Township 35 South, Range 19 East;
 663 Less:

ENROLLED

HB 1429, Engrossed 1

2005 Legislature

664 The northwest quarter of the northeast quarter, the
 665 north half of the northwest quarter, and road right-
 666 of-way for State Road 64;
 667 Section 3, Township 35 South, Range 19 East:
 668 The south half of the north half, the southeast
 669 quarter of the southwest quarter, and the southeast
 670 quarter of Section 3, Township 35 South, Range 19
 671 East;
 672 Less:
 673 Road right-of-way for Lorraine Road
 674 Section 4, Township 35 South, Range 19 East:
 675 The northwest quarter of the northeast quarter, the
 676 south-half of the northeast quarter, the east half of
 677 the northeast quarter of the northwest quarter, the
 678 southeast quarter of the northwest quarter, the south-
 679 half of the southwest quarter of the northwest
 680 quarter, the north-half of the south-half, the
 681 southeast quarter of the southwest quarter, and the
 682 south half of the southeast quarter of Section 4,
 683 Township 35 South, Range 19 East;
 684 Less:
 685 Premises described in Special Warranty Deed to
 686 Ellenton Fruit Company, recorded in Official Record
 687 Book 1472, Page 4620
 688 Less:
 689 Road right-of-way for Pope Road, recorded in Road Plat
 690 Book 8, Pages 138 through 152
 691 Section 5, Township 35 South, Range 19 East:

ENROLLED

HB 1429, Engrossed 1

2005 Legislature

692 | All of Section 5, Township 35 South, Range 19 East;
 693 | Less:
 694 | Right-of-way for Lakewood Ranch Boulevard, as recorded
 695 | in Official Record Book 1429, Page 3703 Public Records
 696 | of Manatee County, Florida;
 697 | Less:
 698 | A portion of premises described in Warranty Deed to
 699 | the County of Manatee, recorded in Official Record
 700 | Book 1540, Page 7900 of said Public Records
 701 | Less:
 702 | Road right-of-way for Pope Road, recorded in Road Plat
 703 | Book 8, Pages 138 through 152
 704 | Section 6, Township 35 South, Range 19 East:
 705 | That portion of Section 6, Township 35 South, Range 19
 706 | East, lying easterly of east line of the "Manatee
 707 | County Landfill", as described in Special Warranty
 708 | Deed to Manatee County, recorded in Official Record
 709 | Book 1166, Page 3590, Public Records of Manatee
 710 | County, Florida;
 711 | Less:
 712 | Right-of-way for Lakewood Ranch Boulevard, as recorded
 713 | in Official Record Book 1429, Page 3703 Public Records
 714 | of Manatee County, Florida;
 715 | Less:
 716 | A portion of premises described in Warranty Deed to
 717 | the County of Manatee, recorded in Official Record
 718 | Book 1540, Page 7900 of said Public Records
 719 | Section 7, Township 35 South, Range 19 East:

ENROLLED

HB 1429, Engrossed 1

2005 Legislature

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

725 Also:

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

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

735 A tract lying in Sections 7 and 8, Township 35 South,
 736 Range 19 East, Manatee County, Florida and described
 737 as follows:

738 Commence at the southwest corner of the North ½ of
 739 Section 17, Township 35 South, Range 19 East, also
 740 being the Southeast corner of the North ½ of Section
 741 18, Township 35 South, Range 19 East; thence
 742 S.89°34'40"E., along the South line of the North ½ of
 743 said Section 17, a distance of 187.55 feet to the
 744 intersection with the Westerly Right-of-way of
 745 Lakewood Ranch Boulevard (formerly Upper Manatee River
 746 Road Extension), a 120-foot wide public right-of-way
 747 as recorded in Official Record Book 1429, Page 3703 of

ENROLLED

HB 1429, Engrossed 1

2005 Legislature

748 | the Public Records of Manatee County, Florida, said
 749 | point being on the arc of a curve to the right, whose
 750 | radius point lies N.63°58'46"E., a radial distance of
 751 | 2310.00 feet; thence run northwesterly, along said
 752 | westerly right-of-way for the following five calls;
 753 | thence along the arc of said curve, through a central
 754 | angle of 23°42'37", a distance of 955.93 feet to the
 755 | point of tangency of said curve; thence N.02°18'37"W.,
 756 | a distance of 1736.20 feet to the intersection with
 757 | the common section line to Sections 7 and 18, Township
 758 | 35 South, Range 19 East, said point lying
 759 | N.88°45'31"W., 141.64 feet from the section corner
 760 | common to said Sections 7 and 18; thence continue
 761 | N.02°18'37"W., a distance of 339.27 feet to the point
 762 | of curvature of a curve to the right, having a radius
 763 | of 4060.00 feet and a central angle of 06°59'18";
 764 | thence run Northerly along the arc of said curve, a
 765 | distance of 495.20 feet to the point of tangency of
 766 | said curve; thence N.04°40'41"E., a distance of
 767 | 2,624.25 feet to the point of curvature of a curve to
 768 | the left having a radius of 1,940.00 feet and a
 769 | central angle of 26°40'32"; thence northerly along the
 770 | arc of said curve, an arc length of 903.21 feet to the
 771 | POINT OF BEGINNING; thence S.68°00'09"W., a distance
 772 | of 15.00 feet to a point on a curve to the left, of
 773 | which the radius point lies S.68°00'09'W., a radial
 774 | distance of 50.00 feet; thence northwesterly along the
 775 | arc of said curve, through a central angle of

ENROLLED

HB 1429, Engrossed 1

2005 Legislature

776 83°34'33", an arc length of 72.93 feet to the point of
 777 tangency of said curve; thence S.74°25'37"W., a
 778 distance of 54.55 feet to the point of curvature of a
 779 curve to the right having a radius of 2,952.50 feet
 780 and a central angle of 12°46'49"; thence westerly
 781 along the arc of said curve, an arc length of 658.58
 782 feet to the end of said curve; thence N.02°47'34"W.,
 783 along a line radial to the last described curve, a
 784 distance of 12.50 feet to the point of curvature of a
 785 non-tangent curve to the right, of which the radius
 786 point lies N.02°47'34"W., a radial distance of
 787 2,940.00 feet; thence westerly along the arc of said
 788 curve, through a central angle of 24°02'05", an arc
 789 length of 1,233.29 feet to the point of reverse
 790 curvature of a curve to the left having a radius of
 791 2,790.00 feet and a central angle of 31°26'50"; thence
 792 westerly along the arc of said curve, a distance of
 793 1,531.31 feet to the point of reverse curvature of a
 794 curve to the right having a radius of 2,940.00 feet
 795 and a central angle of 15°52'03"; thence westerly
 796 along the arc of said curve, a distance of 814.20 feet
 797 to the northerly line of a 50-foot wide gas line
 798 easement as recorded in Official Record Book 27, Page
 799 220 and Official Record Book 396, Page 91 said public
 800 records; thence N.59°42'53"E., along said northerly
 801 line, a distance of 270.14 feet to the point of
 802 curvature of a non-tangent curve to the left, of which
 803 the radius point lies N.01°10'01"E., a radial distance

ENROLLED
 HB 1429, Engrossed 1

2005 Legislature

804 of 2,790.00 feet; thence easterly along the arc of
 805 said curve, through a central angle of 11°22'19", an
 806 arc length of 553.75 feet to the point of reverse
 807 curvature of a curve to the right having a radius of
 808 2,940.00 feet and a central angle of 31°26'50"; thence
 809 easterly along the arc of said curve, a distance of
 810 1,613.64 feet to the point of reverse curvature of a
 811 curve to the left having a radius of 2,790.00 feet and
 812 a central angle of 24°02'05"; thence easterly along
 813 the arc of said curve, a distance of 1,170.37 feet to
 814 the end of said curve; thence N.02°47'34"W., a
 815 distance of 12.50 feet to the point of curvature of a
 816 non-tangent curve to the left, of which the radius
 817 point lies N.02°47'34"W., a radial distance of
 818 2,777.50 feet; thence easterly along the arc of said
 819 curve, through a central angle of 12°46'49", an arc
 820 length of 619.55 feet to the point of tangency of said
 821 curve; thence N.74°25'37"E., a distance of 12.28 feet
 822 to the point of curvature of a curve to the left
 823 having a radius of 50.00 feet and a central angle of
 824 55°27'02"; thence northeasterly along the arc of said
 825 curve, an arc length of 48.39 feet to a point on the
 826 south line of Manatee County Pond Site Number 5, as
 827 recorded in Official Record Book 1528, Page 7481 said
 828 public records; thence S.87°35'31"E., along a line
 829 non-tangent to the last described curve, being the
 830 south line of said Pond Site Number 5, a distance of
 831 30.72 feet to the westerly right-of-way line of the

ENROLLED

HB 1429, Engrossed 1

2005 Legislature

832 aforementioned Lakewood Ranch Boulevard and the point
 833 of curvature of a non-tangent curve to the left, of
 834 which the radius point lies N.66°15'14"E., a radial
 835 distance of 1,560.00 feet; the following 2 calls are
 836 along said westerly right-of-way line; thence
 837 southeasterly along the arc of said curve, through a
 838 central angle of 02°50'31", an arc length of 77.38
 839 feet to the point of reverse curvature of a curve to
 840 the right having a radius of 1,940.00 feet and a
 841 central angle of 04°35'26"; thence southeasterly along
 842 the arc of said curve, a distance of 155.44 feet to
 843 the POINT OF BEGINNING.

844 Said tract contains 650,151 square feet or 14.9254
 845 acres, more or less.

846 Also:

847 A tract of land lying in Sections 7 and 8, Township 35
 848 South, Range 19 East, Manatee County, Florida and
 849 described as follows:

850 Commence at the Southeast corner of Section 7,
 851 Township 35 South, Range 19 East; thence
 852 S.89°34'35"E., a distance of 4,650.84 feet; thence
 853 N.00°25'25"E., a distance of 1,889.17 feet; thence
 854 S82°55'49"W, 912.79 feet to a point of curvature;
 855 Thence 1,287.78 feet along the arc of said curve to
 856 the left through a central angle of 34°25'49", said
 857 curve having a radius of 2,143.00 feet and being
 858 subtended by a chord which bears S65°42'55"W, 1,268.49
 859 feet to a point of reverse curvature; Thence 1,575.57

ENROLLED

HB 1429, Engrossed 1

2005 Legislature

860 feet along the arc of a curve to the right through a
 861 central angle of 44°37'25", said curve having a radius
 862 of 2,023.00 feet and being subtended by a chord which
 863 bears S70°48'42"W, 1,536.04 feet to the point of
 864 tangency of said curve; Thence N86°52'35"W, 1,131.57
 865 feet to a point of curvature; Thence 79.90 feet along
 866 the arc of said curve to the right through a central
 867 angle of 91°33'16", said curve having a radius of
 868 50.00 feet and being subtended by a chord which bears
 869 N41°05'57"W, 71.66 feet to the point of tangency of
 870 said curve; said point being a point on the east line
 871 of Lakewood Ranch Boulevard as recorded in Official
 872 Record Book 1443, Page 4980 of the Public Records of
 873 Manatee County, Florida; thence along said east line
 874 of Lakewood Ranch Boulevard, N04°40'41"E, 1649.57
 875 feet; Thence N85°19'19"W, 120.00 feet to an
 876 intersection with the west line of said Lakewood Ranch
 877 Boulevard and the POINT OF BEGINNING; Thence
 878 S86°50'17"W, 227.27 feet; Thence S40°02'37"W, 121.13
 879 feet; Thence S28°36'43"W, 108.34 feet; Thence
 880 S43°57'34"W, 79.62 feet; Thence S56°46'06"W, 71.21
 881 feet; Thence N22°59'39"W, 32.80 feet; Thence
 882 S59°56'00"W, 91.50 feet; Thence S54°50'36"W, 42.43
 883 feet; Thence S21°03'16"W, 42.67 feet; Thence
 884 S64°33'59"W, 57.70 feet; Thence S78°35'00"W, 52.83
 885 feet; Thence S26°29'07"W, 28.22 feet; Thence
 886 S72°42'09"W, 41.01 feet; Thence N88°04'14"W, 58.26
 887 feet; Thence N63°20'21"W, 61.49 feet; Thence

ENROLLED

HB 1429, Engrossed 1

2005 Legislature

888 N77°09'41"W, 34.90 feet; Thence N87°11'33"W, 50.79
 889 feet; Thence N88°21'13"W, 70.97 feet; Thence
 890 N59°06'15"W, 54.56 feet; Thence S87°08'17"W, 75.46
 891 feet; Thence N27°44'24"E, 782.09 feet; Thence
 892 N08°14'34"E, 859.88 feet; Thence N04°53'06"W, 605.45
 893 feet to a point on the arc of a curve; Thence 552.19
 894 feet along the arc of said curve to the left through a
 895 central angle of 10°42'56", said curve having a radius
 896 of 2,952.50 feet and being subtended by a chord which
 897 bears N79°47'05"E, 551.38 feet to the point of
 898 tangency of said curve; Thence N74°25'37"E, 69.64 feet
 899 to a point of curvature; Thence 72.98 feet along the
 900 arc of said curve to the right through a central angle
 901 of 83°37'55", said curve having a radius of 50.00 feet
 902 and being subtended by a chord which bears
 903 S63°45'26"E, 66.67 feet to a point of compound
 904 curvature; Thence 901.48 feet along the arc of said
 905 curve to the right through a central angle of
 906 26°37'27", said curve having a radius of 1,940.00 feet
 907 and being subtended by a chord which bears
 908 S08°38'03"E, 893.39 feet; Thence S04°40'41"W, 970.22
 909 feet to the POINT OF BEGINNING.

910 Containing 39.281 acres, more or less.

911 Less:

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

915 Less:

ENROLLED

HB 1429, Engrossed 1

2005 Legislature

916 A portion of premises described in Warranty Deed to
 917 the County of Manatee, recorded in Official Record
 918 Book 1528, Page 7481 and Corrective Warranty Deed
 919 recorded in Official Record Book 1540, Page 7918
 920 Public Records of Manatee County, Florida;
 921 Section 8, Township 35 South, Range 19 East:
 922 All of Section 8, Township 35 South, Range 19 East;
 923 Less:
 924 Right-of-way for Lakewood Ranch Boulevard, as recorded
 925 in Official Record Book 1429, Page 3703 Public Records
 926 of Manatee County, Florida;
 927 Less:
 928 A portion of premises described in Warranty Deed to
 929 the County of Manatee, recorded in Official Record
 930 Book 1528, Page 7481 and Corrective Warranty Deed
 931 recorded in Official Record Book 1540, Page 7918
 932 Public Records of Manatee County, Florida;
 933 Section 9, Township 35 South, Range 19 East:
 934 All of Section 9, Township 35 South, Range 19 East;
 935 Section 10, Township 35 South, Range 19 East:
 936 The north half and the southeast quarter of Section
 937 10, Township 35 South, Range 19 East;
 938 Less:
 939 Road right-of-way for Lorraine Road;
 940 Section 11, Township 35 South, Range 19 East:
 941 All of Section 11, Township 35 South, Range 19 East;
 942 Section 12, Township 35 South, Range 19 East:
 943 All of Section 12, Township 35 South, Range 19 East;

ENROLLED

HB 1429, Engrossed 1

2005 Legislature

944 Section 13, Township 35 South, Range 19 East:
 945 All of Section 13, Township 35 South, Range 19 East;
 946 Section 14, Township 35 South, Range 19 East:
 947 All of Section 14, Township 35 South, Range 19 East;
 948 Section 15, Township 35 South, Range 19 East:
 949 The east-half, the Southwest quarter of the northwest
 950 quarter, the southeast quarter of the southwest
 951 quarter, and the northeast quarter of the southwest
 952 quarter of Section 15, Township 35 South, Range 19
 953 East;
 954 Less:
 955 Road right-of-way for Lorraine Road and State Road 70;
 956 Less:
 957 The northeast quarter of the southwest quarter of the
 958 northwest quarter of Section 15, Township 35 South,
 959 Range 19 East;
 960 Less:
 961 The east 66 feet of the northwest quarter of the
 962 southwest quarter of the northwest quarter of Section
 963 15, Township 35 South, Range 19 East , described in
 964 Warranty Deed to Clive and Judith Morris, recorded in
 965 Official Record Book 1574, Page 2146;
 966 Less:
 967 Premises described in Special Warranty Deed to Peace
 968 River Electric Cooperative, Inc. described in Official
 969 Record Book 1542, Page 5178;
 970 Less:

ENROLLED
 HB 1429, Engrossed 1

2005 Legislature

971 | Premises described in Special Warranty Deed to Peace
 972 | River Electric Cooperative, Inc. described in Official
 973 | Record Book 1747, Page 6675;
 974 | Less:
 975 | That part included in the plat of Crawley Substation
 976 | Roadway, recorded in Plat Book 43, Pages 84 and 85
 977 | Public Records of Manatee County, Florida;
 978 | Less:
 979 | Fire House Site
 980 | COMMENCE at a concrete monument found marking the
 981 | occupied northwest corner of the southwest ¼ of
 982 | Section 15, Township 35 South, Ranch 19 East; thence
 983 | S89°31'12"E, along the occupied north line of said
 984 | southwest ¼, a distance of 1343.23 ft. to the
 985 | intersection with the west line of the northeast ¼ of
 986 | said southwest ¼; thence S00°04'29"E, along said west
 987 | line, a distance of 1281.86 ft., thence S87°56'19"E, a
 988 | distance of 1049.55 ft. for a POINT OF BEGINNING, said
 989 | point lying on the northerly right-of-way of 59th
 990 | Avenue East, a 100 ft. wide public right-of-way as
 991 | shown on "Crawley Substation Roadway", a roadway plat
 992 | as recorded in Plat Book 43, Pages 84 and 85, Public
 993 | Records of Manatee County, Florida; thence continue
 994 | S87°56'19"E, along said northerly right-of-way, a
 995 | distance of 398.37 ft. to the intersection with the
 996 | westerly line of that certain parcel of land as
 997 | described and recorded in Official Records Book 1542,
 998 | Page 5178, said Public Records; thence N00°25'16"W,

ENROLLED
 HB 1429, Engrossed 1

2005 Legislature

999 | along said westerly line, a distance of 547.23 ft.;
 1000 | thence N87°56'19"W, 398.37 ft.; thence S00°25'16"E, a
 1001 | distance of 547.23 ft. to the POINT OF BEGINNING,
 1002 | being and lying in Section 15, Township 35 South,
 1003 | Range 19 East, Manatee County, Florida.
 1004 | Containing 5.00 acres, more or less.
 1005 | Section 16, Township 35 South, Range 19 East:
 1006 | All of Section 16, Township 35 South, Range 19 East;
 1007 | Less:
 1008 | Road right-of-way for State Road 70;
 1009 | Less:
 1010 | Road right-of-way for Pope Road
 1011 | Less:
 1012 | Premises described in Warranty Deed to the State of
 1013 | Florida Department of Transportation, recorded in
 1014 | Official Record Book 1915, Page 5768 Public Records of
 1015 | Manatee County, Florida;
 1016 | Less:
 1017 | Premises described in Warranty Deed to Covered Bridge
 1018 | Holdings III, LLC, recorded in Official Record Book
 1019 | 1970, Page 707 Public Records of Manatee County,
 1020 | Florida;
 1021 | Less:
 1022 | Premises described in Warranty Deed to the Diocese of
 1023 | Venice, recorded in Official Record Book 1451, Page
 1024 | 964, less premises conveyed to SMR 70, North 70, LLC,
 1025 | in Special Warranty Deed, recorded in Official Record
 1026 | Book 1928, Page 3315;

ENROLLED
 HB 1429, Engrossed 1

2005 Legislature

1027 | Less:
 1028 | Premises described in Special Warranty Deed to the
 1029 | Diocese of Venice, recorded in Official Record Book
 1030 | 1928, Page 3321 Public Records of Manatee County,
 1031 | Florida;
 1032 | Section 17, Township 35 South, Range 19 East:
 1033 | All of Section 17, Township 35 South, Range 19 East,
 1034 | lying east of the right-of-way of Lakewood Ranch
 1035 | Boulevard, as recorded in Official Record Book 1429,
 1036 | Page 3703 Public Records of Manatee County, Florida;
 1037 | Less:
 1038 | Road right-of-way for State Road 70;
 1039 | Less:
 1040 | Premises described in Warranty Deed to the State of
 1041 | Florida Department of Transportation, recorded in
 1042 | Official Record Book 1915, Page 5768 Public Records of
 1043 | Manatee County, Florida;
 1044 | Less:
 1045 | A portion of premises described in Warranty Deed to
 1046 | the County of Manatee, recorded in Official Record
 1047 | Book 1528, Page 7481 and Corrective Warranty Deed
 1048 | recorded in Official Record Book 1540, Page 7918
 1049 | Public Records of Manatee County, Florida;
 1050 | Section 18, Township 35 South, Range 19 East:
 1051 | All of Section 18, Township 35 South, Range 19 East,
 1052 | lying east of the right-of-way of Lakewood Ranch
 1053 | Boulevard, as recorded in Official Record Book 1429,
 1054 | Page 3703 Public Records of Manatee County, Florida;

ENROLLED
 HB 1429, Engrossed 1

2005 Legislature

1055 | Section 22, Township 35 South, Range 19 East:
 1056 | That portion of Section 22, Township 35 South, Range
 1057 | 19 East, lying northerly of the northerly right-of-way
 1058 | line of State Road 70;
 1059 | Also:
 1060 | That portion of Sections 22, 23 and 27, lying within
 1061 | the following described property:
 1062 | DESCRIPTION (Proposed Braden River Mitigation Bank)
 1063 | A tract of land lying in Sections 22, 23 and 27,
 1064 | Township 35 South, Range 19 East, Manatee County,
 1065 | Florida and described as follows:
 1066 | Commence at the northwest corner of Section 21,
 1067 | Township 35 South, Range 19 East; thence S.89°24'47"E.
 1068 | along the north line of said Section 21, a distance of
 1069 | 5379.98 feet to the northwest corner of said Section
 1070 | 22; thence S.00°30'23" W. along the west line of said
 1071 | Section 22, a distance of 134.20 feet to a point on
 1072 | the southerly Right-of-way line of State Road 70; the
 1073 | following 4 calls are along said southerly right-of-
 1074 | way line; thence S.89°19'57"E., a distance of 521.35
 1075 | feet; thence S.89°21'15"E., a distance of 3,754.54
 1076 | feet to the point of curvature of a curve to the right
 1077 | having a radius of 1,777.86 feet and a central angle
 1078 | of 34°24'33"; thence easterly along the arc of said
 1079 | curve, an arc length of 1,067.70 feet to the point of
 1080 | tangency of said curve; thence S.54°56'41"E., a
 1081 | distance of 821.49 feet to the POINT OF BEGINNING;
 1082 | thence continue S.54°56'41"E. along the above

ENROLLED
 HB 1429, Engrossed 1

2005 Legislature

1083 | mentioned southerly right-of-way line, a distance of
 1084 | 4,427.83 feet; thence S.15°00'00"W., a distance of
 1085 | 701.34 feet; thence N.71°00'00"W., a distance of
 1086 | 2,270.00 feet; thence S.45°00'00"W., a distance of
 1087 | 65.00 feet; thence S.00°00'00"W., a distance of 395.00
 1088 | feet; thence S.86°30'00"W., a distance of 1,250.00
 1089 | feet; thence S.00°00'00"W., a distance of 338.36 feet;
 1090 | thence S.43°00'00"E., a distance of 155.00 feet;
 1091 | thence S.00°00'00"W., a distance of 150.00 feet;
 1092 | thence S.59°56'21"W., a distance of 110.00 feet;
 1093 | thence N.63°00'00"W., a distance of 306.73 feet;
 1094 | thence N.10°00'00"W., a distance of 299.62 feet;
 1095 | thence S.89°37'37"W., a distance of 301.32 feet;
 1096 | thence S.72°00'46"W., a distance of 368.15 feet;
 1097 | thence S.48°06'41"W., a distance of 169.68 feet;
 1098 | thence N.08°37'00"E., a distance of 159.00 feet;
 1099 | thence N.57°02'56"E., a distance of 594.02 feet;
 1100 | thence N.07°52'51"W., a distance of 27.87 feet; thence
 1101 | N.61°22'29"W., a distance of 167.29 feet; thence
 1102 | N.83°56'09"W., a distance of 103.18 feet; thence
 1103 | S.85°40'21"W., a distance of 75.29 feet; thence
 1104 | S.44°35'18"W., a distance of 66.94 feet; thence
 1105 | S.82°54'53"W., a distance of 86.64 feet; thence
 1106 | S.48°07'08"W., a distance of 74.53 feet; thence
 1107 | S.26°33'46"W., a distance of 49.90 feet; thence
 1108 | S.39°24'11"W., a distance of 50.01 feet to a point on
 1109 | the northerly line of a Conservation Easement as
 1110 | recorded in the Official Records Book 1524, Page 5098

ENROLLED
 HB 1429, Engrossed 1

2005 Legislature

1111 | of the Public Records of Manatee County, Florida; the
 1112 | following 15 calls are along the northerly and
 1113 | westerly lines of said Conservation Easement; thence
 1114 | S.63°06'49"W., a distance of 38.30 feet; thence
 1115 | S.30°38'41"W., a distance of 53.69 feet; thence
 1116 | S.68°49'15"W., a distance of 91.30 feet; thence
 1117 | S.51°14'32"W., a distance of 68.98 feet; thence
 1118 | S.76°31'40"W., a distance of 62.88 feet; thence
 1119 | S.45°09'35"W., a distance of 35.02 feet; thence
 1120 | S.36°11'14"E., a distance of 48.92 feet; thence
 1121 | S.18°26'10"E., a distance of 45.74 feet; thence
 1122 | S.09°12'08"W., a distance of 19.73 feet; thence
 1123 | S.32°09'14"E., a distance of 76.50 feet; thence
 1124 | S.07°27'24"E., a distance of 35.67 feet; thence
 1125 | S.29°09'12"E., a distance of 41.08 feet; thence
 1126 | S.11°37'55"E., a distance of 49.89 feet; thence
 1127 | S.51°55'08"E., a distance of 29.11 feet; thence
 1128 | S.67°03'11"E., a distance of 66.38 feet; thence
 1129 | N.66°35'24"E., a distance of 31.03 feet; thence
 1130 | S.45°47'43"E., a distance of 148.54 feet; thence
 1131 | S.18°48'41"W., a distance of 163.72 feet; thence
 1132 | S.82°50'11"W., a distance of 81.44 feet; thence
 1133 | N.69°18'50"W., a distance of 147.54 feet; thence
 1134 | N.16°28'56"W., a distance of 96.10 feet; thence
 1135 | N.07°30'43"W., a distance of 141.37 feet; thence
 1136 | S.65°00'00"W., a distance of 1,078.77 feet; thence
 1137 | S.83°00'00"W., a distance of 630.49 feet; thence
 1138 | S.62°15'00"W., a distance of 585.88 feet; thence

ENROLLED
 HB 1429, Engrossed 1

2005 Legislature

1139 | S.55°30'00"W., a distance of 859.04 feet; thence
 1140 | S.35°00'00"W., a distance of 453.13 feet; thence
 1141 | S.69°00'00"W., a distance of 637.50 feet; thence
 1142 | N.65°15'00"W., a distance of 464.25 feet; thence
 1143 | N.35°51'00"W., a distance of 385.00 feet; thence
 1144 | N.83°00'00"W., a distance of 137.04 feet to the point
 1145 | of curvature of a non-tangent curve to the left, of
 1146 | which the radius point lies S.85°59'50"W., a radial
 1147 | distance of 6,090.00 feet; thence northerly along the
 1148 | arc of said curve, through a central angle of
 1149 | 00°49'46", an arc length of 88.17 feet to the point of
 1150 | tangency of said curve; thence N.00°51'26"E., a
 1151 | distance of 490.58 feet; thence N.00°30'20"E., a
 1152 | distance of 355.33 feet to the point of curvature of a
 1153 | curve to the right having a radius of 2,880.00 feet
 1154 | and a central angle of 07°28'45"; thence northerly
 1155 | along the arc of said curve, an arc length of 375.94
 1156 | feet to the end of said curve; thence S.67°11'02"E.
 1157 | non-radial to the last described curve, a distance of
 1158 | 629.23 feet; thence S.81°49'22"E., a distance of
 1159 | 263.52 feet; thence N.80°03'53"E., a distance of
 1160 | 275.24 feet; thence N.69°59'29"E., a distance of
 1161 | 317.24 feet; thence N.57°35'22"E., a distance of
 1162 | 178.26 feet; thence N.81°03'05"E., a distance of
 1163 | 234.09 feet; thence N.63°21'55"E., a distance of
 1164 | 439.23 feet; thence N.44°11'27"E., a distance of
 1165 | 241.21 feet; thence N.63°21'56"E., a distance of
 1166 | 148.94 feet; thence N.74°49'49"E., a distance of

ENROLLED
 HB 1429, Engrossed 1

2005 Legislature

1167 | 163.40 feet; thence N.75°39'49"E., a distance of
 1168 | 461.38 feet; thence N.52°24'58"E., a distance of
 1169 | 284.05 feet; thence N.37°35'20"E., a distance of
 1170 | 294.52 feet; thence N.33°58'26"E., a distance of
 1171 | 687.37 feet; thence N.46°31'18"E., a distance of
 1172 | 195.52 feet; thence N.76°15'16"E., a distance of
 1173 | 235.33 feet; thence N.53°47'33"E., a distance of
 1174 | 231.66 feet; thence N.15°20'53"E., a distance of
 1175 | 147.34 feet; thence N.32°20'46"E., a distance of
 1176 | 368.15 feet; thence S.83°51'29"E., a distance of
 1177 | 332.08 feet; thence S.56°57'53"E., a distance of
 1178 | 139.47 feet; thence N.35°53'49"E., a distance of
 1179 | 417.52 feet; thence N.50°25'21"W., a distance of
 1180 | 348.47 feet; thence N.00°06'50"E., a distance of
 1181 | 135.65 feet; thence N.24°22'30"E., a distance of
 1182 | 201.08 feet; thence N.61°14'22"E., a distance of
 1183 | 113.08 feet; thence S.62°11'08"E., a distance of
 1184 | 197.43 feet to the point of curvature of a curve to
 1185 | the right having a radius of 100.00 feet and a central
 1186 | angle of 88°54'40"; thence southerly along the arc of
 1187 | said curve, an arc length of 155.18 feet to the point
 1188 | of tangency of said curve; thence S.26°43'33"W., a
 1189 | distance of 224.96 feet; thence S.50°07'45"E., a
 1190 | distance of 125.37 feet; thence N.49°56'25"E., a
 1191 | distance of 228.41 feet; thence N.08°47'40"E., a
 1192 | distance of 153.43 feet; thence N.38°13'49"W., a
 1193 | distance of 139.09 feet; thence N.11°59'28"E., a

ENROLLED
 HB 1429, Engrossed 1

2005 Legislature

1194 | distance of 271.56 feet; thence N.37°00'30"E., a
 1195 | distance of 306.68 feet to the POINT OF BEGINNING.
 1196 | Said tract contains 15,214,335 square feet or 349.2731
 1197 | acres, more or less.
 1198 | Also:
 1199 | That portion of Sections 22 and 23, lying within the
 1200 | following described property:
 1201 | A tract of land lying in Section 22, Township 35
 1202 | South, Range 19 East, Manatee County, Florida and
 1203 | being more particularly described as follows:
 1204 | Commence at the southeast corner of Section 22,
 1205 | Township 35 South, Range 19 East; thence N.89°29'42"W.
 1206 | along the south line of said Section 22, 587.90 feet;
 1207 | thence N.00°30'18"E., perpendicular with said south
 1208 | line, a distance of 802.96 feet to the POINT OF
 1209 | BEGINNING; thence N.66°35'24"E., a distance of 31.03
 1210 | feet; thence S.45°47'43"E., a distance of 68.87 feet;
 1211 | thence N.22°15'45"E., a distance of 66.77 feet; thence
 1212 | N.21°25'53"E., a distance of 88.19 feet; thence
 1213 | N.08°37'00"E., a distance of 159.00 feet; thence
 1214 | N.57°02'56"E., a distance of 594.02 feet; thence
 1215 | N.07°52'51"W., a distance of 27.87 feet; thence
 1216 | N.61°22'29"W., a distance of 167.29 feet; thence
 1217 | N.83°56'09"W., a distance of 103.18 feet; thence
 1218 | S.85°40'21"W., a distance of 75.29 feet; thence
 1219 | S.44°35'18"W., a distance of 66.94 feet; thence
 1220 | S.82°54'53"W., a distance of 86.64 feet; thence
 1221 | S.48°07'08"W., a distance of 74.53 feet; thence

ENROLLED
 HB 1429, Engrossed 1

2005 Legislature

1222 | S.26°33'46"W., a distance of 49.90 feet; thence
 1223 | S.39°24'11"W., a distance of 50.01 feet to a point on
 1224 | the northerly line of a Conservation Easement as
 1225 | recorded in the Official Records Book 1524, Page 5098
 1226 | of the Public Records of Manatee County, Florida; the
 1227 | following 15 calls are along the northerly and
 1228 | westerly lines of said Conservation Easement; thence
 1229 | S.63°06'49"W., a distance of 38.30 feet; thence
 1230 | S.30°38'41"W., a distance of 53.69 feet; thence
 1231 | S.68°49'15"W., a distance of 91.30 feet; thence
 1232 | S.51°14'32"W., a distance of 68.98 feet; thence
 1233 | S.76°31'40"W., a distance of 62.88 feet; thence
 1234 | S.45°09'35"W., a distance of 35.02 feet; thence
 1235 | S.36°11'14"E., a distance of 48.92 feet; thence
 1236 | S.18°26'10"E., a distance of 45.74 feet; thence
 1237 | S.09°12'08"W., a distance of 19.73 feet; thence
 1238 | S.32°09'14"E., a distance of 76.50 feet; thence
 1239 | S.07°27'24"E., a distance of 35.67 feet; thence
 1240 | S.29°09'12"E., a distance of 41.08 feet; thence
 1241 | S.11°37'55"E., a distance of 49.89 feet; thence
 1242 | S.51°55'08"E., a distance of 29.11 feet; thence
 1243 | S.67°03'11"E., a distance of 66.38 feet to the POINT
 1244 | OF BEGINNING.
 1245 | Said tract contains 249,186 square feet or 5.7205
 1246 | acres, more or less.
 1247 | Section 23, Township 35 South, Range 19 East:
 1248 | That portion of Section 23, Township 35 South, Range
 1249 | 19 East, lying north of State Road 70;

ENROLLED
 HB 1429, Engrossed 1

2005 Legislature

1250 Also:
 1251 That portion of Section 23, Township 35 South, Range
 1252 19 East, lying southerly of the right-of-way line for
 1253 State Road 70, easterly of premises described in
 1254 Special Warranty Deed to Sarasota Development, L.L.C.,
 1255 recorded in Official Record Book 1892, Page 750 of
 1256 said Public Records and easterly of the (Proposed
 1257 Braden River Mitigation Bank), described above;
 1258 Section 24, Township 35 South, Range 19 East:
 1259 All of Section 24, Township 35 South, Range 19 East;
 1260 Less:
 1261 Right-of-way for State Road 70;
 1262 Section 25, Township 35 South, Range 19 East:
 1263 All of Section 25, Township 35 South, Range 19 East;
 1264 Less:
 1265 Right-of-way for State Road 70;
 1266 Section 26, Township 35 South, Range 19 East:
 1267 All of Section 26, Township 35 South, Range 19 East;
 1268 Less:
 1269 Premises described in Special Warranty Deed to
 1270 Sarasota Development, L.L.C., recorded in Official
 1271 Record Book 1892, Page 750 Public Records of Manatee
 1272 County, Florida;
 1273 Less:
 1274 Premises described in Memorandum of Purchase Option
 1275 Agreement, recorded in Official Record Book 1892, Page
 1276 776 Public Records of Manatee County, Florida;
 1277 Section 27, Township 35 South, Range 19 East:

ENROLLED
 HB 1429, Engrossed 1

2005 Legislature

1278 All of Section 27, lying southerly of the Phase 2
 1279 Parcel, described in Memorandum of Purchase Option
 1280 Agreement, recorded in Official Record Book 1892, Page
 1281 776 of said Public Records and Phase 1 Parcel and
 1282 Entry Road Parcel, described in Special Warranty Deed
 1283 to Sarasota Development, L.L.C., recorded in Official
 1284 Record Book 1892, Page 750 Public Records of Manatee
 1285 County, Florida;
 1286 Less:
 1287 Right-of-way for Lorraine Road;
 1288 Section 34, Township 35 South, Range 19 East:
 1289 All of Section 34, Township 35 South, Range 19 East,
 1290 lying easterly of the east right-of-way line of
 1291 Lorraine Road;
 1292 Less:
 1293 Premises described in Special Warranty Deed to The
 1294 School Board of Manatee County, recorded in Official
 1295 Record Book 1959, Page 2350 Public Records of Manatee
 1296 County, Florida; (School Site J)
 1297 Less:
 1298 Premises described in Special Warranty Deed to the
 1299 Diocese of Venice, recorded in Official Record Book
 1300 1532, Page 5848, Less and except premises described in
 1301 Special Warranty Deed to Schoreder-Manatee Ranch,
 1302 Inc., recorded in Official Record Book 1928, Page 3242
 1303 of said Public Records:
 1304 Less:

ENROLLED

HB 1429, Engrossed 1

2005 Legislature

1305 | Premises described in Special Warranty Deed to the
 1306 | Diocese of Venice, recorded in Official Record Book
 1307 | 1928, Page 3248 Public Records of Manatee County,
 1308 | Florida;
 1309 | Less:
 1310 | Premises described in Corrective Warranty Deed to
 1311 | Harvest United Methodist Church, Inc., recorded in
 1312 | Official Record Book 1747, Page 777 of said Public
 1313 | Records:
 1314 | Section 35, Township 35 South, Range 19 East:
 1315 | All of Section 35, Township 35 South, Range 19 East;
 1316 | Section 36, Township 35 South, Range 19 East:
 1317 | All of Section 36, Township 35 South, Range 19 East;
 1318 | Section 1, Township 36 South, Range 19 East:
 1319 | All of Section 1, Township 36 South, Range 19 East;
 1320 | Section 2, Township 36 South, Range 19 East:
 1321 | All of Section 2, Township 36 South, Range 19 East;
 1322 | Section 3, Township 36 South, Range 19 East:
 1323 | All of Section 3, Township 36 South, Range 19 East;
 1324 | Less:
 1325 | Premises described in Special Warranty Deed to Polo
 1326 | Ranches of Sarasota, Inc., recorded in Official Record
 1327 | Book 2602, Page 702 of the Public Records of Sarasota
 1328 | County, Florida;
 1329 | Less:
 1330 | Premises described in Special Warranty Deed to Polo
 1331 | Ranches of Sarasota, Inc., recorded in Official

ENROLLED
 HB 1429, Engrossed 1

2005 Legislature

1332 | Instrument Number 2000076164 of the Public Records of
 1333 | Sarasota County, Florida;
 1334 | Section 4, Township 36 South, Range 19 East:
 1335 | All of Section 4, Township 36 South, Range 19 East;
 1336 | Less:
 1337 | Premises described in Special Warranty Deed to Polo
 1338 | Ranches of Sarasota, Inc., recorded in Official Record
 1339 | Book 2602, Page 702 of the Public Records of Sarasota
 1340 | County, Florida;
 1341 | Less:
 1342 | A portion of Premises described in Warranty Deed to
 1343 | Out-of-Door Academy of Sarasota, Inc., recorded in
 1344 | Official Record Book 2858, Page 189 of the Public
 1345 | Records of Sarasota County, Florida
 1346 | Section 5, Township 36 South, Range 19 East:
 1347 | That portion of Section 5, Township 36 South, Range 19
 1348 | East, lying east of premises described in Warranty
 1349 | Deed to Out-of-Door Academy of Sarasota, Inc.,
 1350 | recorded in Official Record Book 2858, Page 189 of the
 1351 | Public Records of Sarasota County, Florida;
 1352 | Also:
 1353 | That portion of Section 5, Township 36 South, Range 19
 1354 | East, lying southerly of the following described
 1355 | properties:
 1356 | Premises described in Warranty Deed to Out-of-Door
 1357 | Academy of Sarasota, Inc., recorded in Official Record
 1358 | Book 2858, Page 189 of the Public Records of Sarasota
 1359 | County, Florida

ENROLLED

HB 1429, Engrossed 1

2005 Legislature

1360 Lakewood Ranch Corporate Park, Unit 3C, recorded in
 1361 Plat Book 43, Page 34, Public Records of Sarasota
 1362 County, Florida;
 1363 Lakewood Ranch Corporate Park, Unit 3B, recorded in
 1364 Plat Book 42, Page 30, Public Records of Sarasota
 1365 County, Florida;
 1366 Lakewood Ranch Corporate Park, Unit 3A, recorded in
 1367 Plat Book 41, Page 19, Public Records of Sarasota
 1368 County, Florida;
 1369 Lakewood Ranch Corporate Park, Unit 1, recorded in
 1370 Plat Book 38, Page 26, Public Records of Sarasota
 1371 County, Florida;
 1372 Lakewood Ranch Corporate Park, Unit 4, Phase 1,
 1373 recorded in Plat Book 43, Page 22, Public Records of
 1374 Sarasota County, Florida;
 1375 Section 6, Township 36 South, Range 19 East:
 1376 That portion of Section 6, Township 36 South, Range 19
 1377 East, lying east of the right-of-way of Interstate 75
 1378 and south of the following described properties:
 1379 Lakewood Ranch Corporate Park, Unit 4, Phase 1,
 1380 recorded in Plat Book 43, Page 22, Public Records of
 1381 Sarasota County, Florida;
 1382 Lakewood Ranch Corporate Park, Unit 4, recorded in
 1383 Plat Book 40, Page 37, Public Records of Sarasota
 1384 County, Florida;
 1385 Lakewood Ranch Corporate Park, Unit 6, Phase 2,
 1386 recorded in Plat Book 42, Page 23, Public Records of
 1387 Sarasota County, Florida;

ENROLLED
 HB 1429, Engrossed 1

2005 Legislature

1388 | Less:
 1389 | Premises described in Corporate Warranty Deed to
 1390 | Sarasota County, recorded in Official Record
 1391 | Instrument Number 2002146329, Public Records of
 1392 | Sarasota County, Florida;
 1393 | Section 7, Township 36 South, Range 19 East:
 1394 | That portion of Section 7, Township 36 South, Range 19
 1395 | East, lying east of the right-of-way of Interstate 75;
 1396 | Less:
 1397 | Premises described in Warranty Deed to Sarasota
 1398 | County, recorded in Official Instrument Number
 1399 | 2004118447, Public Records of Sarasota County,
 1400 | Florida;
 1401 | Less:
 1402 | Premises described in Corporate Warranty Deed to
 1403 | Sarasota County, recorded in Official Record Book
 1404 | 2880, Page 1528, Public Records of Sarasota County,
 1405 | Florida;
 1406 | Section 8, Township 36 South, Range 19 East:
 1407 | All of Section 8, Township 36 South, Range 19 East;
 1408 | Less:
 1409 | Premises described in Special Warranty Deed to Florida
 1410 | Power & Light Company, recorded in Official Record
 1411 | Book 2848, Page 77, Public Records of Sarasota County,
 1412 | Florida;
 1413 | Section 9, Township 36 South, Range 19 East:
 1414 | All of Section 9, Township 36 South, Range 19 East;
 1415 | Section 10, Township 36 South, Range 19 East:

ENROLLED

HB 1429, Engrossed 1

2005 Legislature

1416 All of Section 10, Township 36 South, Range 19 East;
 1417 Section 11, Township 36 South, Range 19 East:
 1418 All of Section 11, Township 36 South, Range 19 East;
 1419 Section 12, Township 36 South, Range 19 East:
 1420 All of Section 12, Township 36 South, Range 19 East;
 1421 Section 5, Township 36 South, Range 20 East:
 1422 The south half of Section 5, Township 36 South, Range
 1423 20 East;
 1424 Section 6, Township 36 South, Range 20 East:
 1425 All of Section 6, Township 36 South, Range 20 East;
 1426 Section 7, Township 36 South, Range 20 East:
 1427 All of Section 7, Township 36 South, Range 20 East;
 1428 Section 8, Township 36 South, Range 20 East:
 1429 All of Section 8, Township 36 South, Range 20 East;
 1430 Less:
 1431 A strip of land 50-feet wide, described as beginning
 1432 at the southwest corner of Section 8, Township 36
 1433 South, Range 20 East, thence South 87°10'13" East,
 1434 511.24 feet for POINT OF BEGINNING; thence North
 1435 42°59'05" West to a point lying 50 feet north of the
 1436 south line of Section 8; thence easterly along a line
 1437 parallel to and 50 feet north of, the south line of
 1438 Section 8 to a point lying 529.3 feet west of the east
 1439 line of said Section 8; thence southwesterly 70.7 feet
 1440 to point on south line of Section 8, lying 600 feet
 1441 westerly of the southeast corner of Section 8; thence
 1442 westerly along the south section line of said Section
 1443 8 to the POINT OF BEGINNING, lying and being in

ENROLLED
 HB 1429, Engrossed 1

2005 Legislature

1444 Section 8, Township 36 South, Range 20 East, Sarasota
 1445 County, Florida.
 1446 CONTAINING A TOTAL AREA OF 23,055 ACRES, PLUS OR MINUS.

1448 Section 5. Board of Supervisors; members and meetings;
 1449 organization; powers; duties; terms of office; related election
 1450 requirements.--

1451 (1) The board of the District shall exercise the powers
 1452 granted to the District pursuant to this act. The board shall
 1453 consist of five members, each of whom shall hold office for a
 1454 term of 4 years, as provided in this section, except as
 1455 otherwise provided herein for initial board members, and until a
 1456 successor is chosen and qualified. The members of the board must
 1457 be residents of the state and citizens of the United States.

1458 (2) (a) Within 90 days following the effective date of the
 1459 law establishing the District, there shall be held a meeting of
 1460 the landowners of the District for the purpose of electing five
 1461 supervisors for the District. Notice of the landowners' meeting
 1462 shall be published once a week for 2 consecutive weeks in a
 1463 newspaper which is in general circulation in the area of the
 1464 District, the last day of such publication to be not fewer than
 1465 14 days or more than 28 days before the date of the election.
 1466 The landowners, when assembled at such meeting, shall organize
 1467 by electing a chair, who shall conduct the meeting. The chair
 1468 may be any person present at the meeting. If the chair is a
 1469 landowner or proxy holder of a landowner, he or she may nominate
 1470 candidates and make and second motions. The landowners present
 1471 at the meeting, in person or by proxy, shall constitute a

ENROLLED

HB 1429, Engrossed 1

2005 Legislature

1472 quorum. At any landowners' meeting, 50 percent of the District
1473 acreage shall not be required to constitute a quorum, and each
1474 governing board member elected by landowners shall be elected by
1475 a majority of the acreage represented either by owner or proxy
1476 present and voting at said meeting.

1477 (b) At such meeting, each landowner shall be entitled to
1478 cast one vote per acre of land owned by him or her and located
1479 within the District for each person to be elected. A landowner
1480 may vote in person or by proxy in writing. Each proxy must be
1481 signed by one of the legal owners of the property for which the
1482 vote is cast and must contain the typed or printed name of the
1483 individual who signed the proxy; the street address, legal
1484 description of the property, or tax parcel identification
1485 number; and the number of authorized votes. If the proxy
1486 authorizes more than one vote, each property must be listed and
1487 the number of acres of each property must be included. The
1488 signature on a proxy need not be notarized. A fraction of an
1489 acre shall be treated as 1 acre, entitling the landowner to one
1490 vote with respect thereto. The two candidates receiving the
1491 highest number of votes shall be elected for a term expiring
1492 November 18, 2008, and the three candidates receiving the next
1493 largest number of votes shall be elected for a term expiring
1494 November 7, 2006, with the term of office for each successful
1495 candidate commencing upon election. The members of the first
1496 board elected by landowners shall serve their respective terms;
1497 however, the next election of board members shall be held on the
1498 first Tuesday after the first Monday in November 2006.

1499 Thereafter, there shall be an election by landowners for the

ENROLLED
 HB 1429, Engrossed 1

2005 Legislature

1500 District every 2 years on the first Tuesday after the first
 1501 Monday in November, which shall be noticed pursuant to paragraph
 1502 (a). The second and subsequent landowners' election shall be
 1503 announced at a public meeting of the board at least 90 days
 1504 prior to the date of the landowners' meeting and shall also be
 1505 noticed pursuant to paragraph (a). Instructions on how all
 1506 landowners may participate in the election, along with sample
 1507 proxies, shall be provided during the board meeting that
 1508 announces the landowners' meeting. Each supervisor elected in or
 1509 after November 2006 shall serve a 4-year term.

1510 (3) (a) 1. The board may not exercise the ad valorem taxing
 1511 power authorized by this act until such time as all members of
 1512 the board are qualified electors who are elected by qualified
 1513 electors of the District.

1514 2.a. Regardless of whether the District has proposed to
 1515 levy ad valorem taxes, board members shall begin being elected
 1516 by qualified electors of the District as the District becomes
 1517 populated with qualified electors. The transition shall occur
 1518 such that the composition of the Board, after the first general
 1519 election following a trigger of the qualified elector population
 1520 thresholds set forth below, shall be as follows:

1521 (I) Once 10,000 qualified electors reside within the
 1522 District, one governing board member shall be a person who was
 1523 elected by the qualified electors, and four governing board
 1524 members shall persons who were elected by the landowners.

1525 (II) Once 20,000 qualified electors reside within the
 1526 District, two governing board members shall be persons who were

ENROLLED
 HB 1429, Engrossed 1

2005 Legislature

1527 elected by the qualified electors, and three governing board
 1528 members shall be persons elected by the landowners.

1529 (III) Once 30,000 qualified electors reside within the
 1530 District, three governing board members shall be persons who
 1531 were elected by the qualified electors and two governing board
 1532 members shall be persons who were elected by the landowners.

1533 (IV) Once 40,000 qualified electors reside within the
 1534 District, four governing board members shall be persons who were
 1535 elected by the qualified electors and one governing board member
 1536 shall be a person who was elected by the landowners.

1537 (V) Once 45,000 qualified electors reside within the
 1538 District, all five governing board members shall be persons who
 1539 were elected by the qualified electors.

1540
 1541 Nothing in this sub-subparagraph is intended to require an
 1542 election prior to the expiration of an existing board member's
 1543 term.

1544 b. On or before June 1 of each year, the board shall
 1545 determine the number of qualified electors in the District as of
 1546 the immediately preceding April 15. The board shall use and rely
 1547 upon the official records maintained by the supervisor of
 1548 elections and property appraiser or tax collector in each county
 1549 in making this determination. Such determination shall be made
 1550 at a properly noticed meeting of the board and shall become a
 1551 part of the official minutes of the District.

1552 c. All governing board members elected by qualified
 1553 electors shall be elected at large at an election occurring as
 1554 provided in subsection (2) and this subsection.

ENROLLED

HB 1429, Engrossed 1

2005 Legislature

1555 d. The board member seat first available for election by
1556 qualified electors because the District has 10,000 qualified
1557 electors shall be designated seat number one. The board member
1558 seat first available for election by qualified electors because
1559 the District has 20,000 qualified electors shall be designated
1560 seat number two. The board member seat first available for
1561 election by qualified electors because the District has 30,000
1562 qualified electors shall be designated seat number three. The
1563 board member seat first available for election by qualified
1564 electors because the District has 40,000 qualified electors
1565 shall be designated seat number four. The board member seat
1566 first available for election by qualified electors because the
1567 District has 45,000 qualified electors shall be designated seat
1568 number five.

1569 e. The board member elected to fill seat one when that
1570 seat is first filled by election by qualified electors of the
1571 District shall be a qualified elector of Manatee County.
1572 However, if, at the time that seat is available for election,
1573 the District does not have both an executed interlocal agreement
1574 with Manatee County and at least 500 qualified electors residing
1575 within the District in Manatee County, the seat shall be filled
1576 by a qualified elector of Sarasota County.

1577 f. The board member elected to fill seat two when that
1578 seat is first filled by election by qualified electors of the
1579 District shall be a qualified elector of Sarasota County.
1580 However, if, at the time that seat is available for election,
1581 seat one has already been designated as the seat to be filled by
1582 a qualified elector of Sarasota County pursuant to paragraph e.,

ENROLLED

HB 1429, Engrossed 1

2005 Legislature

1583 seat two shall be filled by a qualified elector of Manatee
1584 County. Provided further that, if at the time seat two is
1585 available for election the District does not have both an
1586 executed interlocal agreement with Sarasota County and at least
1587 500 qualified electors residing in Sarasota County, the seat
1588 shall be filled by a qualified elector of Manatee County. In
1589 such event, the next seat available for election after the
1590 District has both an interlocal agreement with Sarasota County
1591 and at least 500 qualified electors in Sarasota County shall be
1592 filled by a qualified elector of Sarasota County.

1593 g. Once one seat is designated as a seat to be filled by a
1594 qualified elector from a specific county, that seat shall
1595 thereafter be filled by a qualified elector who resides within
1596 that county.

1597 h. Once a District qualifies to have any of its board
1598 members elected by the qualified electors of the District, the
1599 initial and all subsequent elections by the qualified electors
1600 of the District shall be held at the general election in
1601 November. The board shall adopt a resolution if necessary to
1602 implement this requirement. The transition process described
1603 herein is intended to be in lieu of the process set forth in
1604 section 189.4051, Florida Statutes.

1605 (b) Elections of board members by qualified electors held
1606 pursuant to this subsection shall be nonpartisan and shall be
1607 conducted in the manner prescribed by law for holding general
1608 elections. Board members shall assume the office on the second
1609 Tuesday following their election.

ENROLLED

HB 1429, Engrossed 1

2005 Legislature

1610 (c) Candidates seeking election to office by qualified
1611 electors under this subsection shall conduct their campaigns in
1612 accordance with the provisions of chapter 106, Florida Statutes,
1613 and shall file qualifying papers and qualify for individual
1614 seats in accordance with section 99.061, Florida Statutes.
1615 Candidates shall pay a qualifying fee, which shall consist of a
1616 filing fee and an election assessment or, as an alternative,
1617 shall file a petition signed by not less than 1 percent of the
1618 registered voters of the District, and take the oath required in
1619 section 99.021, Florida Statutes, with the supervisor of
1620 elections in the county affected by such candidacy. The amount
1621 of the filing fee is 3 percent of \$4,800; however, if the
1622 electors have provided for compensation, the amount of the
1623 filing fee is 3 percent of the maximum annual compensation so
1624 provided. The amount of the election assessment is 1 percent of
1625 \$4,800; however, if the electors have provided for compensation,
1626 the amount of the election assessment is 1 percent of the
1627 maximum annual compensation so provided. The filing fee and
1628 election assessment shall be distributed as provided in section
1629 105.031(3), Florida Statutes.

1630 (d) The supervisors of elections shall appoint the
1631 inspectors and clerks of elections, prepare and furnish the
1632 ballots, designate polling places, and canvass the returns of
1633 the election of board members by qualified electors. The county
1634 canvassing boards shall declare and certify the results of the
1635 election.

1636 (4) Members of the board, regardless of how elected, shall
1637 be public officers, shall be known as supervisors, and, upon

ENROLLED
 HB 1429, Engrossed 1

2005 Legislature

1638 entering into office, shall take and subscribe to the oath of
 1639 office as prescribed by section 876.05, Florida Statutes.
 1640 Members of the board shall be subject to ethics and conflict of
 1641 interest laws of the state that apply to all local public
 1642 officers. They shall hold office for the terms for which they
 1643 were elected or appointed and until their successors are chosen
 1644 and qualified. If, during the term of office, a vacancy occurs,
 1645 the remaining members of the board shall fill each vacancy by an
 1646 appointment for the remainder of the unexpired term.

1647 (5) Any elected member of the Board of Supervisors may be
 1648 removed by the Governor for malfeasance, misfeasance,
 1649 dishonesty, incompetency, or failure to perform the duties
 1650 imposed upon him or her by this act, and any vacancies that may
 1651 occur in such office for such reasons shall be filled by the
 1652 Governor as soon as practicable.

1653 (6) A majority of the members of the board constitutes a
 1654 quorum for the purposes of conducting its business and
 1655 exercising its powers and for all other purposes. Action taken
 1656 by the District shall be upon a vote of a majority of the
 1657 members present unless general law or a rule of the District
 1658 requires a greater number.

1659 (7) As soon as practicable after each election or
 1660 appointment, the board shall organize by electing one of its
 1661 members as chair and by electing a secretary, who need not be a
 1662 member of the board, and such other officers as the board may
 1663 deem necessary.

1664 (8) The board shall keep a permanent record book entitled
 1665 "Record of Proceedings of Lakewood Ranch Stewardship District,"

ENROLLED

HB 1429, Engrossed 1

2005 Legislature

1666 in which shall be recorded minutes of all meetings, resolutions,
1667 proceedings, certificates, bonds given by all employees, and any
1668 and all corporate acts. The record book and all other District
1669 records shall at reasonable times be opened to inspection in the
1670 same manner as state, county, and municipal records pursuant to
1671 chapter 119, Florida Statutes. The record book shall be kept at
1672 the office or other regular place of business maintained by the
1673 board in a designated location in either Manatee County or
1674 Sarasota County.

1675 (9) Each supervisor shall be entitled to receive for his
1676 or her services an amount not to exceed \$200 per meeting of the
1677 Board of Supervisors, not to exceed \$4,800 per year per
1678 supervisor, or an amount established by the electors at
1679 referendum. In addition, each supervisor shall receive travel
1680 and per diem expenses as set forth in section 112.061, Florida
1681 Statutes.

1682 (10) All meetings of the board shall be open to the public
1683 and governed by the provisions of chapter 286, Florida Statutes.

1684 Section 6. Board of Supervisors; general duties.--

1685 (1) DISTRICT MANAGER AND EMPLOYEES.--The board shall
1686 employ and fix the compensation of a district manager, who shall
1687 have charge and supervision of the works of the District and
1688 shall be responsible for preserving and maintaining any
1689 improvement or facility constructed or erected pursuant to the
1690 provisions of this act, for maintaining and operating the
1691 equipment owned by the District, and for performing such other
1692 duties as may be prescribed by the board. It shall not be a
1693 conflict of interest under chapter 112, Florida Statutes, for a

ENROLLED
 HB 1429, Engrossed 1

2005 Legislature

1694 board member, the district manager, or another employee of the
 1695 District to be a stockholder, officer, or employee of a
 1696 landowner. The district manager may hire or otherwise employ and
 1697 terminate the employment of such other persons, including,
 1698 without limitation, professional, supervisory, and clerical
 1699 employees, as may be necessary and authorized by the board. The
 1700 compensation and other conditions of employment of the officers
 1701 and employees of the District shall be as provided by the board.

1702 (2) TREASURER.--The board shall designate a person who is
 1703 a resident of the state as treasurer of the District, who shall
 1704 have charge of the funds of the District. Such funds shall be
 1705 disbursed only upon the order of or pursuant to a resolution of
 1706 the board by warrant or check countersigned by the treasurer and
 1707 by such other person as may be authorized by the board. The
 1708 board may give the treasurer such other or additional powers and
 1709 duties as the board may deem appropriate and may fix his or her
 1710 compensation. The board may require the treasurer to give a bond
 1711 in such amount, on such terms, and with such sureties as may be
 1712 deemed satisfactory to the board to secure the performance by
 1713 the treasurer of his or her powers and duties. The financial
 1714 records of the board shall be audited by an independent
 1715 certified public accountant at least once a year.

1716 (3) PUBLIC DEPOSITORY.--The board is authorized to select
 1717 as a depository for its funds any qualified public depository as
 1718 defined in section 280.02, Florida Statutes, which meets all the
 1719 requirements of chapter 280, Florida Statutes, and has been
 1720 designated by the treasurer as a qualified public depository
 1721 upon such terms and conditions as to the payment of interest by

ENROLLED
 HB 1429, Engrossed 1

2005 Legislature

1722 such depository upon the funds so deposited as the board may
 1723 deem just and reasonable.

1724 (4) BUDGET; REPORTS AND REVIEWS.--

1725 (a) The District shall provide financial reports in such
 1726 form and such manner as prescribed pursuant to this act and
 1727 chapter 218, Florida Statutes, as amended from time to time.

1728 (b) On or before July 15 of each year, the district
 1729 manager shall prepare a proposed budget for the ensuing fiscal
 1730 year to be submitted to the board for board approval. The
 1731 proposed budget shall include at the direction of the board an
 1732 estimate of all necessary expenditures of the District for the
 1733 ensuing fiscal year and an estimate of income to the District
 1734 from the taxes and assessments provided in this act. The board
 1735 shall consider the proposed budget item by item and may either
 1736 approve the budget as proposed by the district manager or modify
 1737 the same in part or in whole. The board shall indicate its
 1738 approval of the budget by resolution, which resolution shall
 1739 provide for a hearing on the budget as approved. Notice of the
 1740 hearing on the budget shall be published in a newspaper of
 1741 general circulation in the area of the District once a week for
 1742 2 consecutive weeks, except that the first publication shall be
 1743 not fewer than 15 days prior to the date of the hearing. The
 1744 notice shall further contain a designation of the day, time, and
 1745 place of the public hearing. At the time and place designated in
 1746 the notice, the board shall hear all objections to the budget as
 1747 proposed and may make such changes as the board deems necessary.
 1748 At the conclusion of the budget hearing, the board shall, by

ENROLLED
 HB 1429, Engrossed 1

2005 Legislature

1749 resolution, adopt the budget as finally approved by the board.
 1750 The budget shall be adopted prior to October 1 of each year.

1751 (c) At least 60 days prior to adoption, the Board of
 1752 Supervisors of the District shall submit to the Manatee County
 1753 and Sarasota County Boards of County Commissioners, for purposes
 1754 of disclosure and information only, the proposed annual budget
 1755 for the ensuing fiscal year, and each Board of County
 1756 Commissioners may submit written comments to the Board of
 1757 Supervisors solely for the assistance and information of the
 1758 Board of Supervisors of the District in adopting its annual
 1759 District budget.

1760 (d) The Board of Supervisors of the District shall submit
 1761 annually, to the Boards of County Commissioners of Manatee and
 1762 Sarasota Counties, its District public facilities report under
 1763 section 189.415(2), Florida Statutes, which report the boards of
 1764 county commissioners shall use and rely on the District public
 1765 facilities report in the preparation or revision of their
 1766 respective comprehensive plans, specifically under section
 1767 189.415(6), Florida Statutes.

1768 (5) DISCLOSURE OF PUBLIC FINANCING.--The District shall
 1769 take affirmative steps to provide for the full disclosure of
 1770 information relating to the public financing and maintenance of
 1771 improvements to real property undertaken by the District. Such
 1772 information shall be made available to all existing residents
 1773 and all prospective residents of the District. The District
 1774 shall furnish each developer of a residential development within
 1775 the District with sufficient copies of that information to
 1776 provide each prospective initial purchaser of property in that

ENROLLED
 HB 1429, Engrossed 1

2005 Legislature

1777 development with a copy; and any developer of a residential
 1778 development within the District, when required by law to provide
 1779 a public offering statement, shall include a copy of such
 1780 information relating to the public financing and maintenance of
 1781 improvements in the public offering statement. The Division of
 1782 Florida Land Sales, Condominiums, and Mobile Homes of the
 1783 Department of Business and Professional Regulation shall ensure
 1784 that disclosures made by developers pursuant to chapter 498,
 1785 Florida Statutes, meet the requirements of section 190.009(1),
 1786 Florida Statutes.

1787 (6) GENERAL POWERS.--The District shall have, and the
 1788 board may exercise, the following general powers:

1789 (a) To sue and be sued in the name of the District; to
 1790 adopt and use a seal and authorize the use of a facsimile
 1791 thereof; to acquire, by purchase, gift, devise, or otherwise,
 1792 and to dispose of, real and personal property, or any estate
 1793 therein; and to make and execute contracts and other instruments
 1794 necessary or convenient to the exercise of its powers.

1795 (b) To apply for coverage of its employees under the
 1796 Florida Retirement System in the same manner as if such
 1797 employees were state employees, subject to necessary action by
 1798 the District to pay employer contributions into the Florida
 1799 Retirement System Trust Fund.

1800 (c) To contract for the services of consultants to perform
 1801 planning, engineering, legal, or other appropriate services of a
 1802 professional nature. Such contracts shall be subject to public
 1803 bidding or competitive negotiation requirements as set forth in
 1804 general law applicable to independent special districts.

ENROLLED
 HB 1429, Engrossed 1

2005 Legislature

1805 (d) To borrow money and accept gifts; to apply for and use
 1806 grants or loans of money or other property from the United
 1807 States, the state, a unit of local government, or any person for
 1808 any District purposes and enter into agreements required in
 1809 connection therewith; and to hold, use, and dispose of such
 1810 moneys or property for any District purposes in accordance with
 1811 the terms of the gift, grant, loan, or agreement relating
 1812 thereto.

1813 (e) To adopt and enforce rules and orders pursuant to the
 1814 provisions of chapter 120, Florida Statutes, prescribing the
 1815 powers, duties, and functions of the officers of the District;
 1816 the conduct of the business of the District; the maintenance of
 1817 records; and the form of certificates evidencing tax liens and
 1818 all other documents and records of the District. The board may
 1819 also adopt and enforce administrative rules with respect to any
 1820 of the projects of the District and define the area to be
 1821 included therein. The board may also adopt resolutions which may
 1822 be necessary for the conduct of District business.

1823 (f) To maintain an office at such place or places as the
 1824 Board of Supervisors designates in either Manatee County or
 1825 Sarasota County, and within the District when facilities are
 1826 available.

1827 (g) To hold, control, and acquire by donation, purchase,
 1828 or condemnation, or dispose of, any public easements,
 1829 dedications to public use, platted reservations for public
 1830 purposes, or any reservations for those purposes authorized by
 1831 this act and to make use of such easements, dedications, or
 1832 reservations for the purposes authorized by this act.

ENROLLED
 HB 1429, Engrossed 1

2005 Legislature

1833 (h) To lease as lessor or lessee to or from any person,
 1834 firm, corporation, association, or body, public or private, any
 1835 projects of the type that the District is authorized to
 1836 undertake and facilities or property of any nature for the use
 1837 of the District to carry out the purposes authorized by this
 1838 act.

1839 (i) To borrow money and issue bonds, certificates,
 1840 warrants, notes, or other evidence of indebtedness as
 1841 hereinafter provided; to levy such taxes and assessments as may
 1842 be authorized; and to charge, collect, and enforce fees and
 1843 other user charges.

1844 (j) To raise, by user charges or fees authorized by
 1845 resolution of the board, amounts of money which are necessary
 1846 for the conduct of District activities and services and to
 1847 enforce their receipt and collection in the manner prescribed by
 1848 resolution not inconsistent with law.

1849 (k) To exercise within the District, or beyond the
 1850 District with prior approval by vote of a resolution of the
 1851 governing body of the county if the taking will occur in an
 1852 unincorporated area in that county, the right and power of
 1853 eminent domain, pursuant to the provisions of chapters 73 and
 1854 74, Florida Statutes, over any property within the state, except
 1855 municipal, county, state, and federal property, for the uses and
 1856 purpose of the District relating solely to water, sewer,
 1857 District roads, and water management, specifically including,
 1858 without limitation, the power for the taking of easements for
 1859 the drainage of the land of one person over and through the land
 1860 of another.

ENROLLED
 HB 1429, Engrossed 1

2005 Legislature

1861 (l) To cooperate with, or contract with, other
 1862 governmental agencies as may be necessary, convenient,
 1863 incidental, or proper in connection with any of the powers,
 1864 duties, or purposes authorized by this act.

1865 (m) To assess and to impose upon lands in the District ad
 1866 valorem taxes as provided by this act.

1867 (n) If and when authorized by general law, to determine,
 1868 order, levy, impose, collect, and enforce maintenance taxes.

1869 (o) To determine, order, levy, impose, collect, and
 1870 enforce assessments pursuant to this act and chapter 170,
 1871 Florida Statutes, as amended from time to time, pursuant to
 1872 authority granted in section 197.3631, Florida Statutes, or
 1873 pursuant to other provisions of general law now or hereinafter
 1874 enacted which provide or authorize a supplemental means to
 1875 order, levy, impose, or collect special assessments. Such
 1876 special assessments, in the discretion of the District, may be
 1877 collected and enforced pursuant to the provisions of sections
 1878 197.3632 and 197.3635, Florida Statutes, and chapters 170 and
 1879 173, Florida Statutes, as they may be amended from time to time,
 1880 or as provided by this act, or by other means authorized by
 1881 general law now or hereinafter enacted.

1882 (p) To exercise such special powers and other express
 1883 powers as may be authorized and granted by this act in the
 1884 charter of the District, including powers as provided in any
 1885 interlocal agreement entered into pursuant to chapter 163,
 1886 Florida Statutes, or which shall be required or permitted to be
 1887 undertaken by the District pursuant to any development order or
 1888 development of regional impact, including any interlocal service

ENROLLED
 HB 1429, Engrossed 1

2005 Legislature

1889 agreement with Manatee County or Sarasota County for fair-share
 1890 capital construction funding for any certain capital facilities
 1891 or systems required of the developer pursuant to any applicable
 1892 development order or agreement.

1893 (q) To exercise all of the powers necessary, convenient,
 1894 incidental, or proper in connection with any other powers or
 1895 duties or the special purpose of the District authorized by this
 1896 act.

1897
 1898 The provisions of this subsection shall be construed liberally
 1899 in order to carry out effectively the specialized purpose of
 1900 this act. However, nothing in this subsection regarding the
 1901 exercise of general powers by the District is intended to allow
 1902 the District to exercise one or more special powers in Manatee
 1903 County absent an interlocal agreement with Manatee County
 1904 consenting to the exercise of such powers within that county, or
 1905 to allow the District to exercise one or more special powers in
 1906 Sarasota County absent an interlocal agreement with Sarasota
 1907 County consenting to the exercise of such powers within that
 1908 county.

1909 (7) SPECIAL POWERS.--The District shall have, and the
 1910 board may exercise, the following special powers to implement
 1911 its lawful and special purpose and to provide, pursuant to that
 1912 purpose, systems, facilities, services, improvements, projects,
 1913 works, and infrastructure, each of which constitutes a lawful
 1914 public purpose when exercised pursuant to this charter, subject
 1915 to, and not inconsistent with, the regulatory jurisdiction and
 1916 permitting authority of all other applicable governmental

ENROLLED
 HB 1429, Engrossed 1

2005 Legislature

1917 bodies, agencies, and any special districts having authority
 1918 with respect to any area included therein, and to plan,
 1919 establish, acquire, construct or reconstruct, enlarge or extend,
 1920 equip, operate, finance, fund, and maintain improvements,
 1921 systems, facilities, services, works, projects, and
 1922 infrastructure. Any or all of the following special powers are
 1923 granted by this act in order to implement the special purpose of
 1924 the District:

1925 (a) To provide water management and control for the lands
 1926 within the District and to connect some or any of such
 1927 facilities with roads and bridges. In the event that the board
 1928 assumes the responsibility for providing water management and
 1929 control for the District which is to be financed by benefit
 1930 special assessments, the board shall adopt plans and assessments
 1931 pursuant to law or may proceed to adopt water management and
 1932 control plans, assess for benefits, and apportion and levy
 1933 special assessments, as follows:

1934 1. The board shall cause to be made by the District's
 1935 engineer, or such other engineer or engineers as the board may
 1936 employ for that purpose, complete and comprehensive water
 1937 management and control plans for the lands located within the
 1938 District that will be improved in any part or in whole by any
 1939 system of facilities that may be outlined and adopted, and the
 1940 engineer shall make a report in writing to the board with maps
 1941 and profiles of said surveys and an estimate of the cost of
 1942 carrying out and completing the plans.

1943 2. Upon the completion of such plans, the board shall hold
 1944 a hearing thereon to hear objections thereto, shall give notice

ENROLLED
 HB 1429, Engrossed 1

2005 Legislature

1945 of the time and place fixed for such hearing by publication once
 1946 each week for 2 consecutive weeks in a newspaper of general
 1947 circulation in the general area of the District, and shall
 1948 permit the inspection of the plan at the office of the District
 1949 by all persons interested. All objections to the plan shall be
 1950 filed at or before the time fixed in the notice for the hearing
 1951 and shall be in writing.

1952 3. After the hearing, the board shall consider the
 1953 proposed plan and any objections thereto and may modify, reject,
 1954 or adopt the plan or continue the hearing until a day certain
 1955 for further consideration of the proposed plan or modifications
 1956 thereof.

1957 4. When the board approves a plan, a resolution shall be
 1958 adopted and a certified copy thereof shall be filed in the
 1959 office of the secretary and incorporated by him or her into the
 1960 records of the District.

1961 5. The water management and control plan may be altered in
 1962 detail from time to time until the appraisal record herein
 1963 provided is filed but not in such manner as to affect materially
 1964 the conditions of its adoption. After the appraisal record has
 1965 been filed, no alteration of the plan shall be made, except as
 1966 provided by this act.

1967 6. Within 20 days after the final adoption of the plan by
 1968 the board, the board shall proceed pursuant to section 298.301,
 1969 Florida Statutes.

1970 (b) To provide water supply, sewer, and wastewater
 1971 management, reclamation, and reuse, or any combination thereof,
 1972 and any irrigation systems, facilities, and services and to

ENROLLED
 HB 1429, Engrossed 1

2005 Legislature

1973 | construct and operate connecting intercepting or outlet sewers
 1974 | and sewer mains and pipes and water mains, conduits, or
 1975 | pipelines in, along, and under any street, alley, highway, or
 1976 | other public place or ways, and to dispose of any effluent,
 1977 | residue, or other byproducts of such system or sewer system.

1978 | 1. The District may not purchase or sell a water, sewer,
 1979 | or wastewater reuse utility that provides service to the public
 1980 | for compensation, or enter into a wastewater facility
 1981 | privatization contract for a wastewater facility, until the
 1982 | governing body of the District has held a public hearing on the
 1983 | purchase, sale, or wastewater facility privatization contract
 1984 | and made a determination that the purchase, sale, or wastewater
 1985 | facility privatization contract is in the public interest.

1986 | 2. In determining if the purchase, sale, or wastewater
 1987 | facility privatization contract is in the public interest, the
 1988 | District shall consider, at a minimum, the following:

1989 | a. The most recent available income and expense statement
 1990 | for the utility.

1991 | b. The most recent available balance sheet for the
 1992 | utility, listing assets and liabilities and clearly showing the
 1993 | amount of contributions in aid of construction and the
 1994 | accumulated depreciation thereon.

1995 | c. A statement of the existing rate base of the utility
 1996 | for regulatory purposes.

1997 | d. The physical condition of the utility facilities being
 1998 | purchased or sold or subject to a wastewater facility
 1999 | privatization contract.

ENROLLED
 HB 1429, Engrossed 1

2005 Legislature

2000 e. The reasonableness of the purchase, sale, or wastewater
 2001 facility privatization contract price and terms.

2002 f. The impacts of the purchase, sale, or wastewater
 2003 facility privatization contract on utility customers, both
 2004 positive and negative.

2005 g. Any additional investment required and the ability and
 2006 willingness of the purchaser or the private firm under a
 2007 wastewater facility privatization contract to make that
 2008 investment, whether the purchaser is the District or the entity
 2009 purchasing the utility from the District.

2010 h. In the case of a wastewater facility privatization
 2011 contract, the terms and conditions on which the private firm
 2012 will provide capital investment and financing or a combination
 2013 thereof for contemplated capital replacements, additions,
 2014 expansions, and repairs.

2015 i. The alternatives to the purchase, sale, or wastewater
 2016 facility privatization contract and the potential impact on
 2017 utility customers if the purchase, sale, or wastewater facility
 2018 privatization contract is not made.

2019 j. The ability of the purchaser or the private firm under
 2020 a wastewater facility privatization contract to provide and
 2021 maintain high-quality and cost-effective utility service,
 2022 whether the purchaser is the District or the entity purchasing
 2023 the utility from the District.

2024 k. In the case of a wastewater facility privatization
 2025 contract, the District shall give significant weight to the
 2026 technical expertise and experience of the private firm in

ENROLLED
 HB 1429, Engrossed 1

2005 Legislature

2027 carrying out the obligations specified in the wastewater
 2028 facility privatization contract.

2029 1. All moneys paid by a private firm to a District
 2030 pursuant to a wastewater facility privatization contract shall
 2031 be used for the purpose of reducing or offsetting property
 2032 taxes, wastewater service rates, or debt reduction or making
 2033 infrastructure improvements or capital asset expenditures or
 2034 other public purpose, provided, however, that nothing herein
 2035 shall preclude the District from using all or part of the moneys
 2036 for the purpose of the District's qualification for relief from
 2037 the repayment of federal grant awards associated with the
 2038 wastewater system as may be required by federal law or
 2039 regulation. The District shall prepare a statement showing that
 2040 the purchase, sale, or wastewater facility privatization
 2041 contract is in the public interest, including a summary of the
 2042 purchaser's or private firm's experience in water, sewer, or
 2043 wastewater reuse utility operation and a showing of financial
 2044 ability to provide the service, whether the purchaser or private
 2045 firm is the District or the entity purchasing the utility from
 2046 the District.

2047 (c) To provide bridges or culverts that may be needed
 2048 across any drain, ditch, canal, floodway, holding basin,
 2049 excavation, public highway, tract, grade, fill, or cut and
 2050 roadways over levees and embankments, and to construct any and
 2051 all of such works and improvements across, through, or over any
 2052 public right-of way, highway, grade, fill, or cut.

2053 (d) To provide district roads equal to or exceeding the
 2054 specifications of the county in which such District roads are

ENROLLED
 HB 1429, Engrossed 1

2005 Legislature

2055 located, and to provide street lights, including conditions of
 2056 development approval for which specifications may sometimes be
 2057 different than the normal specifications of the county. This
 2058 special power includes, but is not limited to, roads, parkways,
 2059 bridges, landscaping, hardscaping, irrigation, bicycle lanes,
 2060 jogging paths, street lighting, traffic signals, regulatory or
 2061 informational signage, road striping, underground conduit,
 2062 underground cable or fiber or wire installed to pursuant an
 2063 agreement with or tariff of a retail provider of services, and
 2064 all other customary elements of a functioning modern road system
 2065 in general or as tied to the conditions of development approval
 2066 for the area within the District, and parking facilities that
 2067 are freestanding or that may be related to any innovative
 2068 strategic intermodal system of transportation pursuant to
 2069 applicable federal, state, and local law and ordinance.

2070 (e) To provide buses, trolleys, transit shelters,
 2071 ridesharing facilities and services, parking improvements, and
 2072 related signage.

2073 (f) To provide investigation and remediation costs
 2074 associated with the cleanup of actual or perceived environmental
 2075 contamination within the District under the supervision or
 2076 direction of a competent governmental authority unless the
 2077 covered costs benefit any person who is a landowner within the
 2078 District and who caused or contributed to the contamination.

2079 (g) To provide observation areas, mitigation areas, and
 2080 wildlife habitat, including the maintenance of any plant or
 2081 animal species, and any related interest in real or personal
 2082 property.

ENROLLED
 HB 1429, Engrossed 1

2005 Legislature

2083 (h) Using its general and special powers as set forth in
 2084 this act, to provide any other project within or without the
 2085 boundaries of the District when the project is the subject of an
 2086 agreement between the District and the Board of County
 2087 Commissioners of either Manatee County or Sarasota County or
 2088 with any other applicable public or private entity, and is not
 2089 inconsistent with the effective local comprehensive plans.

2090 (i) To provide parks and facilities for indoor and outdoor
 2091 recreational, cultural, and educational uses.

2092 (j) To provide fire prevention and control, including fire
 2093 stations, water mains and plugs, fire trucks, and other vehicles
 2094 and equipment.

2095 (k) To provide school buildings and related structures,
 2096 which may be leased, sold, or donated to the school district,
 2097 for use in the educational system when authorized by the
 2098 district school board.

2099 (l) To provide security, including, but not limited to,
 2100 guardhouses, fences, and gates, electronic intrusion-detection
 2101 systems, and patrol cars, when authorized by proper governmental
 2102 agencies; however, the District may not exercise any powers of a
 2103 law enforcement agency but may contract with the appropriate
 2104 local general-purpose government agencies for an increased level
 2105 of such services within the District boundaries. Notwithstanding
 2106 any provision of general law, the District may operate
 2107 guardhouses for the limited purpose of providing security for
 2108 the residents of the District and which serve a predominate
 2109 public, as opposed to private, purpose. Such guardhouses shall
 2110 be operated by the District or any other unit of local

ENROLLED
 HB 1429, Engrossed 1

2005 Legislature

2111 government pursuant to procedures designed to serve such
 2112 security purposes as set forth in rules adopted by the board,
 2113 from time to time, following the procedures set forth in chapter
 2114 120, Florida Statutes.

2115 (m) To provide control and elimination of mosquitoes and
 2116 other arthropods of public health importance.

2117 (n) To provide waste collection and disposal.

2118 (o) To enter into impact fee credit agreements with
 2119 Manatee County or Sarasota County. Under such agreements, if the
 2120 District constructs or makes contributions for public systems,
 2121 facilities, services, projects, improvements, works, and
 2122 infrastructures for which impact fee credits would be available
 2123 to the landowner developer under the applicable impact fee
 2124 ordinance, the agreement authorized by this act shall provide
 2125 that such impact fee credit shall inure to the landowners within
 2126 the District in proportion to assessments or other burdens
 2127 levied and imposed upon the landowners with respect to
 2128 assessable improvements giving rise to such impact fee credits,
 2129 and the District shall from time to time execute such
 2130 instruments, such as assignments of impact fee credits, as may
 2131 be necessary, appropriate, or desirable to accomplish or to
 2132 confirm the foregoing.

2133 (p) To provide buildings and structures for District
 2134 offices, maintenance facilities, meeting facilities, town
 2135 centers, or any other project authorized or granted by this act.

2136 (q) To establish and create, at noticed meetings, such
 2137 governmental departments of the Board of Supervisors of the
 2138 District, as well as committees, task forces, boards, or

ENROLLED
 HB 1429, Engrossed 1

2005 Legislature

2139 commissions, or other agencies under the supervision and control
 2140 of the District, as from time to time the members of the board
 2141 may deem necessary or desirable in the performance of the acts
 2142 or other things necessary to exercise the board's general or
 2143 special powers to implement an innovative project to carry out
 2144 the special purpose of the District as provided in this act and
 2145 to delegate the exercise of its powers to such departments,
 2146 boards, task forces, committees, or other agencies and such
 2147 administrative duties and other powers as the board may deem
 2148 necessary or desirable but only if there is a set of expressed
 2149 limitations for accountability, notice, and periodic written
 2150 reporting to the board that shall retain the powers of the
 2151 board.

2152
 2153 The enumeration of special powers herein shall not be deemed
 2154 exclusive or restrictive but shall be deemed to incorporate all
 2155 powers express or implied necessary or incident to carrying out
 2156 such enumerated special powers, including also the general
 2157 powers provided by this special act charter to the District to
 2158 implement its single purpose. Further, the provisions of this
 2159 subsection shall be construed liberally in order to carry out
 2160 effectively the special purpose of this District under this act.

2161 The District shall only exercise the special powers described in
 2162 paragraphs (a) through (p) within Manatee County upon the
 2163 execution of an interlocal agreement between the District and
 2164 Manatee County consenting to the District's exercise of those
 2165 powers within Manatee County. The District shall only exercise
 2166 the special powers described in paragraphs (a) through (p)

ENROLLED
 HB 1429, Engrossed 1

2005 Legislature

2167 within Sarasota County upon the execution of an interlocal
 2168 agreement between the District and Sarasota County consenting to
 2169 the District's exercise of those powers within Sarasota County.
 2170 The District may exercise different powers within each county,
 2171 depending upon the timing and content of the respective
 2172 interlocal agreement, as either may be amended from time to
 2173 time.

2174 (8) ISSUANCE OF BOND ANTICIPATION NOTES.--In addition to
 2175 the other powers provided for in this act, and not in limitation
 2176 thereof, the District shall have the power, at any time and from
 2177 time to time after the issuance of any bonds of the District
 2178 shall have been authorized, to borrow money for the purposes for
 2179 which such bonds are to be issued in anticipation of the receipt
 2180 of the proceeds of the sale of such bonds and to issue bond
 2181 anticipation notes in a principal sum not in excess of the
 2182 authorized maximum amount of such bond issue. Such notes shall
 2183 be in such denomination or denominations, bear interest at such
 2184 rate as the board may determine not to exceed the maximum rate
 2185 allowed by general law, mature at such time or times not later
 2186 than 5 years from the date of issuance, and be in such form and
 2187 executed in such manner as the board shall prescribe. Such notes
 2188 may be sold at either public or private sale or, if such notes
 2189 shall be renewal notes, may be exchanged for notes then
 2190 outstanding on such terms as the board shall determine. Such
 2191 notes shall be paid from the proceeds of such bonds when issued.
 2192 The board may, in its discretion, in lieu of retiring the notes
 2193 by means of bonds, retire them by means of current revenues or
 2194 from any taxes or assessments levied for the payment of such

ENROLLED
 HB 1429, Engrossed 1

2005 Legislature

2195 bonds, but, in such event, a like amount of the bonds authorized
 2196 shall not be issued.

2197 (9) BORROWING.--The District at any time may obtain loans,
 2198 in such amount and on such terms and conditions as the board may
 2199 approve, for the purpose of paying any of the expenses of the
 2200 District or any costs incurred or that may be incurred in
 2201 connection with any of the projects of the District, which loans
 2202 shall bear interest as the board determines, not to exceed the
 2203 maximum rate allowed by general law, and may be payable from and
 2204 secured by a pledge of such funds, revenues, taxes, and
 2205 assessments as the board may determine, subject, however, to the
 2206 provisions contained in any proceeding under which bonds were
 2207 theretofore issued and are then outstanding. For the purpose of
 2208 defraying such costs and expenses, the District may issue
 2209 negotiable notes, warrants, or other evidences of debt to be
 2210 payable at such times and to bear such interest as the board may
 2211 determine, not to exceed the maximum rate allowed by general
 2212 law, and to be sold or discounted at such price or prices not
 2213 less than 95 percent of par value and on such terms as the board
 2214 may deem advisable. The board shall have the right to provide
 2215 for the payment thereof by pledging the whole or any part of the
 2216 funds, revenues, taxes, and assessments of the District. The
 2217 approval of the electors residing in the District shall not be
 2218 necessary except when required by the State Constitution.

2219 (10) BONDS.--

2220 (a) Sale of bonds.--Bonds may be sold in blocks or
 2221 installments at different times, or an entire issue or series
 2222 may be sold at one time. Bonds may be sold at public or private

ENROLLED
 HB 1429, Engrossed 1

2005 Legislature

2223 sale after such advertisement, if any, as the board may deem
 2224 advisable but not in any event at less than 90 percent of the
 2225 par value thereof, together with accrued interest thereon. Bonds
 2226 may be sold or exchanged for refunding bonds. Special assessment
 2227 and revenue bonds may be delivered by the District as payment of
 2228 the purchase price of any project or part thereof, or a
 2229 combination of projects or parts thereof, or as the purchase
 2230 price or exchange for any property, real, personal, or mixed,
 2231 including franchises or services rendered by any contractor,
 2232 engineer, or other person, all at one time or in blocks from
 2233 time to time, in such manner and upon such terms as the board in
 2234 its discretion shall determine. The price or prices for any
 2235 bonds sold, exchanged, or delivered may be:

- 2236 1. The money paid for the bonds.
- 2237 2. The principal amount, plus accrued interest to the date
 2238 of redemption or exchange, or outstanding obligations exchanged
 2239 for refunding bonds.

2240 3. In the case of special assessment or revenue bonds, the
 2241 amount of any indebtedness to contractors or other persons paid
 2242 with such bonds, or the fair value of any properties exchanged
 2243 for the bonds, as determined by the board.

2244 (b) Authorization and form of bonds.--Any general
 2245 obligation bonds, special assessment bonds, or revenue bonds may
 2246 be authorized by resolution or resolutions of the board which
 2247 shall be adopted by a majority of all the members thereof then
 2248 in office. Such resolution or resolutions may be adopted at the
 2249 same meeting at which they are introduced and need not be
 2250 published or posted. The board may, by resolution, authorize the

ENROLLED
 HB 1429, Engrossed 1

2005 Legislature

2251 issuance of bonds and fix the aggregate amount of bonds to be
 2252 issued; the purpose or purposes for which the moneys derived
 2253 therefrom shall be expended, including, but not limited to,
 2254 payment of costs as defined in section 2(2)(i); the rate or
 2255 rates of interest, not to exceed the maximum rate allowed by
 2256 general law; the denomination of the bonds; whether or not the
 2257 bonds are to be issued in one or more series; the date or dates
 2258 of maturity, which shall not exceed 40 years from their
 2259 respective dates of issuance; the medium of payment; the place
 2260 or places within or without the state at which payment shall be
 2261 made; registration privileges; redemption terms and privileges,
 2262 whether with or without premium; the manner of execution; the
 2263 form of the bonds, including any interest coupons to be attached
 2264 thereto; the manner of execution of bonds and coupons; and any
 2265 and all other terms, covenants, and conditions thereof and the
 2266 establishment of revenue or other funds. Such authorizing
 2267 resolution or resolutions may further provide for the contracts
 2268 authorized by section 159.825(1)(f) and (g), Florida Statutes,
 2269 regardless of the tax treatment of such bonds being authorized,
 2270 subject to the finding by the board of a net saving to the
 2271 District resulting by reason thereof. Such authorizing
 2272 resolution may further provide that such bonds may be executed
 2273 in accordance with the Registered Public Obligations Act, except
 2274 that bonds not issued in registered form shall be valid if
 2275 manually countersigned by an officer designated by appropriate
 2276 resolution of the board. The seal of the District may be
 2277 affixed, lithographed, engraved, or otherwise reproduced in
 2278 facsimile on such bonds. In case any officer whose signature

ENROLLED
 HB 1429, Engrossed 1

2005 Legislature

2279 shall appear on any bonds or coupons shall cease to be such
 2280 officer before the delivery of such bonds, such signature or
 2281 facsimile shall nevertheless be valid and sufficient for all
 2282 purposes the same as if he or she had remained in office until
 2283 such delivery.

2284 (c) Interim certificates; replacement
 2285 certificates.--Pending the preparation of definitive bonds, the
 2286 board may issue interim certificates or receipts or temporary
 2287 bonds, in such form and with such provisions as the board may
 2288 determine, exchangeable for definitive bonds when such bonds
 2289 have been executed and are available for delivery. The board may
 2290 also provide for the replacement of any bonds which become
 2291 mutilated, lost, or destroyed.

2292 (d) Negotiability of bonds.--Any bond issued under this
 2293 act or any temporary bond, in the absence of an express recital
 2294 on the face thereof that it is nonnegotiable, shall be fully
 2295 negotiable and shall be and constitute a negotiable instrument
 2296 within the meaning and for all purposes of the law merchant and
 2297 the laws of the state.

2298 (e) Defeasance.--The board may make such provision with
 2299 respect to the defeasance of the right, title, and interest of
 2300 the holders of any of the bonds and obligations of the District
 2301 in any revenues, funds, or other properties by which such bonds
 2302 are secured as the board deems appropriate and, without
 2303 limitation on the foregoing, may provide that when such bonds or
 2304 obligations become due and payable or shall have been called for
 2305 redemption and the whole amount of the principal and interest
 2306 and premium, if any, due and payable upon the bonds or

ENROLLED
 HB 1429, Engrossed 1

2005 Legislature

2307 obligations then outstanding shall be held in trust for such
 2308 purpose, and provision shall also be made for paying all other
 2309 sums payable in connection with such bonds or other obligations,
 2310 then and in such event the right, title, and interest of the
 2311 holders of the bonds in any revenues, funds, or other properties
 2312 by which such bonds are secured shall thereupon cease,
 2313 terminate, and become void; and the board may apply any surplus
 2314 in any sinking fund established in connection with such bonds or
 2315 obligations and all balances remaining in all other funds or
 2316 accounts other than moneys held for the redemption or payment of
 2317 the bonds or other obligations to any lawful purpose of the
 2318 District as the board shall determine.

2319 (f) Issuance of additional bonds.--If the proceeds of any
 2320 bonds are less than the cost of completing the project in
 2321 connection with which such bonds were issued, the board may
 2322 authorize the issuance of additional bonds, upon such terms and
 2323 conditions as the board may provide in the resolution
 2324 authorizing the issuance thereof, but only in compliance with
 2325 the resolution or other proceedings authorizing the issuance of
 2326 the original bonds.

2327 (g) Refunding bonds.--The District shall have the power to
 2328 issue bonds to provide for the retirement or refunding of any
 2329 bonds or obligations of the District that at the time of such
 2330 issuance are or subsequent thereto become due and payable, or
 2331 that at the time of issuance have been called or are or will be
 2332 subject to call for redemption within 10 years thereafter, or
 2333 the surrender of which can be procured from the holders thereof
 2334 at prices satisfactory to the board. Refunding bonds may be

ENROLLED
 HB 1429, Engrossed 1

2005 Legislature

2335 issued at any time that in the judgment of the board such
 2336 issuance will be advantageous to the District. No approval of
 2337 the qualified electors residing in the District shall be
 2338 required for the issuance of refunding bonds except in cases in
 2339 which such approval is required by the State Constitution. The
 2340 board may by resolution confer upon the holders of such
 2341 refunding bonds all rights, powers, and remedies to which the
 2342 holders would be entitled if they continued to be the owners and
 2343 had possession of the bonds for the refinancing of which such
 2344 refunding bonds are issued, including, but not limited to, the
 2345 preservation of the lien of such bonds on the revenues of any
 2346 project or on pledged funds, without extinguishment, impairment,
 2347 or diminution thereof. The provisions of this act pertaining to
 2348 bonds of the District shall, unless the context otherwise
 2349 requires, govern the issuance of refunding bonds, the form and
 2350 other details thereof, the rights of the holders thereof, and
 2351 the duties of the board with respect to them.

2352 (h) Revenue bonds.--

2353 1. The District shall have the power to issue revenue
 2354 bonds from time to time without limitation as to amount. Such
 2355 revenue bonds may be secured by, or payable from, the gross or
 2356 net pledge of the revenues to be derived from any project or
 2357 combination of projects; from the rates, fees, or other charges
 2358 to be collected from the users of any project or projects; from
 2359 any revenue-producing undertaking or activity of the District;
 2360 from special assessments; or from benefit special assessments;
 2361 or from any other source or pledged security. Such bonds shall
 2362 not constitute an indebtedness of the District, and the approval

ENROLLED
 HB 1429, Engrossed 1

2005 Legislature

2363 of the qualified electors shall not be required unless such
 2364 bonds are additionally secured by the full faith and credit and
 2365 taxing power of the District.

2366 2. Any two or more projects may be combined and
 2367 consolidated into a single project and may hereafter be operated
 2368 and maintained as a single project. The revenue bonds authorized
 2369 herein may be issued to finance any one or more of such
 2370 projects, regardless of whether or not such projects have been
 2371 combined and consolidated into a single project. If the board
 2372 deems it advisable, the proceedings authorizing such revenue
 2373 bonds may provide that the District may thereafter combine the
 2374 projects then being financed or theretofore financed with other
 2375 projects to be subsequently financed by the District and that
 2376 revenue bonds to be thereafter issued by the District shall be
 2377 on parity with the revenue bonds then being issued, all on such
 2378 terms, conditions, and limitations as shall have been provided
 2379 in the proceeding which authorized the original bonds.

2380 (i) General obligation bonds.--

2381 1. Subject to the limitations of this charter, the
 2382 District shall have the power from time to time to issue general
 2383 obligation bonds to finance or refinance capital projects or to
 2384 refund outstanding bonds in an aggregate principal amount of
 2385 bonds outstanding at any one time not in excess of 35 percent of
 2386 the assessed value of the taxable property within the District
 2387 as shown on the pertinent tax records at the time of the
 2388 authorization of the general obligation bonds for which the full
 2389 faith and credit of the District is pledged. Except for
 2390 refunding bonds, no general obligation bonds shall be issued

ENROLLED
 HB 1429, Engrossed 1

2005 Legislature

2391 unless the bonds are issued to finance or refinance a capital
 2392 project and the issuance has been approved at an election held
 2393 in accordance with the requirements for such election as
 2394 prescribed by the State Constitution. Such elections shall be
 2395 called to be held in the District by the Board of County
 2396 Commissioners of Manatee and Sarasota Counties upon the request
 2397 of the board of the District. The expenses of calling and
 2398 holding an election shall be at the expense of the District, and
 2399 the District shall reimburse the county for any expenses
 2400 incurred in calling or holding such election.

2401 2. The District may pledge its full faith and credit for
 2402 the payment of the principal and interest on such general
 2403 obligation bonds and for any reserve funds provided therefor and
 2404 may unconditionally and irrevocably pledge itself to levy ad
 2405 valorem taxes on all taxable property in the District, to the
 2406 extent necessary for the payment thereof, without limitation as
 2407 to rate or amount.

2408 3. If the board determines to issue general obligation
 2409 bonds for more than one capital project, the approval of the
 2410 issuance of the bonds for each and all such projects may be
 2411 submitted to the electors on one and the same ballot. The
 2412 failure of the electors to approve the issuance of bonds for any
 2413 one or more capital projects shall not defeat the approval of
 2414 bonds for any capital project which has been approved by the
 2415 electors.

2416 4. In arriving at the amount of general obligation bonds
 2417 permitted to be outstanding at any one time pursuant to
 2418 subparagraph 1., there shall not be included any general

ENROLLED
 HB 1429, Engrossed 1

2005 Legislature

2419 obligation bonds which are additionally secured by the pledge
 2420 of:

2421 a. Any assessments levied in an amount sufficient to pay
 2422 the principal and interest on the general obligation bonds so
 2423 additionally secured, which assessments have been equalized and
 2424 confirmed by resolution of the board pursuant to this act or
 2425 section 170.08, Florida Statutes.

2426 b. Water revenues, sewer revenues, or water and sewer
 2427 revenues of the District to be derived from user fees in an
 2428 amount sufficient to pay the principal and interest on the
 2429 general obligation bonds so additionally secured.

2430 c. Any combination of assessments and revenues described
 2431 in sub-subparagraphs a. and b.

2432 (j) Bonds as legal investment or security.--

2433 1. Notwithstanding any provisions of any other law to the
 2434 contrary, all bonds issued under the provisions of this act
 2435 shall constitute legal investments for savings banks, banks,
 2436 trust companies, insurance companies, executors, administrators,
 2437 trustees, guardians, and other fiduciaries and for any board,
 2438 body, agency, instrumentality, county, municipality, or other
 2439 political subdivision of the state and shall be and constitute
 2440 security which may be deposited by banks or trust companies as
 2441 security for deposits of state, county, municipal, or other
 2442 public funds or by insurance companies as required or voluntary
 2443 statutory deposits.

2444 2. Any bonds issued by the District shall be incontestable
 2445 in the hands of bona fide purchasers or holders for value and

ENROLLED
 HB 1429, Engrossed 1

2005 Legislature

2446 shall not be invalid because of any irregularity or defect in
 2447 the proceedings for the issue and sale thereof.

2448 (k) Covenants.--Any resolution authorizing the issuance of
 2449 bonds may contain such covenants as the board may deem
 2450 advisable, and all such covenants shall constitute valid and
 2451 legally binding and enforceable contracts between the District
 2452 and the bondholders, regardless of the time of issuance thereof.
 2453 Such covenants may include, without limitation, covenants
 2454 concerning the disposition of the bond proceeds; the use and
 2455 disposition of project revenues; the pledging of revenues,
 2456 taxes, and assessments; the obligations of the District with
 2457 respect to the operation of the project and the maintenance of
 2458 adequate project revenues; the issuance of additional bonds; the
 2459 appointment, powers, and duties of trustees and receivers; the
 2460 acquisition of outstanding bonds and obligations; restrictions
 2461 on the establishing of competing projects or facilities;
 2462 restrictions on the sale or disposal of the assets and property
 2463 of the District; the priority of assessment liens; the priority
 2464 of claims by bondholders on the taxing power of the District;
 2465 the maintenance of deposits to ensure the payment of revenues by
 2466 users of District facilities and services; the discontinuance of
 2467 District services by reason of delinquent payments; acceleration
 2468 upon default; the execution of necessary instruments; the
 2469 procedure for amending or abrogating covenants with the
 2470 bondholders; and such other covenants as may be deemed necessary
 2471 or desirable for the security of the bondholders.

2472 (l) Validation proceedings.--The power of the District to
 2473 issue bonds under the provisions of this act may be determined,

ENROLLED
 HB 1429, Engrossed 1

2005 Legislature

2474 and any of the bonds of the District maturing over a period of
 2475 more than 5 years shall be validated and confirmed, by court
 2476 decree, under the provisions of chapter 75, Florida Statutes,
 2477 and laws amendatory thereof or supplementary thereto.

2478 (m) Tax exemption.--To the extent allowed by general law,
 2479 all bonds issued hereunder and interest paid thereon and all
 2480 fees, charges, and other revenues derived by the District from
 2481 the projects provided by this act are exempt from all taxes by
 2482 the state or by any political subdivision, agency, or
 2483 instrumentality thereof; however, any interest, income, or
 2484 profits on debt obligations issued hereunder are not exempt from
 2485 the tax imposed by chapter 220, Florida Statutes. Further, the
 2486 District is not exempt from the provisions of chapter 212,
 2487 Florida Statutes.

2488 (n) Application of section 189.4085, Florida
 2489 Statutes.--Bonds issued by the District shall meet the criteria
 2490 set forth in section 189.4085, Florida Statutes.

2491 (o) Act furnishes full authority for issuance of
 2492 bonds.--This act constitutes full and complete authority for the
 2493 issuance of bonds and the exercise of the powers of the District
 2494 provided herein. No procedures or proceedings, publications,
 2495 notices, consents, approvals, orders, acts, or things by the
 2496 board, or any board, officer, commission, department, agency, or
 2497 instrumentality of the District, other than those required by
 2498 this act, shall be required to perform anything under this act,
 2499 except that the issuance or sale of bonds pursuant to the
 2500 provisions of this act shall comply with the general law
 2501 requirements applicable to the issuance or sale of bonds by the

ENROLLED
 HB 1429, Engrossed 1

2005 Legislature

2502 District. Nothing in this act shall be construed to authorize
 2503 the District to utilize bond proceeds to fund the ongoing
 2504 operations of the District.

2505 (p) Pledge by the state to the bondholders of the
 2506 District.--The state pledges to the holders of any bonds issued
 2507 under this act that it will not limit or alter the rights of the
 2508 District to own, acquire, construct, reconstruct, improve,
 2509 maintain, operate, or furnish the projects or to levy and
 2510 collect the taxes, assessments, rentals, rates, fees, and other
 2511 charges provided for herein and to fulfill the terms of any
 2512 agreement made with the holders of such bonds or other
 2513 obligations and that it will not in any way impair the rights or
 2514 remedies of such holders.

2515 (q) Default.--A default on the bonds or obligations of a
 2516 District shall not constitute a debt or obligation of the state
 2517 or any general-purpose local government or the state.

2518 (11) TRUST AGREEMENTS.--Any issue of bonds shall be
 2519 secured by a trust agreement by and between the District and a
 2520 corporate trustee or trustees, which may be any trust company or
 2521 bank having the powers of a trust company within or without the
 2522 state. The resolution authorizing the issuance of the bonds or
 2523 such trust agreement may pledge the revenues to be received from
 2524 any projects of the District and may contain such provisions for
 2525 protecting and enforcing the rights and remedies of the
 2526 bondholders as the board may approve, including, without
 2527 limitation, covenants setting forth the duties of the District
 2528 in relation to: the acquisition, construction, reconstruction,
 2529 improvement, maintenance, repair, operation, and insurance of

ENROLLED
 HB 1429, Engrossed 1

2005 Legislature

2530 any projects; the fixing and revising of the rates, fees, and
 2531 charges; and the custody, safeguarding, and application of all
 2532 moneys and for the employment of consulting engineers in
 2533 connection with such acquisition, construction, reconstruction,
 2534 improvement, maintenance, repair, or operation. It shall be
 2535 lawful for any bank or trust company within or without the state
 2536 which may act as a depository of the proceeds of bonds or of
 2537 revenues to furnish such indemnifying bonds or to pledge such
 2538 securities as may be required by the District. Such resolution
 2539 or trust agreement may set forth the rights and remedies of the
 2540 bondholders and of the trustee, if any, and may restrict the
 2541 individual right of action by bondholders. The board may provide
 2542 for the payment of proceeds of the sale of the bonds and the
 2543 revenues of any project to such officer, board, or depository as
 2544 it may designate for the custody thereof and may provide for the
 2545 method of disbursement thereof with such safeguards and
 2546 restrictions as it may determine. All expenses incurred in
 2547 carrying out the provisions of such resolution or trust
 2548 agreement may be treated as part of the cost of operation of the
 2549 project to which such trust agreement pertains.

2550 (12) AD VALOREM TAXES; ASSESSMENTS, BENEFIT SPECIAL
 2551 ASSESSMENTS, MAINTENANCE SPECIAL ASSESSMENTS, AND SPECIAL
 2552 ASSESSMENTS; MAINTENANCE TAXES.--

2553 (a) Ad valorem taxes.--An elected board shall have the
 2554 power to levy and assess an ad valorem tax on all the taxable
 2555 property in the District to construct, operate, and maintain
 2556 assessable improvements; to pay the principal of, and interest
 2557 on, any general obligation bonds of the District; and to provide

ENROLLED
 HB 1429, Engrossed 1

2005 Legislature

2558 for any sinking or other funds established in connection with
 2559 any such bonds. An ad valorem tax levied by the board for
 2560 operating purposes, exclusive of debt service on bonds, shall
 2561 not exceed 3 mills. The ad valorem tax provided for herein shall
 2562 be in addition to county and all other ad valorem taxes provided
 2563 for by law. Such tax shall be assessed, levied, and collected in
 2564 the same manner and at the same time as county taxes. The levy
 2565 of ad valorem taxes must be approved by referendum as required
 2566 by Section 9 of Article VII of the State Constitution.

2567 (b) Benefit special assessments.--The board annually shall
 2568 determine, order, and levy the annual installment of the total
 2569 benefit special assessments for bonds issued and related
 2570 expenses to finance assessable improvements. These assessments
 2571 may be due and collected during each year that county taxes are
 2572 due and collected, in which case such annual installment and
 2573 levy shall be evidenced to and certified to the property
 2574 appraiser by the board not later than August 31 of each year.
 2575 Such assessment shall be entered by the property appraiser on
 2576 the county tax rolls and shall be collected and enforced by the
 2577 tax collector in the same manner and at the same time as county
 2578 taxes, and the proceeds thereof shall be paid to the District.
 2579 However, this subsection shall not prohibit the District in its
 2580 discretion from using the method prescribed in either section
 2581 197.3632 or chapter 173, Florida Statutes, as each may be
 2582 amended from time to time, for collecting and enforcing these
 2583 assessments. Each annual installment of benefit special
 2584 assessments shall be a lien on the property against which
 2585 assessed until paid and shall be enforceable in like manner as

ENROLLED
 HB 1429, Engrossed 1

2005 Legislature

2586 county taxes. The amount of the assessment for the exercise of
 2587 the District's powers under subsections (6) and (7) shall be
 2588 determined by the board based upon a report of the District's
 2589 engineer and assessed by the board upon such lands, which may be
 2590 part or all of the lands within the District benefited by the
 2591 improvement, apportioned between benefited lands in proportion
 2592 to the benefits received by each tract of land. The board may,
 2593 if it determines it is in the best interests of the District,
 2594 set forth in the proceedings initially levying such benefit
 2595 special assessments or in subsequent proceedings a formula for
 2596 the determination of an amount, which when paid by a taxpayer
 2597 with respect to any tax parcel, shall constitute a prepayment of
 2598 all future annual installments of such benefit special
 2599 assessments and that the payment of which amount with respect to
 2600 such tax parcel shall relieve and discharge such tax parcel of
 2601 the lien of such benefit special assessments and any subsequent
 2602 annual installment thereof. The board may provide further that
 2603 upon delinquency in the payment of any annual installment of
 2604 benefit special assessments, the prepayment amount of all future
 2605 annual installments of benefit special assessments as determined
 2606 in the preceding sentence shall be and become immediately due
 2607 and payable together with such delinquent annual installment.

2608 (c) Non-ad valorem maintenance taxes.--If and when
 2609 authorized by general law, to maintain and to preserve the
 2610 physical facilities and services constituting the works,
 2611 improvements, or infrastructure provided by the District
 2612 pursuant to this act, to repair and restore any one or more of
 2613 them, when needed, and to defray the current expenses of the

ENROLLED
 HB 1429, Engrossed 1

2005 Legislature

2614 District, including any sum which may be required to pay state
 2615 and county ad valorem taxes on any lands which may have been
 2616 purchased and which are held by the District under the
 2617 provisions of this act, the Board of Supervisors may, upon the
 2618 completion of said systems, facilities, services, works,
 2619 improvements, or infrastructure, in whole or in part, as may be
 2620 certified to the board by the engineer of the board, levy
 2621 annually a non-ad valorem and nonmillage tax upon each tract or
 2622 parcel of land within the District, to be known as a
 2623 "maintenance tax." This non-ad valorem maintenance tax shall be
 2624 apportioned upon the basis of the net assessments of benefits
 2625 assessed as accruing from the original construction and shall be
 2626 evidenced to and certified by the Board of Supervisors of the
 2627 District not later than June 1 of each year to the property
 2628 appraisers of Manatee and Sarasota Counties and shall be
 2629 extended by the property appraiser on the tax roll of the
 2630 property appraiser, as certified by the property appraiser to
 2631 the tax collector, and collected by the tax collector on the
 2632 merged collection roll of the tax collector in the same manner
 2633 and at the same time as county ad valorem taxes, and the
 2634 proceeds therefrom shall be paid to the District. This non-ad
 2635 valorem maintenance tax shall be a lien until paid on the
 2636 property against which assessed and enforceable in like manner
 2637 and of the same dignity as county ad valorem taxes.

2638 (d) Maintenance special assessments.--To maintain and
 2639 preserve the facilities and projects of the District, the board
 2640 may levy a maintenance special assessment. This assessment may
 2641 be evidenced to and certified to the property appraiser by the

ENROLLED
 HB 1429, Engrossed 1

2005 Legislature

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

2661 (e) Special assessments.--To levy and impose any special
 2662 assessments pursuant to this subsection.

2663 (f) Enforcement of taxes.--The collection and enforcement
 2664 of all taxes levied by the District shall be at the same time
 2665 and in like manner as county taxes, and the provisions of the
 2666 laws of Florida relating to the sale of lands for unpaid and
 2667 delinquent county taxes; the issuance, sale, and delivery of tax
 2668 certificates for such unpaid and delinquent county taxes; the
 2669 redemption thereof; the issuance to individuals of tax deeds

ENROLLED
 HB 1429, Engrossed 1

2005 Legislature

2670 based thereon; and all other procedures in connection therewith
 2671 shall be applicable to the District to the same extent as if
 2672 such statutory provisions were expressly set forth herein. All
 2673 taxes shall be subject to the same discounts as county taxes.

2674 (g) When unpaid tax is delinquent; penalty.--All taxes
 2675 provided for in this act shall become delinquent and bear
 2676 penalties on the amount of such taxes in the same manner as
 2677 county taxes.

2678 (h) Status of assessments.--Benefit special assessments,
 2679 maintenance special assessments, and special assessments are
 2680 hereby found and determined to be non-ad valorem assessments as
 2681 defined by section 197.3632, Florida Statutes. Maintenance taxes
 2682 are non-ad valorem taxes and are not special assessments.

2683 (i) Assessments constitute liens; collection.--Any and all
 2684 assessments, including special assessments, benefit special
 2685 assessments, and maintenance special assessments authorized by
 2686 this section, and including special assessments as defined by
 2687 section 2(2)(z) and granted and authorized by this subsection,
 2688 and including maintenance taxes if authorized by general law,
 2689 shall constitute a lien on the property against which assessed
 2690 from the date of levy and imposition thereof until paid, coequal
 2691 with the lien of state, county, municipal, and school board
 2692 taxes. These assessments may be collected, at the District's
 2693 discretion, under authority of section 197.3631, Florida
 2694 Statutes, as amended from time to time, by the tax collector
 2695 pursuant to the provisions of sections 197.3632 and 197.3635,
 2696 Florida Statutes, as amended from time to time, or in accordance
 2697 with other collection measures provided by law. In addition to,

ENROLLED
 HB 1429, Engrossed 1

2005 Legislature

2698 and not in limitation of, any powers otherwise set forth herein
 2699 or in general law, these assessments may also be enforced
 2700 pursuant to the provisions of chapter 173, Florida Statutes, as
 2701 amended from time to time.

2702 (j) Land owned by governmental entity.--Except as
 2703 otherwise provided by law, no levy of ad valorem taxes or non-ad
 2704 valorem assessments under this act, chapter 170, or chapter 197,
 2705 Florida Statutes, as each may be amended from time to time, or
 2706 otherwise, by a board of a District, on property of a
 2707 governmental entity that is subject to a ground lease as
 2708 described in section 190.003(13), Florida Statutes, shall
 2709 constitute a lien or encumbrance on the underlying fee interest
 2710 of such governmental entity.

2711 (13) SPECIAL ASSESSMENTS.--

2712 (a) As an alternative method to the levy and imposition of
 2713 special assessments pursuant to chapter 170, Florida Statutes,
 2714 pursuant to the authority of section 197.3631, Florida Statutes,
 2715 or pursuant to other provisions of general law, now or hereafter
 2716 enacted, which provide a supplemental means or authority to
 2717 impose, levy, and collect special assessments as otherwise
 2718 authorized under this act, the board may levy and impose special
 2719 assessments to finance the exercise of any of its powers
 2720 permitted under this act using the following uniform procedures:

2721 1. At a noticed meeting, the Board of Supervisors of the
 2722 District may consider and review an engineer's report on the
 2723 costs of the systems, facilities, and services to be provided, a
 2724 preliminary assessment methodology, and a preliminary roll based

ENROLLED
 HB 1429, Engrossed 1

2005 Legislature

2725 on acreage or platted lands, depending upon whether platting has
 2726 occurred.

2727 a. The assessment methodology shall address and discuss
 2728 and the board shall consider whether the systems, facilities,
 2729 and services being contemplated will result in special benefits
 2730 peculiar to the property, different in kind and degree than
 2731 general benefits, as a logical connection between the systems,
 2732 facilities, and services themselves and the property, and
 2733 whether the duty to pay the assessments by the property owners
 2734 is apportioned in a manner that is fair and equitable and not in
 2735 excess of the special benefit received. It shall be fair and
 2736 equitable to designate a fixed proportion of the annual debt
 2737 service, together with interest thereon, on the aggregate
 2738 principal amount of bonds issued to finance such systems,
 2739 facilities, and services which give rise to unique, special, and
 2740 peculiar benefits to property of the same or similar
 2741 characteristics under the assessment methodology so long as such
 2742 fixed proportion does not exceed the unique, special, and
 2743 peculiar benefits enjoyed by such property from such systems,
 2744 facilities, and services.

2745 b. The engineer's cost report shall identify the nature of
 2746 the proposed systems, facilities, and services, their location,
 2747 a cost breakdown plus a total estimated cost, including cost of
 2748 construction or reconstruction, labor, and materials, lands,
 2749 property, rights, easements, franchises, or systems, facilities,
 2750 and services to be acquired, cost of plans and specifications,
 2751 surveys of estimates of costs and revenues, costs of
 2752 engineering, legal, and other professional consultation

ENROLLED
 HB 1429, Engrossed 1

2005 Legislature

2753 services, and other expenses or costs necessary or incident to
 2754 determining the feasibility or practicability of such
 2755 construction, reconstruction, or acquisition, administrative
 2756 expenses, relationship to the authority and power of the
 2757 District in its charter, and such other expenses or costs as may
 2758 be necessary or incident to the financing to be authorized by
 2759 the Board of Supervisors.

2760 c. The preliminary assessment roll to be prepared will be
 2761 in accordance with the method of assessment provided for in the
 2762 assessment methodology and as may be adopted by the Board of
 2763 Supervisors; the assessment roll shall be completed as promptly
 2764 as possible and shall show the acreage, lots, lands, or plats
 2765 assessed and the amount of the fairly and reasonably apportioned
 2766 assessment based on special and peculiar benefit to the
 2767 property, lot, parcel, or acreage of land; and, if the
 2768 assessment against each such lot, parcel, acreage, or portion of
 2769 land is to be paid in installments, the number of annual
 2770 installments in which the assessment is divided shall be entered
 2771 into and shown upon the assessment roll.

2772 2. The Board of Supervisors of the District may determine
 2773 and declare by an initial assessment resolution to levy and
 2774 assess the assessments with respect to assessable improvements
 2775 stating the nature of the systems, facilities, and services,
 2776 improvements, projects, or infrastructure constituting such
 2777 assessable improvements, the information in the engineer's cost
 2778 report, the information in the assessment methodology as
 2779 determined by the board at the noticed meeting and referencing
 2780 and incorporating as part of the resolution the engineer's cost

ENROLLED

HB 1429, Engrossed 1

2005 Legislature

2781 report, the preliminary assessment methodology, and the
2782 preliminary assessment roll as referenced exhibits to the
2783 resolution by reference. If the board determines to declare and
2784 levy the special assessments by the initial assessment
2785 resolution, the board shall also adopt and declare a notice
2786 resolution which shall provide and cause the initial assessment
2787 resolution to be published once a week for a period of 2 weeks
2788 in newspapers of general circulation published in Manatee and
2789 Sarasota Counties and said board shall by the same resolution
2790 fix a time and place at which the owner or owners of the
2791 property to be assessed or any other persons interested therein
2792 may appear before said board and be heard as to the propriety
2793 and advisability of making such improvements, as to the costs
2794 thereof, as to the manner of payment therefor, and as to the
2795 amount thereof to be assessed against each property so improved.
2796 Thirty days' notice in writing of such time and place shall be
2797 given to such property owners. The notice shall include the
2798 amount of the assessment and shall be served by mailing a copy
2799 to each assessed property owner at his or her last known
2800 address, the names and addresses of such property owners to be
2801 obtained from the record of the property appraiser of the county
2802 political subdivision in which the land is located or from such
2803 other sources as the district manager or engineer deems
2804 reliable, and proof of such mailing shall be made by the
2805 affidavit of the manager of the District or by the engineer,
2806 said proof to be filed with the district manager, provided that
2807 failure to mail said notice or notices shall not invalidate any
2808 of the proceedings hereunder. It is provided further that the

ENROLLED
 HB 1429, Engrossed 1

2005 Legislature

2809 last publication shall be at least 1 week prior to the date of
 2810 the hearing on the final assessment resolution. Said notice
 2811 shall describe the general areas to be improved and advise all
 2812 persons interested that the description of each property to be
 2813 assessed and the amount to be assessed to each piece, parcel,
 2814 lot, or acre of property may be ascertained at the office of the
 2815 manager of the District. Such service by publication shall be
 2816 verified by the affidavit of the publisher and filed with the
 2817 manager of the District. Moreover, the initial assessment
 2818 resolution with its attached, referenced, and incorporated
 2819 engineer's cost report, preliminary assessment methodology, and
 2820 preliminary assessment roll, along with the notice resolution,
 2821 shall be available for public inspection at the office of the
 2822 manager and the office of the engineer or any other office
 2823 designated by the Board of Supervisors in the notice resolution.
 2824 Notwithstanding the foregoing, the landowners of all of the
 2825 property which is proposed to be assessed may give the District
 2826 written notice of waiver of any notice and publication provided
 2827 for in this subparagraph and such notice and publication shall
 2828 not be required, provided, however, that any meeting of the
 2829 Board of Supervisors to consider such resolution shall be a
 2830 publicly noticed meeting.

2831 3. At the time and place named in the noticed resolution
 2832 as provided for in subparagraph 2., the Board of Supervisors of
 2833 the District shall meet and hear testimony from affected
 2834 property owners as to the propriety and advisability of making
 2835 the systems, facilities, services, projects, works,
 2836 improvements, or infrastructure and funding them with

ENROLLED
 HB 1429, Engrossed 1

2005 Legislature

2837 assessments referenced in the initial assessment resolution on
 2838 the property. Following the testimony and questions from the
 2839 members of the board or any professional advisors to the
 2840 District of the preparers of the engineer's cost report, the
 2841 assessment methodology, and the assessment roll, the Board of
 2842 Supervisors shall make a final decision on whether to levy and
 2843 assess the particular assessments. Thereafter, the Board of
 2844 Supervisors shall meet as an equalizing board to hear and to
 2845 consider any and all complaints as to the particular assessments
 2846 and shall adjust and equalize the assessments on the basis of
 2847 justice and right.

2848 4. When so equalized and approved by resolution or
 2849 ordinance by the Board of Supervisors, to be called the final
 2850 assessment resolution, a final assessment roll shall be filed
 2851 with the clerk of the board and such assessment shall stand
 2852 confirmed and remain legal, valid, and binding first liens on
 2853 the property against which such assessments are made until paid,
 2854 equal in dignity to the first liens of ad valorem taxation of
 2855 county and municipal governments and school boards. However,
 2856 upon completion of the systems, facilities, service, project,
 2857 improvement, works, or infrastructure, the District shall credit
 2858 to each of the assessments the difference in the assessment as
 2859 originally made, approved, levied, assessed, and confirmed and
 2860 the proportionate part of the actual cost of the improvement to
 2861 be paid by the particular special assessments as finally
 2862 determined upon the completion of the improvement; but in no
 2863 event shall the final assessment exceed the amount of the
 2864 special and peculiar benefits as apportioned fairly and

ENROLLED
 HB 1429, Engrossed 1

2005 Legislature

2865 reasonably to the property from the system, facility, or service
 2866 being provided as originally assessed. Promptly after such
 2867 confirmation, the assessment shall be recorded by the clerk of
 2868 the District in the minutes of the proceedings of the District,
 2869 and the record of the lien in this set of minutes shall
 2870 constitute prima facie evidence of its validity. The Board of
 2871 Supervisors, in its sole discretion, may, by resolution grant a
 2872 discount equal to all or a part of the payee's proportionate
 2873 share of the cost of the project consisting of bond financing
 2874 cost, such as capitalized interest, funded reserves, and bond
 2875 discounts included in the estimated cost of the project, upon
 2876 payment in full of any assessments during such period prior to
 2877 the time such financing costs are incurred as may be specified
 2878 by the Board of Supervisors in such resolution.

2879 5. District assessments may be made payable in
 2880 installments over no more than 30 years from the date of the
 2881 payment of the first installment thereof and may bear interest
 2882 at fixed or variable rates.

2883 (b) Notwithstanding any provision of this act or chapter
 2884 170, Florida Statutes, that portion of section 170.09, Florida
 2885 Statutes, that provides that assessments may be paid without
 2886 interest at any time within 30 days after the improvement is
 2887 completed and a resolution accepting the same has been adopted
 2888 by the governing authority shall not be applicable to any
 2889 District assessments, whether imposed, levied, and collected
 2890 pursuant to the provisions of this act or other provisions of
 2891 Florida law, including, but not limited to chapter 170, Florida
 2892 Statutes.

ENROLLED
 HB 1429, Engrossed 1

2005 Legislature

2893 (c) In addition, the District is authorized expressly in
 2894 the exercise of its rulemaking power to adopt a rule or rules
 2895 which provides or provide for notice, levy, imposition,
 2896 equalization, and collection of assessments.

2897 (14) ISSUANCE OF CERTIFICATES OF INDEBTEDNESS BASED ON
 2898 ASSESSMENTS FOR ASSESSABLE IMPROVEMENTS; ASSESSMENT BONDS.--

2899 (a) The board may, after any special assessments or
 2900 benefit special assessments for assessable improvements are
 2901 made, determined, and confirmed as provided in this act, issue
 2902 certificates of indebtedness for the amount so assessed against
 2903 the abutting property or property otherwise benefited, as the
 2904 case may be, and separate certificates shall be issued against
 2905 each part or parcel of land or property assessed, which
 2906 certificates shall state the general nature of the improvement
 2907 for which the assessment is made. The certificates shall be
 2908 payable in annual installments in accordance with the
 2909 installments of the special assessment for which they are
 2910 issued. The board may determine the interest to be borne by such
 2911 certificates, not to exceed the maximum rate allowed by general
 2912 law, and may sell such certificates at either private or public
 2913 sale and determine the form, manner of execution, and other
 2914 details of such certificates. The certificates shall recite that
 2915 they are payable only from the special assessments levied and
 2916 collected from the part or parcel of land or property against
 2917 which they are issued. The proceeds of such certificates may be
 2918 pledged for the payment of principal of and interest on any
 2919 revenue bonds or general obligation bonds issued to finance in
 2920 whole or in part such assessable improvement, or, if not so

ENROLLED
 HB 1429, Engrossed 1

2005 Legislature

2921 | pledged, may be used to pay the cost or part of the cost of such
 2922 | assessable improvements.

2923 | (b) The District may also issue assessment bonds, revenue
 2924 | bonds, or other obligations payable from a special fund into
 2925 | which such certificates of indebtedness referred to in the
 2926 | preceding subsection may be deposited or, if such certificates
 2927 | of indebtedness have not been issued, the District may assign to
 2928 | such special fund for the benefit of the holders of such
 2929 | assessment bonds or other obligations, or to a trustee for such
 2930 | bondholders, the assessment liens provided for in this act
 2931 | unless such certificates of indebtedness or assessment liens
 2932 | have been theretofore pledged for any bonds or other obligations
 2933 | authorized hereunder. In the event of the creation of such
 2934 | special fund and the issuance of such assessment bonds or other
 2935 | obligations, the proceeds of such certificates of indebtedness
 2936 | or assessment liens deposited therein shall be used only for the
 2937 | payment of the assessment bonds or other obligations issued as
 2938 | provided in this section. The District is authorized to covenant
 2939 | with the holders of such assessment bonds, revenue bonds, or
 2940 | other obligations that it will diligently and faithfully enforce
 2941 | and collect all the special assessments, and interest and
 2942 | penalties thereon, for which such certificates of indebtedness
 2943 | or assessment liens have been deposited in or assigned to such
 2944 | fund; to foreclose such assessment liens so assigned to such
 2945 | special fund or represented by the certificates of indebtedness
 2946 | deposited in the special fund, after such assessment liens have
 2947 | become delinquent, and deposit the proceeds derived from such
 2948 | foreclosure, including interest and penalties, in such special

ENROLLED
 HB 1429, Engrossed 1

2005 Legislature

2949 fund; and to make any other covenants deemed necessary or
 2950 advisable in order to properly secure the holders of such
 2951 assessment bonds or other obligations.

2952 (c) The assessment bonds, revenue bonds, or other
 2953 obligations issued pursuant to this section shall have such
 2954 dates of issue and maturity as shall be deemed advisable by the
 2955 board; however, the maturities of such assessment bonds or other
 2956 obligations shall not be more than 2 years after the due date of
 2957 the last installment which will be payable on any of the special
 2958 assessments for which such assessment liens, or the certificates
 2959 of indebtedness representing such assessment liens, are assigned
 2960 to or deposited in such special fund.

2961 (d) Such assessment bonds, revenue bonds, or other
 2962 obligations issued under this section shall bear such interest
 2963 as the board may determine, not to exceed the maximum rate
 2964 allowed by general law, and shall be executed, shall have such
 2965 provisions for redemption prior to maturity, shall be sold in
 2966 the manner, and shall be subject to all of the applicable
 2967 provisions contained in this act for revenue bonds, except as
 2968 the same may be inconsistent with the provisions of this
 2969 section.

2970 (e) All assessment bonds, revenue bonds, or other
 2971 obligations issued under the provisions of this section shall
 2972 be, shall constitute, and shall have all the qualities and
 2973 incidents of negotiable instruments under the law merchant and
 2974 the laws of the state.

2975 (15) TAX LIENS.--All taxes of the District provided for in
 2976 this act, except together with all penalties for default in the

ENROLLED
 HB 1429, Engrossed 1

2005 Legislature

2977 payment of the same and all costs in collecting the same,
 2978 including a reasonable attorney's fee fixed by the court and
 2979 taxed as a cost in the action brought to enforce payment, shall,
 2980 from January 1 for each year the property is liable to
 2981 assessment and until paid, constitute a lien of equal dignity
 2982 with the liens for state and county taxes and other taxes of
 2983 equal dignity with state and county taxes upon all the lands
 2984 against which such taxes shall be levied. A sale of any of the
 2985 real property within the District for state and county or other
 2986 taxes shall not operate to relieve or release the property so
 2987 sold from the lien for subsequent District taxes or installments
 2988 of District taxes, which lien may be enforced against such
 2989 property as though no such sale thereof had been made. In
 2990 addition to, and not in limitation of, the preceding sentence,
 2991 for purposes of section 197.552, Florida Statutes, the lien of
 2992 all special assessments levied by the District shall constitute
 2993 a lien of record held by a municipal or county governmental
 2994 unit. The provisions of sections 194.171, 197.122, 197.333, and
 2995 197.432, Florida Statutes, shall be applicable to District taxes
 2996 with the same force and effect as if such provisions were
 2997 expressly set forth in this act.

2998 (16) PAYMENT OF TAXES AND REDEMPTION OF TAX LIENS BY THE
 2999 DISTRICT; SHARING IN PROCEEDS OF TAX SALE.--

3000 (a) The District shall have the power and right to:
 3001 1. Pay any delinquent state, county, District, municipal,
 3002 or other tax or assessment upon lands located wholly or
 3003 partially within the boundaries of the District.

ENROLLED
 HB 1429, Engrossed 1

2005 Legislature

3004 2. Redeem or purchase any tax sales certificates issued or
 3005 sold on account of any state, county, District, municipal, or
 3006 other taxes or assessments upon lands located wholly or
 3007 partially within the boundaries of the District.

3008 (b) Delinquent taxes paid, or tax sales certificates
 3009 redeemed or purchased, by the District, together with all
 3010 penalties for the default in payment of the same and all costs
 3011 in collecting the same and a reasonable attorney's fee, shall
 3012 constitute a lien in favor of the District of equal dignity with
 3013 the liens of state and county taxes and other taxes of equal
 3014 dignity with state and county taxes upon all the real property
 3015 against which the taxes were levied. The lien of the District
 3016 may be foreclosed in the manner provided in this act.

3017 (c) In any sale of land pursuant to section 197.542,
 3018 Florida Statutes, as may be amended from time to time, the
 3019 District may certify to the clerk of the circuit court of the
 3020 county holding such sale the amount of taxes due to the District
 3021 upon the lands sought to be sold, and the District shall share
 3022 in the disbursement of the sales proceeds in accordance with the
 3023 provisions of this act and under the laws of the state.

3024 (17) FORECLOSURE OF LIENS.--Any lien in favor of the
 3025 District arising under this act may be foreclosed by the
 3026 District by foreclosure proceedings in the name of the District
 3027 in a court of competent jurisdiction as provided by general law
 3028 in like manner as is provided in chapter 173, Florida Statutes,
 3029 and amendments thereto and the provisions of that chapter shall
 3030 be applicable to such proceedings with the same force and effect
 3031 as if those provisions were expressly set forth in this act. Any

ENROLLED
 HB 1429, Engrossed 1

2005 Legislature

3032 act required or authorized to be done by or on behalf of a
 3033 municipality in foreclosure proceedings under chapter 173,
 3034 Florida Statutes, may be performed by such officer or agent of
 3035 the District as the Board of Supervisors may designate. Such
 3036 foreclosure proceedings may be brought at any time after the
 3037 expiration of 1 year from the date any tax, or installment
 3038 thereof, becomes delinquent; however, no lien shall be
 3039 foreclosed against any political subdivision or agency of the
 3040 state. Other legal remedies shall remain available.

3041 (18) MANDATORY USE OF CERTAIN DISTRICT SYSTEMS,
 3042 FACILITIES, AND SERVICES.--To the full extent permitted by law,
 3043 the District shall require all lands, buildings, premises,
 3044 persons, firms, and corporations within the District to use the
 3045 water management and control facilities and water and sewer
 3046 facilities of the District.

3047 (19) COMPETITIVE PROCUREMENT; BIDS; NEGOTIATIONS; RELATED
 3048 PROVISIONS REQUIRED.--

3049 (a) No contract shall be let by the board for any goods,
 3050 supplies, or materials to be purchased when the amount thereof
 3051 to be paid by the District shall exceed the amount provided in
 3052 section 287.017, Florida Statutes, as amended from time to time,
 3053 for category four, unless notice of bids shall be advertised
 3054 once in a newspaper in general circulation in either Manatee
 3055 County or Sarasota County. Any board seeking to construct or
 3056 improve a public building, structure, or other public works
 3057 shall comply with the bidding procedures of section 255.20,
 3058 Florida Statutes, as amended from time to time, and other
 3059 applicable general law. In each case, the bid of the lowest

ENROLLED
 HB 1429, Engrossed 1

2005 Legislature

3060 responsive and responsible bidder shall be accepted unless all
 3061 bids are rejected because the bids are too high or the board
 3062 determines it is in the best interests of the District to reject
 3063 all bids. The board may require the bidders to furnish bond with
 3064 a responsible surety to be approved by the board. Nothing in
 3065 this section shall prevent the board from undertaking and
 3066 performing the construction, operation, and maintenance of any
 3067 project or facility authorized by this act by the employment of
 3068 labor, material, and machinery.

3069 (b) The provisions of the Consultants' Competitive
 3070 Negotiation Act, section 287.055, Florida Statutes, apply to
 3071 contracts for engineering, architecture, landscape architecture,
 3072 or registered surveying and mapping services let by the board.

3073 (c) Contracts for maintenance services for any District
 3074 facility or project shall be subject to competitive bidding
 3075 requirements when the amount thereof to be paid by the District
 3076 exceeds the amount provided in section 287.017, Florida
 3077 Statutes, as amended from time to time, for category four. The
 3078 District shall adopt rules, policies, or procedures establishing
 3079 competitive bidding procedures for maintenance services.

3080 Contracts for other services shall not be subject to competitive
 3081 bidding unless the District adopts a rule, policy, or procedure
 3082 applying competitive bidding procedures to said contracts.
 3083 Nothing herein shall preclude the use of requests for proposal
 3084 instead of invitations to bid as determined by the District to
 3085 be in its best interest.

3086 (20) FEES, RENTALS, AND CHARGES; PROCEDURE FOR ADOPTION
 3087 AND MODIFICATIONS; MINIMUM REVENUE REQUIREMENTS.--

ENROLLED
 HB 1429, Engrossed 1

2005 Legislature

3088 (a) The District is authorized to prescribe, fix,
 3089 establish, and collect rates, fees, rentals, or other charges,
 3090 hereinafter sometimes referred to as "revenues," and to revise
 3091 the same from time to time, for the systems, facilities, and
 3092 services furnished by the District, within the limits of the
 3093 District, including, but not limited to, recreational
 3094 facilities, water management and control facilities, and water
 3095 and sewer systems; to recover the costs of making connection
 3096 with any District service, facility, or system; and to provide
 3097 for reasonable penalties against any user or property for any
 3098 such rates, fees, rentals, or other charges that are delinquent.

3099 (b) No such rates, fees, rentals, or other charges for any
 3100 of the facilities or services of the District shall be fixed
 3101 until after a public hearing at which all the users of the
 3102 proposed facility or services or owners, tenants, or occupants
 3103 served or to be served thereby and all other interested persons
 3104 shall have an opportunity to be heard concerning the proposed
 3105 rates, fees, rentals, or other charges. Rates, fees, rentals,
 3106 and other charges shall be adopted under the administrative
 3107 rulemaking authority of the District, but shall not apply to
 3108 District leases. Notice of such public hearing setting forth the
 3109 proposed schedule or schedules of rates, fees, rentals, and
 3110 other charges shall have been published in newspapers of general
 3111 circulation in Manatee and Sarasota Counties at least once and
 3112 at least 10 days prior to such public hearing. The rulemaking
 3113 hearing may be adjourned from time to time. After such hearing,
 3114 such schedule or schedules, either as initially proposed or as
 3115 modified or amended, may be finally adopted. A copy of the

ENROLLED
 HB 1429, Engrossed 1

2005 Legislature

3116 schedule or schedules of such rates, fees, rentals, or charges
 3117 as finally adopted shall be kept on file in an office designated
 3118 by the board and shall be open at all reasonable times to public
 3119 inspection. The rates, fees, rentals, or charges so fixed for
 3120 any class of users or property served shall be extended to cover
 3121 any additional users or properties thereafter served which shall
 3122 fall in the same class, without the necessity of any notice or
 3123 hearing.

3124 (c) Such rates, fees, rentals, and charges shall be just
 3125 and equitable and uniform for users of the same class, and when
 3126 appropriate may be based or computed either upon the amount of
 3127 service furnished, upon the average number of persons residing
 3128 or working in or otherwise occupying the premises served, or
 3129 upon any other factor affecting the use of the facilities
 3130 furnished, or upon any combination of the foregoing factors, as
 3131 may be determined by the board on an equitable basis.

3132 (d) The rates, fees, rentals, or other charges prescribed
 3133 shall be such as will produce revenues, together with any other
 3134 assessments, taxes, revenues, or funds available or pledged for
 3135 such purpose, at least sufficient to provide for the items
 3136 hereinafter listed, but not necessarily in the order stated:

3137 1. To provide for all expenses of operation and
 3138 maintenance of such facility or service.

3139 2. To pay when due all bonds and interest thereon for the
 3140 payment of which such revenues are, or shall have been, pledged
 3141 or encumbered, including reserves for such purpose.

ENROLLED
 HB 1429, Engrossed 1

2005 Legislature

3142 3. To provide for any other funds which may be required
 3143 under the resolution or resolutions authorizing the issuance of
 3144 bonds pursuant to this act.

3145 (e) The board shall have the power to enter into contracts
 3146 for the use of the projects of the District and with respect to
 3147 the services, systems, and facilities furnished or to be
 3148 furnished by the District.

3149 (21) RECOVERY OF DELINQUENT CHARGES.--In the event that
 3150 any rates, fees, rentals, charges, or delinquent penalties shall
 3151 not be paid as and when due and shall be in default for 60 days
 3152 or more, the unpaid balance thereof and all interest accrued
 3153 thereon, together with reasonable attorney's fees and costs, may
 3154 be recovered by the District in a civil action.

3155 (22) DISCONTINUANCE OF SERVICE.--In the event the fees,
 3156 rentals, or other charges for water and sewer services, or
 3157 either of them, are not paid when due, the board shall have the
 3158 power, under such reasonable rules and regulations as the board
 3159 may adopt, to discontinue and shut off both water and sewer
 3160 services until such fees, rentals, or other charges, including
 3161 interest, penalties, and charges for the shutting off and
 3162 discontinuance and the restoration of such water and sewer
 3163 services or both, are fully paid; and, for such purposes, the
 3164 board may enter on any lands, waters, or premises of any person,
 3165 firm, corporation, or body, public or private, within the
 3166 District limits. Such delinquent fees, rentals, or other
 3167 charges, together with interest, penalties, and charges for the
 3168 shutting off and discontinuance and the restoration of such
 3169 services and facilities and reasonable attorney's fees and other

ENROLLED
 HB 1429, Engrossed 1

2005 Legislature

3170 expenses, may be recovered by the District, which may also
 3171 enforce payment of such delinquent fees, rentals, or other
 3172 charges by any other lawful method of enforcement.

3173 (23) ENFORCEMENT AND PENALTIES.--The board or any
 3174 aggrieved person may have recourse to such remedies in law and
 3175 at equity as may be necessary to ensure compliance with the
 3176 provisions of this act, including injunctive relief to enjoin or
 3177 restrain any person violating the provisions of this act or any
 3178 bylaws, resolutions, regulations, rules, codes, or orders
 3179 adopted under this act. In case any building or structure is
 3180 erected, constructed, reconstructed, altered, repaired,
 3181 converted, or maintained, or any building, structure, land, or
 3182 water is used, in violation of this act or of any code, order,
 3183 resolution, or other regulation made under authority conferred
 3184 by this act or under law, the board or any citizen residing in
 3185 the District may institute any appropriate action or proceeding
 3186 to prevent such unlawful erection, construction, reconstruction,
 3187 alteration, repair, conversion, maintenance, or use; to
 3188 restrain, correct, or avoid such violation; to prevent the
 3189 occupancy of such building, structure, land, or water; and to
 3190 prevent any illegal act, conduct, business, or use in or about
 3191 such premises, land, or water.

3192 (24) SUITS AGAINST THE DISTRICT.--Any suit or action
 3193 brought or maintained against the District for damages arising
 3194 out of tort, including, without limitation, any claim arising
 3195 upon account of an act causing an injury or loss of property,
 3196 personal injury, or death, shall be subject to the limitations
 3197 provided in section 768.28, Florida Statutes.

ENROLLED
 HB 1429, Engrossed 1

2005 Legislature

3198 (25) EXEMPTION OF DISTRICT PROPERTY FROM EXECUTION.--All
 3199 District property shall be exempt from levy and sale by virtue
 3200 of an execution, and no execution or other judicial process
 3201 shall issue against such property, nor shall any judgment
 3202 against the District be a charge or lien on its property or
 3203 revenues; however, nothing contained herein shall apply to or
 3204 limit the rights of bondholders to pursue any remedy for the
 3205 enforcement of any lien or pledge given by the District in
 3206 connection with any of the bonds or obligations of the District.

3207 (26) TERMINATION, CONTRACTION, OR EXPANSION OF DISTRICT.--

3208 (a) The board may ask the Legislature through its local
 3209 legislative delegations in and for Manatee and Sarasota Counties
 3210 to amend this act to contract, to expand or to contract, and to
 3211 expand the boundaries of the District by amendment of this
 3212 section.

3213 (b) The District shall remain in existence until:

3214 1. The District is terminated and dissolved pursuant to
 3215 amendment to this act by the Florida Legislature.

3216 2. The District has become inactive pursuant to section
 3217 189.4044, Florida Statutes.

3218 (27) INCLUSION OF TERRITORY.--The inclusion of any or all
 3219 territory of the District within a municipality does not change,
 3220 alter, or affect the boundary, territory, existence, or
 3221 jurisdiction of the District.

3222 (28) SALE OF REAL ESTATE WITHIN THE DISTRICT; REQUIRED
 3223 DISCLOSURE TO PURCHASER.--Subsequent to the creation of this
 3224 District under this act, each contract for the initial sale of a
 3225 parcel of real property and each contract for the initial sale

ENROLLED
 HB 1429, Engrossed 1

2005 Legislature

3226 of a residential unit within the District shall include,
 3227 immediately prior to the space reserved in the contract for the
 3228 signature of the purchaser, the following disclosure statement
 3229 in boldfaced and conspicuous type which is larger than the type
 3230 in the remaining text of the contract: "THE LAKEWOOD RANCH
 3231 STEWARDSHIP DISTRICT MAY IMPOSE AND LEVY TAXES OR ASSESSMENTS,
 3232 OR BOTH TAXES AND ASSESSMENTS, ON THIS PROPERTY. THESE TAXES AND
 3233 ASSESSMENTS PAY FOR THE CONSTRUCTION, OPERATION, AND MAINTENANCE
 3234 COSTS OF CERTAIN PUBLIC SYSTEMS, FACILITIES, AND SERVICES OF THE
 3235 DISTRICT AND ARE SET ANNUALLY BY THE GOVERNING BOARD OF THE
 3236 DISTRICT. THESE TAXES AND ASSESSMENTS ARE IN ADDITION TO COUNTY
 3237 AND OTHER LOCAL GOVERNMENTAL TAXES AND ASSESSMENTS AND ALL OTHER
 3238 TAXES AND ASSESSMENTS PROVIDED FOR BY LAW."

3239 (29) NOTICE OF CREATION AND ESTABLISHMENT.--Within 30 days
 3240 after the election of the first Board of Supervisors creating
 3241 this District, the District shall cause to be recorded in the
 3242 grantor-grantee index of the property records in each county in
 3243 which it is located a "Notice of Creation and Establishment of
 3244 the Lakewood Ranch Stewardship District." The notice shall, at a
 3245 minimum, include the legal description of the property covered
 3246 by this act.

3247 (30) DISTRICT PROPERTY PUBLIC; FEES.--Any system,
 3248 facility, service, works, improvement, project, or other
 3249 infrastructure owned by the District, or funded by federal tax
 3250 exempt bonding issued by the District, is public; and the
 3251 District by rule may regulate, and may impose reasonable charges
 3252 or fees for, the use thereof but not to the extent that such

ENROLLED
 HB 1429, Engrossed 1

2005 Legislature

3253 regulation or imposition of such charges or fees constitutes
 3254 denial of reasonable access.

3255 Section 7. If any provision of this act is determined
 3256 unconstitutional or otherwise determined invalid by a court of
 3257 law, all the rest and remainder of the act shall remain in full
 3258 force and effect as the law of this state.

3259 Section 8. This act shall take effect upon becoming a law,
 3260 except that the provisions of this act which authorize the levy
 3261 of ad valorem taxation shall take effect only upon express
 3262 approval by a majority vote of those qualified electors of the
 3263 Lakewood Ranch Stewardship District, as required by Section 9 of
 3264 Article VII of the State Constitution, voting in a referendum
 3265 election held at such time as all members of the board are
 3266 qualified electors who are elected by qualified electors of the
 3267 district as provided in this act.