

1 A bill to be entitled

2 An act relating to the North Springs Improvement District,  
3 Broward County; codifying, amending, reenacting, and  
4 repealing chapters 71-580, 84-398, 85-387, 87-505, 89-440,  
5 91-353, 92-245, 94-445, and 96-537, Laws of Florida,  
6 relating to the district; providing legislative intent;  
7 deleting gender-specific references; providing a district  
8 charter; providing an effective date.

9  
10 Be It Enacted by the Legislature of the State of Florida:

11  
12 Section 1. In accordance with section 189.429, Florida  
13 Statutes, this act constitutes the codification of all special  
14 acts relating to the North Springs Improvement District. It is  
15 the intent of the Legislature in enacting this law to provide a  
16 single, comprehensive special act charter for the district,  
17 including all current legislative authority granted to the  
18 district by its several legislative enactments and any  
19 additional authority granted by this act.

20 Section 2. Chapters 71-580, 84-398, 85-387, 87-505, 89-  
21 440, 91-353, 92-245, 94-445, and 96-537, Laws of Florida,  
22 relating to the North Springs Improvement District are codified,  
23 amended, reenacted, and repealed as herein provided.

24 Section 3. The charter for the North Springs Improvement  
25 District is re-created and reenacted to read:

26 Section 1. Creation of the district ratified and approved;  
27 change of name of district to North Springs Improvement  
28 District.--The decree of the circuit court in and for the

29 Seventeenth Judicial Circuit in and for Broward County, Florida,  
 30 entered in Case Number 71-1724, creating and incorporating the  
 31 North Springs Drainage District as a public corporation of this  
 32 state, and all subsequent proceedings taken in the circuit court  
 33 concerning that district, are hereby ratified, confirmed, and  
 34 approved, except that the boundaries of said district shall be  
 35 as hereinafter described. The North Springs Drainage District  
 36 shall henceforth be known by the name of North Springs  
 37 Improvement District, an independent special district, and shall  
 38 continue to be a public corporation of this state and have  
 39 perpetual existence. All lawful debts, bonds, obligations,  
 40 contracts, franchises, promissory notes, audits, minutes,  
 41 resolutions, and other undertakings of the North Springs  
 42 Drainage District are hereby validated and shall continue to be  
 43 valid and binding on the North Springs Improvement District in  
 44 accordance with their respective terms, conditions, covenants,  
 45 and tenor. Any proceeding heretofore begun by the North Springs  
 46 Drainage District under chapter 298, Florida Statutes, or any  
 47 other law, for the construction of any improvements, works, or  
 48 facilities, for the assessment of benefits and damages or for  
 49 the borrowing of money shall not be impaired or avoided by this  
 50 act, but may be continued and completed in the name of the North  
 51 Springs Improvement District.

52 Section 2. Boundaries.--The boundaries of the district  
 53 shall be:

54  
 55 A tract of land being Sections 5, 6, 7, 8, 9 and 10, a  
 56 portion of Sections 3 and 4, all in Township 48 South,

57 | Range 41 East, Broward County, Florida, and Sections  
 58 | 31, 32 and 33, Township 47 South, Range 41 East,  
 59 | Broward County, Florida, described as follows:  
 60 | BEGINNING at the southwest corner of said Section 7;  
 61 |  
 62 | thence North 00°03'12" West (Bearings are relative to  
 63 | State Plane Coordinates as shown on STONER/KEITH  
 64 | RESURVEY OF A PORTION OF TOWNSHIP 47 SOUTH, RANGE 41  
 65 | EAST, ALL OF TOWNSHIP 48 SOUTH, RANGE 41 EAST, & ALL  
 66 | OF TOWNSHIP 49 SOUTH, RANGE 41 EAST, according to the  
 67 | plat thereof, recorded in Miscellaneous Plat Book 3 at  
 68 | Page 44 of the Public Records of said Broward County),  
 69 | along the west line of the Southwest Quarter (SW 1/4)  
 70 | of said Section 7, a distance of 2647.42 feet to the  
 71 | northwest corner of said Southwest Quarter (SW 1/4);  
 72 |  
 73 | thence continue North 00°03'12" West, along the west  
 74 | line of the Northwest Quarter (NW 1/4) of said Section  
 75 | 7, a distance of 2647.42 feet to the northwest corner  
 76 | of said Section 7 and the southwest corner of said  
 77 | Section 6;  
 78 |  
 79 | thence North 00°02'58" West, along the west line of  
 80 | the Southwest Quarter (SW 1/4) of said Section 6, a  
 81 | distance of 3252.81 feet to the northwest corner of  
 82 | said Southwest Quarter (SW 1/4);  
 83 |

84 thence North 00°02'27" West, along the west line of  
 85 the Northwest Quarter (NW 1/4) of said Section 6, a  
 86 distance of 3253.12 feet to the northwest corner of  
 87 said Section 6 and the southwest corner of said  
 88 Section 31;

89  
 90 thence North 00°03'47" West, along the west line of  
 91 the Southwest Quarter (SW 1/4) of said Section 31, a  
 92 distance of 2642.42 feet to the northwest corner of  
 93 said Southwest Quarter (SW 1/4);

94  
 95 thence continue North 00°03'47" West, along the west  
 96 line of the Northwest Quarter (NW 1/4) of said Section  
 97 31, a distance of 2642.42 feet to the northwest corner  
 98 of said Section 31;

99  
 100 thence South 89°52'50" East, along the north line of  
 101 said Northwest Quarter (NW 1/4), a distance of 2246.01  
 102 feet to the northeast corner of said Northwest Quarter  
 103 (NW 1/4);

104  
 105 thence South 89°52'10" East, along the north line of  
 106 the Northeast Quarter (NE 1/4) of said Section 31, a  
 107 distance of 2245.70 feet to the northeast corner of  
 108 said Section 31 and the northwest corner of said  
 109 Section 32;  
 110

111 thence North 89°36'52" East, along the north line of  
112 the Northwest Quarter (NW 1/4) of said Section 32, a  
113 distance of 2640.43 feet to the northeast corner of  
114 said Northwest Quarter (NW 1/4);

115  
116 thence North 89°37'21" East, along the north line of  
117 the Northeast Quarter (NE 1/4) of said Section 32, a  
118 distance of 2639.40 feet to the northeast corner of  
119 said Section 32 and the northwest corner of said  
120 Section 33;

121  
122 thence North 89°36'55" East, along the north line of  
123 the Northwest Quarter (NW 1/4) of said Section 33, a  
124 distance of 2640.59 feet to the northeast corner of  
125 said Northwest Quarter (NW 1/4);

126  
127 thence North 89°36'56" East, along the north line of  
128 the Northeast Quarter (NE 1/4) of said Section 33, a  
129 distance of 2640.59 feet to the northeast corner of  
130 said Section 33;

131  
132 thence South 01°21'19" East, along the east line of  
133 said Northeast Quarter (NE 1/4), a distance of 2638.16  
134 feet to the southeast corner of said Northeast Quarter  
135 (NE 1/4);

136  
137 thence South 01°21'20" East, along the east line of  
138 the Southeast Quarter (SE 1/4) of said Section 33, a

139 distance of 2638.16 feet to the southeast corner of  
 140 said Section 33 and the northeast corner of said  
 141 Section 4;  
 142  
 143 thence South 89°44'30" West, along the north line of  
 144 the Northeast Quarter (NE 1/4) of said Section 4, a  
 145 distance of 60.00 feet to the most westerly corner of  
 146 that parcel of land described in Official Record Book  
 147 55 at Page 500 of said Public Records of Broward  
 148 County;  
 149  
 150 thence South 45°33'09" East, along the southwesterly  
 151 line of said parcel, a distance of 85.29 feet to the  
 152 most southerly corner of said parcel on the east line  
 153 of said Northeast Quarter (NE 1/4);  
 154  
 155 thence South 00°50'47" East, along said east line, a  
 156 distance of 3303.78 feet to the southeast corner of  
 157 said Northeast Quarter (NE 1/4) and the northwest  
 158 corner of the Southwest Quarter (SW 1/4) of said  
 159 Section 3;  
 160  
 161 thence South 89°52'36" East, along the north line of  
 162 said Southwest Quarter (SW 1/4), a distance of 2640.57  
 163 feet to the northeast corner of said Southwest Quarter  
 164 (SW 1/4);  
 165

166 thence South 89°52'36" East, along the north line of  
 167 the Southeast Quarter (SE 1/4) of said Section 3, a  
 168 distance of 2639.23 feet to the northeast corner of  
 169 said Southeast Quarter (SE 1/4);

170  
 171 thence South 00°53'22" East, along the east line of  
 172 said Southeast Quarter (SE 1/4), a distance of 3401.43  
 173 feet to the southeast corner of said Section 3 and the  
 174 northeast corner of said Section 10;

175  
 176 thence South 00°59'18" East, along the east line of  
 177 the Northeast Quarter (NE 1/4) of said Section 10, a  
 178 distance of 2637.04 feet to the southeast corner of  
 179 said Northeast Quarter (NE 1/4);

180  
 181 thence South 00°59'17" East, along the east line of  
 182 the Southeast Quarter (SE 1/4) of said Section 10, a  
 183 distance of 2637.03 feet to the southeast corner of  
 184 said Section 10;

185  
 186 thence North 89°25'05" West, along the south line of  
 187 said Southeast Quarter (SE 1/4), a distance of 2637.48  
 188 feet to the southwest corner of said Southeast Quarter  
 189 (SE 1/4);

190  
 191 thence continue North 89°25'05" West, along the south  
 192 line of the Southwest Quarter (SW 1/4) of said Section  
 193 10, a distance of 2637.47 feet to the southwest corner

194 of said Section 10 and the southeast corner of said  
 195 Section 9;

196  
 197 thence North 89°26'06" West, along the south line of  
 198 the Southeast Quarter (SE 1/4) of said Section 9, a  
 199 distance of 2641.24 feet to the southwest corner of  
 200 said Southeast Quarter (SE 1/4);

201  
 202 thence continue North 89°26'06" West, along the south  
 203 line of the Southwest Quarter (SW 1/4) of said Section  
 204 9, a distance of 2641.24 feet to the southwest corner  
 205 of said Section 9 and the southeast corner of said  
 206 Section 8;

207  
 208 thence North 89°25'53" West, along the south line of  
 209 the Southeast Quarter (SE 1/4) of said Section 8, a  
 210 distance of 2639.96 feet to the southwest corner of  
 211 said Southeast Quarter (SE 1/4);

212  
 213 thence North 89°25'52" West, along the south line of  
 214 the Southwest Quarter (SW 1/4) of said Section 8, a  
 215 distance of 2639.96 feet to the southwest corner of  
 216 said Section 8 and the southeast corner of said  
 217 Section 7;

218  
 219 thence North 89°46'06" West, along the south line of  
 220 the Southeast Quarter (SE 1/4) of said Section 7, a



221 | distance of 2399.06 feet to the southwest corner of  
 222 | said Southeast Quarter (SE 1/4);

223 |  
 224 | thence North 89°46'05" West, along the south line of  
 225 | the Southwest Quarter (SW 1/4) of said Section 7, a  
 226 | distance of 2399.06 feet to the POINT OF BEGINNING.

227 |  
 228 | Said land being in Broward County, Florida.

229 |  
 230 | Containing 7040.325 acres, more or less.

231 |  
 232 | Section 3. Applicability of certain provisions of chapter  
 233 | 298, Florida Statutes, to the North Springs Improvement  
 234 | District; inconsistent laws inapplicable.--The provisions of  
 235 | chapter 298, Florida Statutes, and all amendments thereto, now  
 236 | existing or hereafter enacted, are declared to be applicable to  
 237 | the North Springs Improvement District insofar as not  
 238 | inconsistent with the provisions of this act or any subsequent  
 239 | special acts relating to the North Springs Improvement District.

240 | Notwithstanding the foregoing, the provisions of sections  
 241 | 298.11, 298.12, 298.14, 298.15, 298.17, 298.18, 298.19, 298.20,  
 242 | 298.23, 298.24, 298.25, 298.401, 298.41, 298.48, 298.52, 298.54,  
 243 | 298.56, 298.57, 298.61, 298.70, 298.71, 298.73, and 298.74,  
 244 | Florida Statutes, and amendments thereto, shall not be  
 245 | applicable to the North Springs Improvement District.

246 | Section 4. Definitions.--Unless the context shall indicate  
 247 | otherwise, the following words as used in this act shall have  
 248 | the following meanings:

249       (1) "Assessable improvements" includes without limitation  
 250 any and all drainage and land reclamation works and facilities,  
 251 sewer systems, storm sewers and drains, water systems, streets,  
 252 roads, school buildings and related structures, parks, and  
 253 recreational, cultural, and educational facilities,  
 254 streetlights, or other projects of the district, or that portion  
 255 or portions thereof, local in nature and of special benefit to  
 256 the premises or lands served thereby, and any and all  
 257 modifications, improvements, and enlargements thereof.

258       (2) "Bond" includes "certificate," and provisions  
 259 applicable to bonds shall be equally applicable to certificates.  
 260 "Bond" includes general obligation bonds, assessment bonds,  
 261 refunding bonds, revenue bonds, and such other obligations in  
 262 the nature of bonds as are provided for in this act, as the case  
 263 may be.

264       (3) "Board" means the Board of Supervisors of the North  
 265 Springs Improvement District, or if such board shall be  
 266 abolished, the board, body, or commission succeeding to the  
 267 principal functions thereof or to whom the powers given by this  
 268 act to the board shall be given by law.

269       (4) "Cost," when used with reference to any project,  
 270 includes, but is not limited to, the expenses of determining the  
 271 feasibility or practicability of acquisition, construction, or  
 272 reconstruction; the cost of surveys, estimates, plans, and  
 273 specifications; the cost of acquisition, construction, or  
 274 reconstruction; the cost of improvements; engineering, fiscal,  
 275 and legal expenses and charges; the cost of all labor,  
 276 materials, machinery, and equipment; the cost of all lands,

277 properties, rights, easements, and franchises acquired; federal,  
278 state, and local taxes and assessments; financing charges; the  
279 creation of initial reserve and debt service funds; working  
280 capital; interest charges incurred or estimated to be incurred  
281 on money borrowed prior to and during construction and  
282 acquisition and for such period of time after completion of  
283 construction or acquisition as the board may determine; the cost  
284 of issuance of bonds pursuant to this act, including  
285 advertisements and printing, the cost of any election held  
286 pursuant to this act, and all other expenses of issuance of  
287 bonds; discount, if any, on the sale or exchange of bonds;  
288 administrative expenses; such other expenses as may be necessary  
289 or incidental to the acquisition, construction, or  
290 reconstruction of any project or to the financing thereof, or  
291 the development of any lands within the district; and  
292 reimbursement of any public or private body, person, firm, or  
293 corporation for any moneys advanced in connection with any of  
294 the foregoing items of cost. Any obligation or expense incurred  
295 prior to the issuance of bonds in connection with the  
296 acquisition, construction, or reconstruction of any project or  
297 improvements thereon, or in connection with any other  
298 development of land that the board of the district shall  
299 determine to be necessary or desirable in carrying out the  
300 purposes of this act, may be treated as a part of such cost.

301 (5) "District" means the North Springs Improvement  
302 District and "district manager" means the manager of the  
303 district.

304       (6) "Landowner" means the owner of the freehold estate, as  
 305 appears by the deed record, including trustees, private  
 306 corporations, and owners of cooperative and condominium units;  
 307 it does not include reversioners, remaindermen, or mortgagees,  
 308 who shall not be counted and need not be notified of proceedings  
 309 under this act.

310       (7) "Project" means any development, improvement,  
 311 property, utility, facility, works, road, enterprise, service,  
 312 or convenience, now existing or hereafter undertaken or  
 313 established under the provisions of this act or under chapter  
 314 298, Florida Statutes.

315       (8) "Sewer system" means any plant, system, facility, or  
 316 property and additions, extensions, and improvements thereto at  
 317 any future time constructed or acquired as part thereof useful  
 318 or necessary or having the present capacity for future use in  
 319 connection with the collection, treatment, purification, or  
 320 disposal of sewage, including, without limitation, industrial  
 321 wastes resulting from any processes of industry, manufacture,  
 322 trade, or business or from the development of any natural  
 323 resources; and, without limiting the generality of the  
 324 foregoing, shall include treatment plants, pumping stations,  
 325 lift stations, valves, force mains, intercepting sewers,  
 326 laterals, pressure lines, mains, and all necessary appurtenances  
 327 and equipment, all sewer mains, laterals, and other devices for  
 328 the reception and collection of sewage from premises connected  
 329 therewith, and all real and personal property and any interest  
 330 therein rights, easements, and franchises of any nature

331 whatsoever relating to any such system and necessary or  
332 convenient for operation thereof.

333 (9) "Water and flood control facilities" means any canals,  
334 ditches, or other drainage facilities, reservoirs, dams, levees,  
335 sluiceways, dredging holding basins, floodways, pumping  
336 stations, or any other works, structures, or facilities for the  
337 conservation, control, development, utilization, and disposal of  
338 water, and any purposes appurtenant, necessary, or incidental  
339 thereto, and includes all real and personal property and any  
340 interest therein, rights, easements, and franchises of any  
341 nature relating to any such water and flood control facilities  
342 or necessary or convenient for the acquisition, construction,  
343 reconstruction, operation, or maintenance thereof.

344 (10) "Water system" means any plant, system, facility, or  
345 property and additions, extensions, and improvements thereto at  
346 any future time constructed or acquired as part thereof, useful  
347 or necessary or having the present capacity for future use in  
348 connection with the development of sources, treatment, or  
349 purification and distribution of water and, without limiting the  
350 generality of the foregoing, includes dams, reservoirs, storage  
351 tanks, mains, lines, valves, pumping stations, laterals, and  
352 pipes for the purpose of carrying water to the premises  
353 connected with such system, and all rights, easements, and  
354 franchises of any nature whatsoever relating to any such system  
355 and necessary or convenient for the operation thereof.

356 Section 5. Board; election; organization; terms of office;  
357 quorum; report and minutes.--

358       (1) The board of the district shall be the governing body  
359 of the district and shall exercise the powers granted to the  
360 district under this act and under chapter 298, Florida Statutes.  
361 The board shall consist of three members and, except as  
362 otherwise provided herein, each member shall hold office for a  
363 term of 4 years and until his or her successor shall be chosen  
364 and shall qualify. A majority of the members of the board shall  
365 be residents of Broward County, and all members shall be  
366 residents of the state. All members of the board shall be  
367 landowners within the district.

368       (2) In the month of June of each fourth year commencing  
369 June of 1972, there shall be held a meeting of the landowners of  
370 the district at the office of the district in Broward County,  
371 for the purpose of electing three supervisors for said district.  
372 One supervisor shall be elected solely by those landowners  
373 owning property within the city limits of the City of Parkland,  
374 and this supervisor must be a landowner who owns property within  
375 the city limits of the City of Parkland. One supervisor shall be  
376 elected solely by those landowners owning property within the  
377 city limits of the City of Coral Springs, and this supervisor  
378 must be a landowner who owns property within the city limits of  
379 the City of Coral Springs. One supervisor shall be elected at  
380 large by all landowners of the district, regardless of where his  
381 or her property is located. Candidates for each supervisor  
382 position will be nominated during the meeting of landowners, and  
383 the nominee who receives the highest number of votes for a  
384 supervisor position shall be declared elected. Notice of said  
385 landowners' meeting shall be published once a week for 2

386 consecutive weeks in a newspaper in Broward County which is in  
387 general circulation within the district, the last of said  
388 publication to be not less than 14 days nor more than 28 days  
389 before the date of the election. The landowners when assembled  
390 at such meeting shall organize by electing a chair that shall  
391 conduct the meeting. At such meeting each landowner shall be  
392 entitled to cast one vote per acre of land owned by him or her  
393 and located within the district. A landowner may vote in person  
394 or by proxy in writing. Fractions of an acre shall be treated as  
395 1 acre, entitling the landowner to one vote with respect  
396 thereto.

397 (3) Each supervisor, before entering upon his or her  
398 official duties, shall take and subscribe to an oath of office  
399 as prescribed in section 298.13, Florida Statutes.

400 (4) All supervisors shall hold office for the terms for  
401 which they are elected or appointed and until their successors  
402 shall be chosen and qualify. In case of a vacancy in the office  
403 of any supervisor, the remaining supervisor or supervisors (even  
404 though less than a quorum) may fill such vacancy by appointment  
405 of a new supervisor or supervisors for the unexpired term of the  
406 supervisor who vacated his or her office.

407 (5) As soon as practicable after each election, the board  
408 shall organize by choosing one of their number president of the  
409 board and by electing a secretary, who need not be a member of  
410 the board.

411 (6) A majority of the members of the board shall  
412 constitute a quorum.

413       (7) The board shall keep a permanent record book entitled  
414       "Record of Proceedings of North Springs Improvement District,"  
415       in which shall be recorded minutes of all meetings, resolutions,  
416       proceedings, certificates, bonds given by all employees, and any  
417       and all corporate acts, which book shall at reasonable times be  
418       opened to the inspection of any landowner, taxpayer, resident,  
419       or bondholder of the district, and such other persons as the  
420       board may determine to have a proper interest in the proceedings  
421       of the board. Such record book shall be kept at any office or  
422       other regular place of business maintained by the board in  
423       Broward County.

424       (8) Whenever any election shall be authorized or required  
425       by this act to be held by the landowners at any particular or  
426       stated time or day, and if for any reasons such election is not  
427       held at such time or on such day, then in such event the power  
428       or duty to hold such election shall not cease or lapse, but such  
429       election shall be held thereafter when practicable, and in  
430       accordance with the procedures provided by this act.

431       Section 6. Appointment and duties of district  
432       manager.--For the purpose of preserving and maintaining any  
433       facility constructed or erected under the provisions of this act  
434       or under the provisions of chapter 298, Florida Statutes, and  
435       for maintaining and operating the equipment owned by the  
436       district and such other duties as may be prescribed by the  
437       board, the board may employ and fix the compensation of a  
438       district manager who shall have charge and supervision of the  
439       works of the district.

440       Section 7. Treasurer; depositories; fiscal agent.--



441       (1) The board shall designate a person who is a resident  
442 of the state, or a bank or trust company organized under the  
443 laws of the state or under the National Banking Act, as  
444 treasurer of the district, who shall have charge of the funds of  
445 the district. Such funds shall be disbursed only upon the order  
446 of or pursuant to the resolution of the board by warrant or  
447 check signed by the treasurer, or by such other person as may be  
448 authorized by the board. The board may give the treasurer such  
449 other or additional powers and duties as the board may deem  
450 appropriate, and fix his or her compensation. The board may  
451 require the treasurer to give a bond in such amount, on such  
452 terms, and with such sureties as may be deemed satisfactory to  
453 the board to secure the performance by the treasurer of his or  
454 her powers and duties. The board shall audit or have audited the  
455 books of the treasurer at least once a year.

456       (2) The board is authorized to select as depositories, in  
457 which the bonds of the board and of the district shall be  
458 deposited, any banking corporation organized under the laws of  
459 the state or under the national banking act doing business in  
460 the state, upon such terms and conditions as to the payment of  
461 interest by such depository upon the funds so deposited as the  
462 board may deem just and reasonable.

463       (3) The board may employ a fiscal agent to perform such  
464 duties and services at such rate of compensation as the board  
465 may determine.

466       Section 8. Compensation of board.--Each supervisor is  
467 entitled to receive for his or her services an amount not to  
468 exceed \$200 per month. In addition, each supervisor shall

469 receive reasonable traveling expenses for attending the place of  
470 meeting from his or her residence. Unless the board by  
471 resolution otherwise provides, such traveling expenses may not  
472 be in excess of the amounts provided by law for state and county  
473 officials.

474 Section 9. Powers.--The district shall have, and the board  
475 may exercise, any or all of the following powers:

476 (1) To contract and be contracted with; to sue and be sued  
477 in the name of the district; to adopt and use a seal; to acquire  
478 by purchase, gift, devise, eminent domain (except as limited  
479 herein), or otherwise, property, real or personal, or any estate  
480 therein, within the district, to be used for any of the purposes  
481 of this act.

482 (2) To adopt a water control plan; and to establish,  
483 construct, operate, and maintain a system of main and lateral  
484 canals, drains, ditches, levees, dikes, dams, sluices, locks,  
485 revetments, reservoirs, holding basins, floodways, pumping  
486 stations, syphons, culverts, and storm sewers to drain and  
487 reclaim the lands within the district and to connect some or any  
488 of them with roads and bridges as in the judgment of the board  
489 is deemed advisable to provide access to such facilities.

490 (3) To acquire and maintain appropriate sites for storage  
491 and maintenance of the equipment of the district; and to acquire  
492 and maintain and construct a suitable building to house the  
493 office and records of the district.

494 (4) To clean out, straighten, widen, open up, or change  
495 the course and flow, alter, or deepen any canal, ditch, drain,  
496 river, water course, or natural stream as within the judgment of

497 the board is deemed advisable to drain and reclaim the lands  
 498 within the district; to acquire, purchase, operate, and maintain  
 499 pumps, plants, and pumping systems for drainage purposes; and to  
 500 construct, operate, and maintain irrigation works and machinery  
 501 in connection with the purposes herein set forth.

502 (5) To regulate and set forth by appropriate resolution  
 503 the drainage requirements and conditions to be met for plats to  
 504 be entitled to record on any land within the district, including  
 505 authority to require as a condition precedent for any platting  
 506 that good and sufficient bond be posted to ensure proper  
 507 drainage for the area to be platted.

508 (6) To borrow money and issue bonds, certificates,  
 509 warrants, notes, or other evidences of indebtedness of the  
 510 district as hereinafter provided.

511 (7) To build and construct any other works, any and all of  
 512 said works and improvements across, through, or over any public  
 513 right-of-way, highway, grade, fill, or cut in or out of the  
 514 district.

515 (8) To hold, control, and acquire by donation, purchase,  
 516 or condemnation, any easement, reservation, or dedication in the  
 517 district, for any of the purposes herein provided. To condemn as  
 518 provided by chapters 73 and 74, Florida Statutes, or acquire, by  
 519 purchase or grant for use in the district any land or property  
 520 within the district necessary for the purposes of this act.

521 These powers may be exercised without the district to the extent  
 522 necessary for the district to obtain not more than two outfall  
 523 canals not to exceed 200 feet in width, extending from the  
 524 northern boundary of the district to the Hillsboro Canal. The

525 exact routes shall be determined by resolutions of the board of  
 526 supervisors.

527 (9) To assess and impose an ad valorem tax, an annual  
 528 drainage tax, and a maintenance tax as hereinafter provided.

529 (10) To impose and foreclose special assessments liens as  
 530 hereinafter provided.

531 (11) To prohibit, regulate, and restrict by appropriate  
 532 resolution all structures, materials, and things, whether solid,  
 533 liquid, or gas, whether permanent or temporary in nature, which  
 534 come upon, come into, connect to, or be a part of any facility  
 535 owned or operated by the district.

536 (12) To administer and provide for the enforcement of all  
 537 of the provisions herein, including the making, adopting,  
 538 promulgating, amending, and repealing of all rules and  
 539 regulations necessary or convenient for the carrying out of the  
 540 duties, obligations, and powers conferred on the district  
 541 created hereby.

542 (13) To cooperate with or contract with other water  
 543 control districts or other governmental agencies as may be  
 544 necessary, convenient, incidental, or proper in connection with  
 545 any of the powers, duties, or purposes of the district as stated  
 546 in this act.

547 (14) To employ engineers, attorneys, agents, employees,  
 548 and representatives as the board of supervisors may from time to  
 549 time determine necessary and to fix their compensation and  
 550 duties.

551       (15) To exercise all of the powers necessary, convenient,  
 552 incidental, or proper in connection with any of the powers,  
 553 duties, or purposes of said district as stated in this act.

554       (16) To construct, improve, and maintain roadways and  
 555 roads necessary and convenient to provide access to and  
 556 efficient development of areas made suitable and available for  
 557 cultivation, settlement, urban subdivision, homesites, and other  
 558 beneficial developments as a result of the drainage operations  
 559 of the district.

560       (17) To make use of any public easements, dedications to  
 561 public use, platted reservations for public purposes, or any  
 562 reservations for drainage purposes within the boundaries of the  
 563 district.

564       (18) To lease as lessor or lessee to or from any person,  
 565 firm, corporation, association, or body, public or private, any  
 566 projects of the type that the district is authorized to  
 567 undertake and facilities or property of any nature for the use  
 568 of the district to carry out any of the purposes of this act.

569       (19) To regulate the supply and level of water within the  
 570 district; to divert waters from one area, lake, pond, river,  
 571 stream, basin, or drainage or water flood control facility to  
 572 any other area, lake, pond, river, stream, basin, or drainage  
 573 and water flood control facility; to regulate, control, and  
 574 restrict the development and use of natural or artificial  
 575 streams or bodies of water, lakes, or ponds; and to take all  
 576 measures determined by the board to be necessary or desirable to  
 577 prevent or alleviate land erosion. The powers granted to the  
 578 district by this subsection shall be concurrent within the

579 boundaries of the district with other public bodies, agencies,  
580 or authorities as may be authorized by law. The district is  
581 eligible to receive moneys, disbursements, and assistance from  
582 the state available to flood control or water management  
583 districts and the navigation districts or agencies.

584 (20) To own, acquire, construct, reconstruct, equip,  
585 operate, maintain, extend, and improve water systems and sewer  
586 systems or combined water and sewer systems; to regulate the use  
587 of sewers and the supply of water within the district and to  
588 prohibit or regulate the use and maintenance of outhouses,  
589 privies, septic tanks, or other sanitary structures or  
590 appliances within the district; to prescribe methods of  
591 pretreatment of wastes not amenable to treatment with domestic  
592 sewage before accepting such wastes for treatment and to refuse  
593 to accept such wastes when not sufficiently pretreated as may be  
594 prescribed, and to prescribe penalties for the refusal of any  
595 person or corporation to so pretreat such wastes; to sell or  
596 otherwise dispose of the effluent, sludge, or other byproducts  
597 as a result of sewage treatment; and to construct and operate  
598 connecting, intercepting, or outlet sewers and sewer mains and  
599 pipes and water mains, conduits, or pipelines in, along, or  
600 under any street, alleys, highways, or other public places or  
601 ways within or without the district, when deemed necessary or  
602 desirable by the board. The plans for any water or sewer system  
603 shall be subject to the approval of the state board of health.

604 (21) To own, acquire, construct, operate, and maintain  
605 parks, playgrounds, picnic grounds, camping facilities, and  
606 water recreation facilities within or without the district.

607        (22) To issue general obligation bonds, revenue bonds,  
608 assessment bonds, or any other bonds or obligations authorized  
609 by the provisions of this act or any other law, or any  
610 combination of the foregoing, to pay all or part of the cost of  
611 the acquisition, construction, reconstruction, extension,  
612 repair, improvement, maintenance, or operation of any project or  
613 combination of projects, to provide for any facility, service,  
614 or other activity of the district and to provide for the  
615 retirement or refunding of any bonds or obligations of the  
616 district, or for any combination of the foregoing purposes.

617        (23) To exercise any and all other powers conferred upon  
618 water control districts by chapter 298, Florida Statutes; to  
619 build, install, maintain, and operate streetlights; and to plan,  
620 establish, acquire, construct or reconstruct, enlarge or extend,  
621 equip, operate, and maintain parks and facilities for indoor and  
622 outdoor community recreational and cultural uses, when  
623 authorized by resolution of the general purpose unit of local  
624 government, in its sole discretion, in which the parks and  
625 facilities are or will be located and also authorized by  
626 resolution of each municipality served by the district if the  
627 parks and facilities are or will be located in the  
628 unincorporated area.

629        (24) When authorized by the local district school board,  
630 to construct or renovate school buildings and related  
631 structures, which may be leased, sold, or donated to the school  
632 district, for use in the public educational system.

633        Section 10. Seal.--The official seal of the district shall  
634 bear the legend "North Springs Improvement District, Broward  
635 County, Florida, Seal, Established 1971."

636        Section 11. Fiscal year.--The board by resolution shall  
637 establish the fiscal year for the district.

638        Section 12. Annual budget.--Prior to May 15 of each year  
639 after this act is effective, the secretary of the district shall  
640 prepare a proposed budget to be submitted to the board for its  
641 approval. The proposed budget shall include an estimate of all  
642 necessary expenditures of the district for the next ensuing  
643 fiscal year and an estimate of income to the district from the  
644 taxes and assessments provided in this act. The board shall  
645 consider the proposed budget item by item and may either approve  
646 the budget as proposed by the district manager or modify the  
647 same in part or in whole. The board shall indicate its approval  
648 of the budget by resolution, which resolution shall provide for  
649 a hearing on the budget as approved. Notice of the hearing on  
650 the budget shall be published in a newspaper in general  
651 circulation within the district in Broward County once a week  
652 for two consecutive weeks, providing that the second publication  
653 shall not be less than 7 days after the first publication. The  
654 notice shall be directed to all landowners in the district and  
655 shall state the purpose of the meeting. The notice shall further  
656 contain a designation of the date, time, and place of the public  
657 hearing, which shall be not less than 7 days after the second  
658 publication. At the time and place designated in the notice, the  
659 board shall hear all objections to the budget as proposed and  
660 make such changes as the board deems necessary. At the



661 conclusion of the budget hearing the board shall, by resolution,  
 662 adopt the budget as finally approved by the board.

663 Section 13. Notice and call of meetings of landowners;  
 664 quorum; adjournments; representation at meetings; taking action  
 665 without meeting.--

666 (1) The board shall publish notice of all meetings of  
 667 landowners once a week for 2 consecutive weeks prior to such  
 668 meeting in a newspaper published in Broward County in general  
 669 circulation within the district. Meetings of landowners shall be  
 670 held in a public place, or any other place made available for  
 671 the purpose of such meeting in the Broward County Courthouse and  
 672 the place, date, and hour of holding such meeting and the  
 673 purpose thereof shall be stated in the notice. Landowners  
 674 representing a majority of the number of acres in the district,  
 675 present in person or by proxy, shall constitute a quorum at any  
 676 meeting of the landowners; provided that irrespective of the  
 677 number of acres represented, there shall be a minimum of five  
 678 landowners owning separate parcels of land, at each meeting.

679 (2) The board may call special meetings of the landowners  
 680 at any time to receive reports of the board or for such other  
 681 purpose as the board may determine. A special meeting of the  
 682 landowners may also be called at any time upon notice as  
 683 provided hereinabove at the written request of the owners of not  
 684 less than 25 percent in acreage of the land within the district  
 685 for the purpose of taking any lawful action by the landowners of  
 686 the district. Such special meeting shall be called by any court  
 687 of competent jurisdiction in the event that the board fails to  
 688 do so upon request as provided in the preceding sentence. Except

689 as otherwise provided in section 5 of this act, with respect to  
 690 the election of supervisors, action taken at a meeting of the  
 691 landowners shall be by affirmative vote of the owners of at  
 692 least a majority in acreage of the land within the district  
 693 represented at such meeting.

694 (3) If no quorum is present or represented at a meeting of  
 695 the landowners at the time and place the same is called to be  
 696 held, the landowners present and represented, although less than  
 697 a quorum, may adjourn to another time or day, and at such or any  
 698 subsequent adjourned meeting may, if a quorum is then present or  
 699 represented, take any action that the landowners could have  
 700 taken at the meeting or meetings so adjourned for lack of a  
 701 quorum.

702 (4) At any meeting of the landowners, guardians may  
 703 represent their wards; executors and administrators may  
 704 represent the estate of deceased persons; trustees may represent  
 705 lands held by them in trust; and private corporations may be  
 706 represented by their duly authorized proxy. All landowners,  
 707 including guardians, executors, administrators, trustees, and  
 708 corporations, may be represented and vote by proxy.

709 Section 14. Water control plan; proceedings thereof.--The  
 710 board may proceed to adopt a water control plan in accordance  
 711 with the provisions of chapter 298, Florida Statutes, or in  
 712 accordance with the provisions of this section, in which case  
 713 the following shall apply:

714 (1) The board shall cause to be made by the chief engineer  
 715 or such other engineer or engineers as the board may employ for  
 716 that purpose, a complete and comprehensive plan for the drainage

717 and reclamation of the lands located within the district. The  
718 engineer or engineers designated by the board to make said plan  
719 shall make all necessary surveys of the lands within the  
720 boundary lines of said district and of all lands adjacent  
721 thereto that will be improved or reclaimed in part or in whole  
722 by any system of drainage that may be outlined and adopted, and  
723 shall make a report in writing to the board with maps and  
724 profiles of said surveys, which report shall contain a full and  
725 complete plan for drainage and reclaiming the lands located  
726 within the district from overflow or damage by water, with the  
727 length, width, and depth of such canals, ditches, dikes, or  
728 levees or other works as may be necessary in conjunction with  
729 any canals, drains, ditches, dikes, levees, or other works  
730 heretofore constructed by any other drainage or reclamation  
731 district, or any other person or persons, or which may hereafter  
732 be built by any or either of such agencies that may be necessary  
733 or which can be advantageously used in such plan and also an  
734 estimate of the cost of carrying out and completing the water  
735 control plan, including the cost of superintending the same and  
736 all incidental expenses in connection therewith.

737 (2) Upon the completion of such plan, the board shall hold  
738 a hearing thereon to hear objections thereto and shall give  
739 notice of the time and place fixed for such hearing by  
740 publication once each week for 2 consecutive weeks in a  
741 newspaper published in Broward County in general circulation  
742 within the district, and shall permit the inspection of said  
743 plan at the office of the district by all persons interested.

744 All objections to said plan shall be filed at or before the time  
745 fixed in said notice for the hearing and shall be in writing.

746 (3) After said hearing the board shall consider the  
747 proposed plan and any objections thereto, and may modify,  
748 reject, or adopt the plan, or may continue the hearing to a day  
749 certain for further consideration of the proposed plan or  
750 modifications thereof.

751 (4) When the board shall approve a plan a resolution shall  
752 be adopted and a certified copy thereof shall be filed in the  
753 office of the secretary and incorporated into the records of the  
754 district.

755 (5) The water control plan may be altered in detail from  
756 time to time until the appraisal record herein provided is  
757 filed, but not in such manner as materially to effect the  
758 conditions of its adoption. After the appraisal record has been  
759 filed no alterations of the plan or reclamation shall be made,  
760 except as provided by this act.

761 (6) Within 20 days after the final adoption of the water  
762 control plan by the board, the secretary of the district shall  
763 prepare and transmit a certified copy thereof to the clerk of  
764 the circuit court and at the same time the board shall file with  
765 said clerk a petition that the said court appoint three  
766 commissioners to appraise the lands to be acquired for rights-  
767 of-way, holding basins, and other drainage works of the district  
768 and to assess benefits and damages accruing to all lands within  
769 the district by reason of the execution of the water control  
770 plan. Immediately after the filing of such petition the judge of  
771 said court in whose division the petition shall have been

772 assigned shall by an order appoint three commissioners, who  
773 shall be freeholders residing within the state, and who shall  
774 not be landowners in said district, nor of kin within the fourth  
775 degree of consanguinity to any person owning land in said  
776 district. A majority of said commissioners shall constitute a  
777 quorum and shall control the action of the commissioners on all  
778 questions.

779 (7) Immediately upon the filing of said order of  
780 appointment, the secretary of the district shall notify each of  
781 said commissioners of his or her appointment, and in said notice  
782 he or she shall state the time and place for the first meeting  
783 of said commissioners. The secretary of the district, or his or  
784 her deputy, shall attend such meeting and shall furnish to said  
785 commissioners a complete list of lands embraced in the district,  
786 or adjacent thereto, that will be affected by the execution of  
787 the water control plan. The secretary shall also furnish to the  
788 commissioners a copy of the water control plan and such other  
789 papers, documents, and information as the commissioners require.  
790 The commissioners at the meeting shall each take and subscribe  
791 to an oath that he or she will faithfully and impartially  
792 discharge his or her duties as such commissioner and make a true  
793 report of the work performed by such commissioners, and shall  
794 elect one of their number chair. The secretary of the district,  
795 or his or her deputy, shall be ex officio secretary to the  
796 commissioners, and the attorney for the district, other agents,  
797 and employees thereof shall cooperate with the commissioners and  
798 furnish to them such advice, assistance, and cooperation as they  
799 shall require.

800       (8) (a) Immediately after qualifying, the commissioners  
801 shall commence the performance of their duties and the chief  
802 engineer, or one of his or her assistants, shall accompany said  
803 commissioners when engaged in the discharge of their duties and  
804 shall render his or her opinion in writing when called for. Said  
805 commissioners shall proceed to view the premises and determine  
806 the value of the lands within or without the district to be  
807 acquired and used for rights-of-way, holding basins, and other  
808 works described in the water control plan, and they shall  
809 appraise all benefits and damages which will accrue to all lands  
810 by reason of the execution of the water control plan. The  
811 commissioners in appraising benefits to lands, public highways,  
812 railroads, and other rights-of-way shall not consider what  
813 benefits will be derived by such property after other ditches,  
814 improvements, or other plans of reclamation shall have been  
815 constructed, but they shall appraise only such benefits as will  
816 be derived from the construction of the works and improvements  
817 described in the water control plan or as the same may afford an  
818 outlet for drainage or protection from overflow of such  
819 property. The commissioners shall give due consideration and  
820 credit to any other drainage works which have already been  
821 constructed and which afford partial or complete protection to  
822 any tract or parcel of land within the district. The public  
823 highways, railroads, and other rights-of-way shall be appraised  
824 according to the increased physical efficiency and decreased  
825 maintenance cost of roadways by reason of the improvements. The  
826 commissioners shall have no power to change the water control  
827 plan. The commissioners shall prepare a report of their

828 findings, which shall be arranged in tabular form, the columns  
829 of which shall be headed as follows: Column 1 "Owner of Property  
830 Appraised"; Column 2 "Description of Property Appraised"; Column  
831 3 "Number of Acres Appraised"; Column 4 "Amount of Benefits  
832 Appraised"; Column 5 "Amount of Damages Appraised"; Column 6  
833 "Number of Acres to be Taken for Rights-of-way, Holding Basins,  
834 etc."; and Column 7 "Value of Property to be Taken." They shall  
835 also, by and with the advice of the chief engineer, estimate the  
836 cost of the works described in the water control plan, which  
837 estimate shall include the cost of property required for rights-  
838 of-way, holding basins, and other works, the probable expense of  
839 organization and administration as estimated by the board of  
840 supervisors, and all of the expenses of the district during the  
841 period of executing the water control plan. Before appraisals of  
842 compensation and damages are made, the board may report to the  
843 commissioners the parcels of land it may wish to purchase and  
844 for which it may wish appraisals to be made, both for easement  
845 and for purchase in fee simple, and the board may specify the  
846 particular purpose for which, and the extent to which, an  
847 easement in any property is desired, describing definitely such  
848 purpose and extent. Wherever so instructed to do by the board,  
849 the commissioners shall appraise lands that may be necessary or  
850 desirable for the district to own and, when so requested by the  
851 board, the commissioners shall also appraise both the total  
852 value of the land and also the damages due to any easement  
853 required for the purposes of the district.

854 (b) The report of the commissioners shall be signed by at  
855 least a majority of the commissioners and filed in the office of

856 the clerk of the circuit court of Broward County. Each  
 857 commissioner shall be paid \$100 per day for his or her services  
 858 and necessary expenses in addition thereto.

859 (9) Upon the filing of the report of the commissioners,  
 860 the clerk shall give notice thereof by causing publication to be  
 861 made once a week for 2 consecutive weeks in a newspaper  
 862 published in Broward County in general circulation within the  
 863 district. It shall not be necessary for the clerk to name the  
 864 parties interested, nor to describe separate lots or tracts of  
 865 land in giving said notice, but it shall be sufficient to  
 866 publish the said notice in the following form:

867  
 868 "NOTICE OF FILING COMMISSIONERS' REPORT FOR NORTH SPRINGS  
 869 IMPROVEMENT DISTRICT.

870  
 871 Notice is hereby given that the Commissioners heretofore  
 872 appointed to appraise benefits and damages to property and lands  
 873 located within North Springs Improvement District in the State  
 874 of Florida and to appraise the cash value of the land necessary  
 875 to be taken for rights-of-way, holding basins, and other works  
 876 of said district did file their report in the office of the  
 877 undersigned Clerk of the Circuit Court, upon the ..... day of  
 878 ....., 20....., and you, and each of you, are hereby  
 879 notified that you may examine said report and file exceptions to  
 880 same on or before the ..... day of ....., 20.....  
 881 (which date shall be not less than 28 days nor more than 30 days  
 882 after the first date of publication).



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Clerk of the Circuit Court  
of Broward County, Florida"

(10) The state board of drainage commissioners, the drainage district, or any owner of land or other property to be affected by said report, may file exception to any part, or all, of the report of said commissioners within the time specified in the notice prescribed in subsection (9). All exceptions shall be heard and determined by the court. If no exceptions are filed, or if it is shown, upon the hearing of all of said exceptions, that the estimated cost of construction of improvements contemplated in the water control plan is less than the benefits assessed against the lands in said district, the court shall approve and confirm said commissioners' report. However, if the court upon hearing the objections filed, finds that any or all such objections should be sustained, it shall order the report changed to conform with such findings, and when so changed the court shall approve and confirm such report and enter its decree accordingly. The court shall adjudge and apportion the costs incurred by the exceptions filed, and shall condemn any land or other property that is shown by the report of the commissioners to be needed for rights-of-way, holding basins or other works, following the procedure provided in chapters 73 and 74, Florida Statutes; provided, however, that any property owner may accept the assessment of damages in his or her favor made by the commissioners, or acquiesce in their failure to assess damages in his or her favor, and shall be construed to have done so,

912 unless he or she gives the supervisors of the district, on or  
913 before the time shall have expired for filing exceptions, as  
914 provided in this act, notice in writing that he or she demands  
915 an assessment of his or her damages by a jury. If the property  
916 owner demands an assessment of his or her damages by a jury, the  
917 supervisors of the district shall institute in the Circuit Court  
918 of Broward County an action to condemn the lands and other  
919 property that must be taken or damaged in the making of such  
920 improvements, with the right and privilege of paying into the  
921 court a sum to be fixed by the circuit court or judge, and  
922 proceeding with the work, before the assessment by the jury. Any  
923 person or party interested may prosecute and appeal to the  
924 appropriate district court of appeal in the manner and within  
925 the time provided by the Florida appellate rules.

926 (11) The Clerk of the Circuit Court of Broward County  
927 shall transmit a certified copy of the court decree and copy of  
928 the commissioners' report, as confirmed or amended by the court,  
929 to the secretary of the board, and such clerk shall receive a  
930 fee of \$5 for receiving, filing, and preserving same as a  
931 permanent record.

932 Section 15. Adoption, revision, and revocation of water  
933 control plan.--In addition to and not in limitation of its power  
934 to provide for and adopt a water control plan provided in  
935 section 14 and under chapter 298, Florida Statutes, and  
936 amendments thereto, the board may at any time and from time to  
937 time adopt, revoke, or modify in whole or in part, any water  
938 control plan or any plan providing for the drainage of lands  
939 within the district, and may provide for such new and additional

940 drainage facilities, canals, ditches, levees, and other works as  
941 the board may determine. In connection with the revision of any  
942 water control plan or the providing of any new or additional  
943 drainage facilities, canals, ditches, levees, or other works, or  
944 in the event the total taxes and assessments theretofore levied  
945 or the funds derived from the sale of bonds are insufficient to  
946 pay the cost of any drainage works, benefits may be reassessed,  
947 additional assessments made, and taxes levied in accordance with  
948 the procedures provided in this act or in chapter 298, Florida  
949 Statutes. The board may at any time approve and make effective  
950 technical changes or modifications in any water control plan or  
951 drainage not affecting assessed benefits, levy of taxes, or the  
952 security of bondholders.

953 Section 16. Assessing land for reclamation; apportionment  
954 of tax; lands belonging to state assessed; drainage tax  
955 record.--After the lists of lands, with the assessed benefits  
956 and the decree and judgment of court, have been filed in the  
957 office of the clerk of the circuit court as provided in section  
958 14, the board shall, without any unnecessary delay, levy a tax  
959 of such portion of said benefits on all lands in the district to  
960 which benefits have been assessed, as may be found necessary by  
961 the board of supervisors to pay the costs of the completion of  
962 the proposed works and improvements, as shown in said water  
963 control plan and in carrying out the objects of said district;  
964 and, in addition thereto, 10 percent of said total amount for  
965 emergencies. The said tax shall be apportioned to, and levied  
966 on, each tract of land in said district in proportion to the  
967 benefits assessed, and not in excess thereof; and in case bonds

968 are issued, as provided in this chapter, a tax shall be levied  
969 in a sum not less than an amount 90 percent of which shall be  
970 equal to the principal of said bonds. The amount of bonds to be  
971 issued for paying the cost of the works as set forth in the  
972 water control plan shall be ascertained and determined by the  
973 board; provided, however, that the total amount of all bonds to  
974 be issued by the district shall in no case exceed 90 per cent of  
975 the benefits assessed upon the lands of the district. The amount  
976 of the interest (as estimated by said board), which will accrue  
977 on such bonds, shall be included and added to the said tax, but  
978 the interest to accrue on account of the issuing of said bonds  
979 shall not be construed as a part of the costs of construction in  
980 determining whether or not the expenses and costs of making said  
981 improvements are equal to, or in excess of, the benefits  
982 assessed. The secretary of the board of supervisors, as soon as  
983 said total tax is levied, shall, at the expense of the district,  
984 prepare a list of all taxes levied, in the form of a well bound  
985 book, the book shall be endorsed and named "DRAINAGE TAX RECORD  
986 OF NORTH SPRINGS IMPROVEMENT DISTRICT, BROWARD COUNTY, FLORIDA"  
987 which endorsement shall be printed or written at the top of each  
988 page in said book, signed and certified by the president and  
989 secretary of the board, attested by the seal of the district,  
990 and the same shall thereafter become a permanent record in the  
991 office of said secretary.

992 Section 17. Prepayment of taxes or assessments.--The board  
993 may provide that any tax or assessment may be paid at any time  
994 before due, together with interest accrued thereon to the date  
995 of prepayment, and any prepayment premiums or penalties, if such

996 prior payment shall be permitted by the proceedings authorizing  
 997 any bonds or other obligations for the payment of which special  
 998 assessments have been pledged or taxes levied.

999 Section 18. Tax liens.--All taxes of the district provided  
 1000 for in this act or chapter 298, Florida Statutes, together with  
 1001 all penalties for default in the payment of the same and all  
 1002 costs in collecting the same including a reasonable attorney's  
 1003 fees fixed by the court and taxed as cost in the action brought  
 1004 to enforce payment, shall from January 1 for each year the  
 1005 property is liable to assessment and until paid constitute a  
 1006 lien of equal dignity with the liens for state and county taxes  
 1007 and other taxes of equal dignity with state and county taxes  
 1008 upon all the lands against which such taxes shall be levied. A  
 1009 sale of any of the real property within the district for state  
 1010 and county or other taxes shall not operate to relieve or  
 1011 release the property so sold from the lien for subsequent  
 1012 district taxes or installments of district taxes which lien may  
 1013 be enforced against such property as though no such sale thereof  
 1014 had been made. The provisions of chapter 192, Florida Statutes,  
 1015 and amendments thereto shall be applicable to district taxes  
 1016 with the same force and effect as if said provisions were  
 1017 expressly set forth in this act.

1018 Section 19. Issuance of bond anticipation notes.--In  
 1019 addition to the other powers provided for in this act and not in  
 1020 limitation thereof, the district shall have the power, at any  
 1021 time and from time to time after the issuance of any bonds of  
 1022 the district shall have been authorized to borrow money for the  
 1023 purposes for which such bonds are to be issued in anticipation

1024 of the proceeds of the sale of such bonds and to issue bond  
 1025 anticipation notes in a principal sum not in excess of the  
 1026 authorized maximum amount of such bond issue. Such notes shall  
 1027 be in such denomination or denominations, bear interest at such  
 1028 rate as the board may determine not to exceed 10 percent per  
 1029 year, mature at such time or times not later than 5 years from  
 1030 the date of issuance, and be in such form and executed in such  
 1031 manner as the board shall prescribe. Such notes may be sold at  
 1032 either public or private sale, or if such notes shall be renewal  
 1033 notes, may be exchanged for notes then outstanding on such terms  
 1034 as the board shall determine. Such notes shall be paid from the  
 1035 proceeds of such bonds when issued. The board may, in its  
 1036 discretion, in lieu of retiring the notes by means of bonds,  
 1037 retire them by means of current revenues or from any taxes or  
 1038 assessments levied for the payment of such bonds, but in such  
 1039 event a like amount of the bonds authorized shall not be issued.

1040 Section 20. Short-term borrowing.--The district at any  
 1041 time may obtain loans, in such amount and on such terms and  
 1042 conditions as the board may approve, for the purpose of paying  
 1043 any of the expenses of the district or any costs incurred or  
 1044 that may be incurred in connection with any of the projects of  
 1045 the district, which loans shall have a term not exceeding 2  
 1046 years from the date of issuance thereof, and may be renewable  
 1047 for a like term or terms shall bear such interest as the board  
 1048 may determine, not to exceed 10 percent per year, and may be  
 1049 payable from and secured by a pledge of such funds, revenues,  
 1050 taxes, and assessments as the board may determine. For the  
 1051 purpose of defraying such costs and expenses, the district may

1052 issue negotiable notes, warrants, or other evidences of debt  
1053 signed on behalf of the district by any one of the board duly  
1054 authorized by the board, such notes or other evidences of  
1055 indebtedness to be payable at such times, to bear such interest  
1056 as the board may determine not to exceed 10 percent per year,  
1057 and to be sold or discounted at such price or prices and on such  
1058 terms as the board may deem advisable. The board shall have the  
1059 right to provide for the payment thereof by pledging the whole  
1060 or any part of the funds, revenues, taxes, and assessments of  
1061 the district. The approval of the qualified electors who are  
1062 freeholders residing in the district shall not be necessary  
1063 except where required by the State Constitution.

1064 Section 21. Trust agreements.--In the discretion of the  
1065 board, any issue of bonds may be secured by a trust agreement by  
1066 and between the district and a corporate trustee or trustees,  
1067 which may be any trust company or bank having the powers of a  
1068 trust company within or without the state. The resolution  
1069 authorizing the issuance of the bonds or such trust agreement  
1070 may pledge the revenues to be received from any projects of the  
1071 district and may contain such provisions for protecting and  
1072 enforcing the rights and remedies of the bondholders as the  
1073 board may approve, including, without limitation, covenants  
1074 setting forth the duties of the district in relation to the  
1075 acquisition, construction, reconstructions, improvements,  
1076 maintenance, repair, operation, and insurance of any projects;  
1077 the fixing and revising of the rates, fees, and charges; the  
1078 custody, safeguarding, and application of all moneys; and for  
1079 the employment of counseling engineers in connection with such

1080 acquisition, construction, reconstruction, improvement,  
1081 maintenance, repair, or operation. It shall be lawful for any  
1082 bank or trust company incorporated under the laws of the state  
1083 which may act as a depository of the proceeds of bonds or of  
1084 revenues to furnish such indemnifying bonds or to pledge such  
1085 securities as may be required by the district. Such resolution  
1086 or trust agreement may set forth the rights and remedies of the  
1087 bondholders and of the trustee, if any, and may restrict the  
1088 individual right of action by bondholders. The board may provide  
1089 for the payment of the proceeds of the sale of the bonds and the  
1090 revenues of any project to such officer, board, or depository as  
1091 it may designate for the custody thereof, and for the method of  
1092 disbursement thereof with such safeguards and restrictions as it  
1093 may determine. All expenses incurred in carrying out the  
1094 provisions of such resolution or trust agreement may be treated  
1095 as part of the cost of operation of the project to which such  
1096 trust agreement pertains.

1097 Section 22. Sale of bonds.--Bonds may be sold in blocks or  
1098 installments at different times, or an entire issue or series  
1099 may be sold at one time. Bonds may be sold at public or private  
1100 sale after such advertisement, if any, as the board may deem  
1101 advisable but not in any event at less than 90 percent of the  
1102 par value thereof, together with accrued interest thereon. Bonds  
1103 may be sold or exchanged for refunding bonds. Special assessment  
1104 and revenue bonds may be delivered as payment by the district of  
1105 the purchase price or lease of any project or part thereof, or a  
1106 combination of projects or parts thereof, or as the purchase  
1107 price or exchanged for any property, real, personal, or mixed,



1108 including franchises, or services rendered by any contractor,  
 1109 engineer, or other person, all at one time or in blocks from  
 1110 time to time, in such manner and upon such terms as the board in  
 1111 its discretion shall determine. The price or prices for any  
 1112 bonds sold, exchanged, or delivered may be the money paid for  
 1113 the bonds; the principal amount, plus accrued interest to the  
 1114 date of redemption or exchange, or outstanding obligations  
 1115 exchanged for refunding bonds; or in the case of special  
 1116 assessment or revenue bonds, the amount of any indebtedness to  
 1117 contractors or other persons paid with such bonds, or the fair  
 1118 value of any properties exchanged for the bonds, as determined  
 1119 by the board.

1120 Section 23. Authorization and form of bonds.--Bonds may be  
 1121 authorized by resolution or resolutions of the board which shall  
 1122 be adopted by a majority of all of the members thereof then in  
 1123 office. Such resolution or resolutions may be adopted at the  
 1124 same meeting at which they are introduced, and need not be  
 1125 published or posted. The board may by resolution authorize the  
 1126 issuance of bonds, fix the aggregate amount of bonds to be  
 1127 issued, the purpose or purposes for which the moneys derived  
 1128 therefrom shall be expended, the rate or rates of interest, not  
 1129 to exceed 10 percent per year, the denomination of the bonds,  
 1130 whether or not the bonds are to be issued in one or more series,  
 1131 the date or dates of maturity, which shall not exceed 40 years  
 1132 from their respective dates of issuance, the medium of payment,  
 1133 the place or places within or without the state where payment  
 1134 shall be made, registration privileges, redemption terms and  
 1135 privileges (whether with or without premium), the manner of

1136 execution, the form of the bonds including any interest coupons  
 1137 to be attached thereto, the manner of execution of bonds and  
 1138 coupons, any and all other terms, covenants, and conditions  
 1139 thereof, and the establishment of revenue or other funds. Such  
 1140 authorizing resolution may further provide that such bonds may  
 1141 be executed manually or by engraved, lithographed or facsimile  
 1142 signature, provided that where signatures are engraved,  
 1143 lithographed, or otherwise reproduced in facsimile no bond shall  
 1144 be valid unless countersigned by a registrar or other officer  
 1145 designated by appropriate resolution of the board. The seal of  
 1146 the district may be affixed, lithographed, engraved, or  
 1147 otherwise reproduced in facsimile on such bonds. In case any  
 1148 officer whose signature shall appear on any bonds or coupons  
 1149 shall cease to be such officer before the delivery of such  
 1150 bonds, such signature or facsimile shall nevertheless be valid  
 1151 and sufficient for all purposes the same as if he or she had  
 1152 remained in office until such delivery.

1153 Section 24. Interim certificates; replacement  
 1154 certificates.--Pending the preparation of definitive bonds, the  
 1155 board may issue interim certificates or receipts or temporary  
 1156 bonds, in such form and with such provisions as the board may  
 1157 determine, exchangeable for definitive bonds when such bonds  
 1158 shall have been executed and are available for delivery. The  
 1159 board may also provide for the replacement of any bonds that  
 1160 become mutilated, lost, or destroyed.

1161 Section 25. Negotiability of bonds.--Any bond issued under  
 1162 this act and any interim certificate, receipt, or temporary bond  
 1163 shall, in the absence of an express recital on the face thereof

1164 that it is nonnegotiable, be fully negotiable and shall be and  
1165 constitute negotiable instruments within the meaning and for all  
1166 purposes of the law merchant and the laws of Florida.

1167 Section 26. Defeasance.--The board may make such provision  
1168 with respect to the defeasance of the right, title, and interest  
1169 of the holders of any of the bonds and obligations of the  
1170 district in any revenues, funds, or other properties by which  
1171 such bonds are secured as the board deems appropriate and,  
1172 without limitation on the foregoing, may provide that when such  
1173 bonds or obligations become due and payable or shall have been  
1174 called for redemption, and the whole amount of the principal and  
1175 interest and premium, if any, due and payable upon the bonds or  
1176 obligations then outstanding shall be paid, or sufficient moneys  
1177 or direct obligations of the United States Government the  
1178 principal of and the interest on which when due will provide,  
1179 sufficient moneys, shall be held or deposited in trust for such  
1180 purpose, and provision shall also be made for paying all other  
1181 sums payable in connection with such bonds or other obligations,  
1182 then and in such event the right, title, and interest of the  
1183 holders of the bonds in any revenues, funds, or other properties  
1184 by which such bonds are secured shall thereupon cease,  
1185 determine, and become void, and the board may apply any surplus  
1186 in any sinking fund established in connection with such bonds or  
1187 obligations and all balances remaining in all other funds or  
1188 accounts other than money held for the redemption or payment of  
1189 the bonds or other obligations to any lawful purpose of the  
1190 district as the board shall determine.

1191        Section 27. Issuance of additional bonds.--If the proceeds  
 1192 of any bonds shall be less than the cost of completing the  
 1193 project in connection with which such bonds are issued, the  
 1194 board may authorize the issuance of additional bonds, upon such  
 1195 terms and conditions as the board may provide in the resolution  
 1196 authorizing the issuance thereof, but only in compliance with  
 1197 the resolution or other proceedings authorizing the issuance of  
 1198 the original bonds.

1199        Section 28. Refunding bonds.--The district shall have the  
 1200 power to issue bonds to provide for the retirement or refunding  
 1201 of any bonds or obligations of the district that at the time of  
 1202 such issuance are or subsequently thereto become due and  
 1203 payable, or that at the time of issuance have been called or are  
 1204 or will be subject to call for redemption within 10 years  
 1205 thereafter, or the surrender of which can be procured from the  
 1206 holders thereof at prices satisfactory to the board. Refunding  
 1207 bonds may be issued at any time when in the judgment of the  
 1208 board such issuance will be advantageous to the district. No  
 1209 approval of the qualified electors who are freeholders residing  
 1210 in the district shall be required for the issuance of refunding  
 1211 bonds except in cases where such approval is required by the  
 1212 State Constitution. The board may by resolution confer upon the  
 1213 holders of such refunding bonds all rights, powers, and remedies  
 1214 to which the holders would be entitled if they continued to be  
 1215 the owners and had possession of the bonds for the refinancing  
 1216 of which said refunding bonds are issued, including, but not  
 1217 limited to, the preservation of the lien of such bonds on the  
 1218 revenues of any project or on pledged funds, without

1219 extinguishment, impairment, or diminution thereof. The  
 1220 provisions of this act pertaining to bonds of the district  
 1221 shall, unless the context otherwise requires, govern the  
 1222 issuance of refunding bonds, the form and other details thereof,  
 1223 the rights of the holders thereof, and the duties of the board  
 1224 with respect to the same.

1225 Section 29. Revenue bonds.--

1226 (1) The district shall have the power to issue revenue  
 1227 bonds from time to time without limitation as to amount. Such  
 1228 revenue bonds may be secured by or payable from the gross or net  
 1229 pledge of the revenues to be derived from any project or  
 1230 combination of projects; from the rates, fees, or other charges  
 1231 to be collected from the users of any project or projects; from  
 1232 any revenue-producing undertaking or activity of the district;  
 1233 or from any other source or pledged security. Such bonds shall  
 1234 not constitute an indebtedness of the district, and the approval  
 1235 neither of the qualified electors nor of the qualified electors  
 1236 who are freeholders shall be required unless such bonds are  
 1237 additionally secured by the full faith, credit, and taxing  
 1238 power of the district.

1239 (2) Any two or more projects may be combined and  
 1240 consolidated into a single project, and may thereafter be  
 1241 operated and maintained as a single project. The revenue bonds  
 1242 authorized herein may be issued to finance any one or more such  
 1243 projects, regardless of whether or not such projects have been  
 1244 combined and consolidated into a single project. If the board  
 1245 deems it advisable, the proceedings authorizing such revenue  
 1246 bonds may provide that the district may thereafter combine the

1247 projects then being financed or theretofore financed with other  
 1248 projects to be subsequently financed by the district, and that  
 1249 revenue bonds to be thereafter issued by the district shall be  
 1250 on parity with the revenue bonds then being issued, all on such  
 1251 terms, conditions, and limitations as shall be provided, and may  
 1252 further provide that the revenues to be derived from the  
 1253 subsequent projects shall at the time of the issuance of such  
 1254 parity revenue bonds be also pledged to the holders of any  
 1255 revenue bonds theretofore issued to finance the revenue  
 1256 undertakings which are later combined with such subsequent  
 1257 projects. The district may pledge for the security of the  
 1258 revenue bonds a fixed amount, without regard to any fixed  
 1259 proportion of the gross revenues of any project.

1260 Section 30. General obligation bonds.--

1261 (1) The district shall have the power from time to time to  
 1262 issue general obligation bonds in an aggregate principal amount  
 1263 of bonds outstanding at any one time not in excess of 35 percent  
 1264 of the assessed value of the taxable property within the  
 1265 district as shown on the pertinent tax records at the time of  
 1266 the authorization of the general obligation bonds for which the  
 1267 full faith and credit of the district is pledged. Except for  
 1268 refunding bonds, no general obligation bonds shall be issued  
 1269 unless the issuance thereof shall have been approved at an  
 1270 election of freeholders held in accordance with the requirements  
 1271 for such election as prescribed by the State Constitution. Such  
 1272 elections shall be called to be held in the district by the  
 1273 Board of County Commissioners of Broward County upon the request  
 1274 of the board of the district. The expenses of calling and

1275 holding such referendum elections shall be borne by the district  
 1276 and the district shall reimburse the county for any expenses  
 1277 incurred in calling or holding such elections. In the  
 1278 alternative, at the option of the board, the board may make such  
 1279 other provision for the registration of such qualified electors  
 1280 who are freeholders and the calling and holding of such  
 1281 elections as the board may from time to time deem appropriate.

1282 (2) The district may pledge its full faith and credit for  
 1283 the payment of the principal and interest on such general  
 1284 obligation bonds, and for any reserve or other funds provided  
 1285 therefor, and may unconditionally and irrevocably pledge itself  
 1286 to levy ad valorem taxes on all taxable property in the  
 1287 district, to the extent necessary for the payment thereof,  
 1288 without limitations as to rate or amount.

1289 (3) If the board shall determine to issue general  
 1290 obligation bonds for more than one different purpose, the  
 1291 approval of the issuance of the bonds for each and all such  
 1292 purposes may be submitted to the freeholders on one and the same  
 1293 ballot. The failure of the freeholders to approve the issuance  
 1294 of bonds for any one or more purposes shall not defeat the  
 1295 approval of bonds for any purpose that shall be approved by the  
 1296 freeholders.

1297 Section 31. Bonds as legal investment or  
 1298 security.--Notwithstanding any provisions of any other law to  
 1299 the contrary, all bonds issued under the provisions of this act  
 1300 shall constitute legal investments for savings banks, banks,  
 1301 trust companies, insurance companies, executors, administrators,  
 1302 trustees, guardians, and other fiduciaries, and for any board,

1303 body, agency, instrumentality, county, municipality, or other  
 1304 political subdivision of the state, and shall be and constitute  
 1305 securities which may be deposited by banks or trust companies as  
 1306 security for deposits of state, county, municipal, or other  
 1307 public funds, or by insurance companies as required for  
 1308 voluntary statutory deposits.

1309 Section 32. Covenants.--Any resolution authorizing the  
 1310 issuance of bonds may contain such covenants as the board may  
 1311 deem advisable and all such covenants shall constitute valid and  
 1312 legally binding and enforceable contracts between the district  
 1313 and the bondholders, regardless of the time of issuance thereof.  
 1314 Such covenants may include, without limitation, covenants  
 1315 concerning the disposition of the bond proceeds; the use and  
 1316 disposition of project revenues; the pledging of revenues,  
 1317 taxes, and assessments; the obligations of the district with  
 1318 respect to the operation of the project and the maintenance of  
 1319 adequate project revenues; the issuance of additional bonds; the  
 1320 appointment, powers, and duties of trustees and receivers; the  
 1321 acquisition of outstanding bonds and obligations; restrictions  
 1322 on the establishing of competing projects or facilities;  
 1323 restrictions on the sale or disposal of the assets and property  
 1324 of the district; the priority of assessment liens; the priority  
 1325 of claims by bondholders on the taxing power of the district;  
 1326 the maintenance of deposits to ensure the payment of revenues by  
 1327 users of district facilities and services; the discontinuance of  
 1328 district services by reason of delinquent payments; acceleration  
 1329 upon default; the execution of necessary instruments; the  
 1330 procedure for amending or abrogating covenants with the



1331 bondholders; and such other covenants as may be deemed necessary  
 1332 or desirable for the security of the bondholders.

1333 Section 33. Validity of bonds; validation proceedings.--

1334 (1) Any bonds issued by the district shall be  
 1335 incontestable in the hands of bona fide purchasers or holders  
 1336 for value and shall not be invalid because of any irregularity  
 1337 or defects in the proceedings for the issue and sale thereof.  
 1338 Prior to the issuance of any bonds, the district may, but is not  
 1339 required to, publish a notice at least once in a newspaper or  
 1340 newspapers published or of general circulation in Broward County  
 1341 and within the district stating the date of adoption of the  
 1342 resolution authorizing such obligations, the amount, the maximum  
 1343 rate of interest and maturity of such obligations, and the  
 1344 purpose in general terms for which such obligations are to be  
 1345 issued, and further stating that any action or proceeding  
 1346 questioning the validity of such obligations or of the  
 1347 proceedings authorizing the issuance thereof, or of any of the  
 1348 covenants made therein, must be instituted within 20 days after  
 1349 the first publication of such notice, or the validity of such  
 1350 obligations, proceedings, and covenants shall not be thereafter  
 1351 questioned in any court whatsoever. If no such action or  
 1352 proceeding is so instituted within such 20-day period then the  
 1353 validity of such obligations, proceedings, and covenants shall  
 1354 be conclusive, and all persons or parties whatsoever shall be  
 1355 forever barred from questioning the validity of such  
 1356 obligations, proceedings, or covenants in any court whatsoever.

1357 (2) The power of the district to issue bonds under the  
 1358 provisions of this act may be determined and any of the bonds of

1359 the district may be validated and confirmed by circuit court  
 1360 decree, under the provisions of chapter 75, Florida Statutes,  
 1361 and laws amendatory thereof or supplementary thereto.

1362 Section 34. Within act furnishes full authority for  
 1363 issuance of bonds.--This act constitutes full and complete  
 1364 authority for the issuance of bonds and the exercise of the  
 1365 powers of the district provided herein. No procedures or  
 1366 proceedings, publications, notices, consents, approvals, orders,  
 1367 acts, or things by the board, or any board, officers,  
 1368 commission, department, agency, or instrumentality of the  
 1369 district, other than those required by this act, shall be  
 1370 required to issue any bonds or to do any act or perform anything  
 1371 under this act, and the issuance or sale of bonds pursuant to  
 1372 the provisions of this act need not comply with the requirements  
 1373 of any other law applicable to the issuance or sale of bonds,  
 1374 except as otherwise provided in this act, and shall not require  
 1375 the consent or approval of the board of drainage commissioners  
 1376 of the state or of any other board, officers, commission,  
 1377 department, agency, or instrumentality of the state or any  
 1378 political subdivision thereof. Except as otherwise provided  
 1379 herein, no proceedings or procedures of any character whatever  
 1380 shall be necessary or required for the issuance of bonds other  
 1381 than the adoption of an appropriate resolution by the board as  
 1382 provided in this act with respect to the issuance of the same.  
 1383 The powers conferred by this act on the district with respect to  
 1384 the issuance and sale of bonds shall be in addition and  
 1385 supplemental to the powers conferred by any other law.

1386        Section 35. Pledge by the state to the bondholders of the  
 1387 district and to the Federal Government.--The state pledges to  
 1388 the holders of any bonds issued under this act that it will not  
 1389 limit or alter the rights of the district to own, acquire,  
 1390 construct, reconstruct, improve, maintain, operate, or furnish  
 1391 the projects or to levy and collect the taxes, assessments,  
 1392 rentals, rates, fees, and other charges provided for herein and  
 1393 to fulfill the terms of any agreement made with the holders of  
 1394 such bonds or other obligations, and that it will not in any way  
 1395 impair the rights or remedies of the holders.

1396        Section 36. Ad valorem taxes.--The board shall have the  
 1397 power to levy and assess an ad valorem tax on all the taxable  
 1398 real and tangible personal property in the district to pay the  
 1399 principal of and interest on any general obligation bonds of the  
 1400 district, to provide for any sinking or other funds established  
 1401 in connection with any such bonds. The ad valorem tax provided  
 1402 for herein shall be in addition to county and all other ad  
 1403 valorem taxes provided for by law. Such tax shall be assessed,  
 1404 levied, and collected in the same manner and same time as county  
 1405 taxes.

1406        Section 37. Annual installment taxes.--

1407        (1) The board shall annually determine, order, and levy  
 1408 the annual installment of the total taxes which are levied under  
 1409 section 298.36, Florida Statutes, which shall be due and be  
 1410 collected during each year that county taxes are due and  
 1411 collected and said annual installment and levy shall be  
 1412 evidenced to and certified by the board not later than August  
 1413 31st of each year to the Broward County Property Appraiser. Said

1414 tax shall be entered by the county property appraiser on the  
1415 county tax rolls and shall be collected by the Broward County  
1416 Tax Collector in the same manner and the same time as county  
1417 taxes and the proceeds thereof paid to the district. The tax  
1418 shall be a lien until paid on the property against which  
1419 assessed and enforceable in like manner as county taxes.

1420 (2) In the alternative, the board may by resolution  
1421 determine the amount of taxes as provided by chapter 298,  
1422 Florida Statutes, and thereafter the annual installments shall  
1423 be levied, collected and enforced as provided in chapter 298,  
1424 Florida Statutes.

1425 Section 38. Maintenance tax.--To maintain and preserve the  
1426 drainage improvements of the district a maintenance tax shall be  
1427 evidenced to and certified by the board of supervisors not later  
1428 than August 31 of each year to the property appraiser and shall  
1429 be entered by the property appraiser on the county tax rolls and  
1430 shall be collected by the tax collector in the same manner and  
1431 time as county taxes and the proceeds therefrom paid to the  
1432 district. The tax shall be a lien until paid on the property  
1433 against which assessed and enforceable in like manner as county  
1434 taxes. If the maintenance is for original construction based  
1435 upon an apportionment of benefits, the maintenance tax shall be  
1436 apportioned on the same basis of the net assessments of benefits  
1437 assessed or accruing for original construction and shall not  
1438 exceed 10 percent thereof in any one year. If the maintenance is  
1439 for other drainage improvements owned, operated, or acquired by  
1440 the district, the amount of said maintenance tax shall be  
1441 determined by the board based upon a report of the chief

1442 engineer and assessed by the board, upon such lands, which may  
 1443 be all of the lands within the district benefited by the  
 1444 maintenance thereof, apportioned between the benefited lands in  
 1445 proportion to the benefits received by each tract of land.

1446 Section 39. Enforcement of taxes.--The collection and  
 1447 enforcement of all taxes levied by the district shall be at the  
 1448 same time and in like manner as county taxes and the provision  
 1449 of the Florida Statutes relating to the sale of lands for unpaid  
 1450 and delinquent county taxes, the issuance, sale, and delivery of  
 1451 tax certificates for such unpaid and delinquent county taxes,  
 1452 the redemption thereof, the issuance to individuals of tax deeds  
 1453 based thereon, and all other procedures in connection therewith  
 1454 shall be applicable to the district to the same extent as if  
 1455 said statutory provisions were expressly set forth herein. All  
 1456 taxes shall be subject to the same discounts as county taxes.

1457 Section 40. When unpaid tax is delinquent; penalty.--All  
 1458 taxes provided for in this act shall become delinquent and bear  
 1459 penalties on the amount of said taxes in the same manner as  
 1460 county taxes.

1461 Section 41. Tax exemption.--As the exercise of the powers  
 1462 conferred by this act constitute the performance of essential  
 1463 public functions, and as the projects of the district will  
 1464 constitute public property used for public purposes, all assets  
 1465 and properties of the district, and all bonds issued hereunder  
 1466 and interest paid thereon, and all fees, charges, and other  
 1467 revenues derived by the district from the projects provided by  
 1468 this act shall be exempt from all taxes by the state or by any  
 1469 political subdivision, agency, or instrumentality thereof;

1470 provided, however, that nothing in this act shall be deemed to  
1471 exempt from taxation any property, project, facility, or  
1472 business activity or enterprise that cannot validly be  
1473 undertaken as a public function by special taxing districts or  
1474 other public bodies under the laws and constitution of this  
1475 state; and further, that nothing in this act shall be deemed to  
1476 exempt any property, project, facility, or business activity or  
1477 enterprise of the district, or revenues derived therefrom, which  
1478 would be subject to taxation under the general laws of Florida  
1479 if such property, project, or facility were owned or undertaken  
1480 by a municipal corporation.

1481 Section 42. Special assessments.--

1482 (1) The board may provide for the construction or  
1483 reconstruction of assessable improvements as defined in section  
1484 4, and for the levying of special assessments upon benefited  
1485 property for the payment thereof, under the provisions of this  
1486 section.

1487 (2) Such special assessments may be levied and assessed in  
1488 either of the alternate methods provided in subsection (6) or  
1489 subsection (7), and except for such procedure, all the other  
1490 provisions of this section and this act shall apply to levy of  
1491 such special assessments under either subsection (6) or  
1492 subsection (7).

1493 (3) The initial proceeding under subsection (6) or  
1494 subsection (7) of this section shall be the passage by the board  
1495 of a resolution ordering the construction or reconstruction of  
1496 such assessable improvements, indicating the location by  
1497 terminal points and routes and either giving a description of

1498 the improvements by its material, nature, character, and size or  
1499 giving two or more descriptions with the directions that the  
1500 material, nature, character, and size shall be subsequently  
1501 determined in conformity with one of such descriptions. Drainage  
1502 improvements need not be continuous and may be in more than one  
1503 locality. The resolution ordering any such improvement may give  
1504 any short and convenient designation to each improvement ordered  
1505 thereby, and the property against which assessments are to be  
1506 made for the cost of such improvement may give any short and  
1507 convenient designation to each improvement ordered thereby, and  
1508 the property against which assessments are to be made for the  
1509 cost of such improvement may be designated as an assessment  
1510 district, followed by a letter, number, or name to distinguish  
1511 it from other assessment districts, after which it shall be  
1512 sufficient to refer to such improvement and property by such  
1513 designation in all proceedings and assessments, except in the  
1514 notices required by this section.

1515 (4) As soon as possible after the passage of such  
1516 resolution the engineer for the district shall prepare, in  
1517 duplicate, plans and specifications for each improvement ordered  
1518 thereby and an estimate of the cost thereof. Such cost shall  
1519 include, in addition to the items of cost as defined in this  
1520 act, the following items of incidental expenses:

1521 (a) Printing and publishing notices and proceedings.

1522 (b) Costs of abstracts of title.

1523 (c) Any other expense necessary or proper in conducting  
1524 the proceedings and work provided for in this section, including  
1525 the estimated amount of discount, if any, financial expenses

1526 upon the sale of assessment bonds or any other obligations  
1527 issued hereunder for which such special assessment bonds or any  
1528 other obligations issued hereunder for which such special  
1529 assessments are to be pledged, and interest prior to and until  
1530 not more than 2 years after the completion of said assessable  
1531 improvements. If the resolution shall provide alternative  
1532 descriptions of material, nature, character and size, such  
1533 estimate shall include an estimate of the cost of the  
1534 improvement of each such description.

1535 (5) The district engineer shall next prepare in duplicate  
1536 a tentative apportionment of the estimated total cost of the  
1537 improvement as between the district and each lot or parcel of  
1538 land subject to special assessment under the resolution, such  
1539 apportionment to be made in accordance with the provisions of  
1540 the resolution and in relation to apportionment of cost provided  
1541 herein for the preliminary assessment roll. Such tentative  
1542 apportionment of total estimated cost shall not be held to limit  
1543 or restrict the duties of the engineer in the preparation of  
1544 such preliminary assessment roll under subsection (6). One of  
1545 the duplicates of such plans, specifications, and estimates and  
1546 such tentative apportionment shall be filed with the secretary  
1547 of the board and the other duplicate shall be retained by the  
1548 engineer in his or her files, all thereof to remain open to  
1549 public inspection.

1550 (6) (a) If the special assessments are to be levied under  
1551 this subsection, the secretary of the board upon filing with him  
1552 or her of such plans, specifications, estimates, and tentative  
1553 apportionment of cost shall publish once in a newspaper



1554 published in Broward County in general circulation within the  
1555 district, a notice stating that at a meeting of the board on a  
1556 certain day and hour, not earlier than 15 days after such  
1557 publication, the board will hear objections of all interested  
1558 persons to the confirmation of such resolution, which notice  
1559 shall state in brief and general terms a description of the  
1560 proposed assessable improvements with the location thereof, and  
1561 shall also state that plans, specifications, estimates, and  
1562 tentative apportionment of cost thereof are on file with the  
1563 secretary of the board. A copy of the notice shall be mailed to  
1564 the landowners of the land to be benefited by construction of  
1565 the assessable improvement. The landowners shall be determined  
1566 by reference to the last available tax roll of Broward County.  
1567 The secretary of the board shall keep a record in which shall be  
1568 inscribed, at the request of any person, firm, or corporation  
1569 having or claiming to have any interest in any lot or parcel of  
1570 land, the name and post office address of such person, firm, or  
1571 corporation, together with a brief description or designation of  
1572 such lot or parcel, and it shall be the duty of the secretary of  
1573 the board to mail a copy of such notice to such person, firm, or  
1574 corporation at such address at least 10 days before the time for  
1575 the hearing as stated in such notice, but the failure of the  
1576 secretary of the board to keep such record or so to inscribe any  
1577 name or address or to mail any such notice shall not constitute  
1578 a valid objection to holding the hearing as provided in this  
1579 section or to any other action taken under the authority of this  
1580 section.

1581 (b) At the time named in such notice, or to which an  
1582 adjournment may be taken by the board, the board shall receive  
1583 any objections of interested persons and may then or thereafter  
1584 repeal or confirm such resolution with such amendments, if any,  
1585 as may be desired by the board and which do not cause any  
1586 additional property to be specially assessed.

1587 (c) All objections to any such resolution on the ground  
1588 that it contains items which cannot be properly assessed against  
1589 property, or that it is, for any default or defect in the  
1590 passage or character of the resolution or the plans or  
1591 specifications or estimate, void or voidable in whole or in  
1592 part, or that it exceeds the power of the board, shall be made  
1593 in writing in person or by attorney, and filed with the  
1594 secretary of the board at or before the time or adjourned time  
1595 of such hearing. Any objections against the making of any  
1596 assessable improvements not so made shall be considered as  
1597 waived, and if any objection shall be made and overruled or  
1598 shall not be sustained, the confirmation of the resolution shall  
1599 be the final adjudication of the issue presented unless proper  
1600 steps shall be taken in a court of competent jurisdiction to  
1601 secure relief within 20 days.

1602 (d) Whenever any resolution providing for the construction  
1603 or reconstruction of assessable improvements and for the levying  
1604 of special assessments upon benefited property for the payment  
1605 thereof shall have been confirmed, and said special assessments  
1606 are levied under this subsection as herein above provided, or at  
1607 any time thereafter, the board may issue assessment bonds  
1608 payable out of such assessments when collected. Such bonds shall

1609 mature not later than 2 years after the maturity of the last  
1610 annual installment in which said special assessments may be  
1611 paid, as provided in subsection (7), and shall bear such  
1612 interest as the board may determine not to exceed 10 percent per  
1613 year. Such assessment bonds shall be executed, shall have such  
1614 provisions for redemption prior to maturity, and shall be sold  
1615 in the manner and be subject to all of the applicable provisions  
1616 contained in this act applicable to other bonds, except as the  
1617 same are inconsistent with the provisions of this section. The  
1618 amount of such assessment bonds for any assessable improvement,  
1619 prior to the confirmation of the preliminary assessment roll  
1620 provided for in this subsection shall not exceed the estimated  
1621 amount of the cost of such assessable improvements which are to  
1622 be specially assessed against the lands and real estate of the  
1623 engineer referred to in this section.

1624 (e) After the passage of the resolution authorizing the  
1625 construction or reconstruction of assessable improvements has  
1626 been confirmed as provided for above where special assessments  
1627 are levied under this subsection or after the final confirmation  
1628 of the assessment roll where such assessments are levied under  
1629 subsection (7), the board may publish at least once in a  
1630 newspaper published in Broward County in general circulation  
1631 within the district, a notice calling for sealed bids to be  
1632 received by the board on a date not earlier than 15 days after  
1633 the first publication for the construction of the work, unless  
1634 in the initial resolution the board shall have declared its  
1635 intention to have the work done by district forces without  
1636 contract. The notice shall refer in general terms to the extent

1637 and nature of the improvements and may identify the same by the  
1638 short designation indicated in the initial resolution and by  
1639 reference to the plans and specifications on file. If the  
1640 initial resolution shall have given two or more alternative  
1641 descriptions of the assessable improvements as to its material,  
1642 nature, character, and size, and if the board shall not have  
1643 theretofore determined upon a definite description, the notice  
1644 shall call for bids upon each of such descriptions. Bids may be  
1645 requested for the work as whole or for any part thereof  
1646 separately and bids may be asked for any one or more of such  
1647 assessable improvements authorized by the same or different  
1648 resolutions, but any bid covering work upon more than one  
1649 improvement shall be in such form as to permit a separation of  
1650 cost as to each improvement. The notice shall require bidders to  
1651 file with their bids either a certified check drawn upon an  
1652 incorporated bank or trust company in such amount or percentage  
1653 of their respective bids, as the board shall deem advisable, or  
1654 a bid bond in like amount with corporate surety satisfactory to  
1655 the board to insure the execution of a contract to carry out the  
1656 work in accordance with such plans and specifications and insure  
1657 the filing at the making of such contract, of a bond in the  
1658 amount of the contract price with corporate surety satisfactory  
1659 to the board conditioned for the performance of the work in  
1660 accordance with such contract. The board shall have the right to  
1661 reject any or all bids, and if all bids are rejected the board  
1662 may readvertise or may determine to do the work by the district  
1663 forces without contract.

1664        (f) Promptly after the completion of the work, in the case  
1665 of special assessments levied under subsection (6), the engineer  
1666 for the district, who is hereby designated as the official of  
1667 the district to make the preliminary assessment of benefits from  
1668 assessable improvements, shall prepare a preliminary assessment  
1669 roll and file the same with the secretary of the board which  
1670 roll shall contain the following:

1671        1. A description of abutting lots and parcels of land or  
1672 lands which will benefit from such assessable improvements and  
1673 the amount of such benefits to each such lot or parcel of land.  
1674 Such lots and parcels shall include the property of Broward  
1675 County and any school district or other political subdivision.  
1676 There shall also be given the name of the owner of record of  
1677 each lot or parcel where practicable, and in all cases there  
1678 shall be given a statement of the method of assessment used by  
1679 the engineer for determining the benefits.

1680        2. The total cost of the improvements and the amount of  
1681 incidental expense.

1682        (g) The preliminary roll shall be advisory only and shall  
1683 be subject to the action of the board as hereafter provided.  
1684 Upon the filing with the secretary of the board of the  
1685 preliminary assessment roll, the secretary of the board shall  
1686 publish at least once in a newspaper published in Broward County  
1687 in general circulation within the district a notice stating that  
1688 at a meeting of the board to be held on a certain day and hour,  
1689 not less than 15 days from the date of such publication, which  
1690 meeting may be a regular, adjourned, or special meeting, all  
1691 interested persons may appear and file written objections to the

1692 confirmation of such roll. Such notice shall state the class of  
1693 the assessable improvements and the location thereof by terminal  
1694 points and route.

1695 (h) At the time and place stated in such notice, the board  
1696 shall meet and receive the objections in writing of all  
1697 interested persons as stated in such notice. The board may  
1698 adjourn the hearing from time to time. After the completion  
1699 thereof the board shall annul, sustain, or modify in whole or in  
1700 part the prima facie assessment as indicated on such roll,  
1701 either by confirming the prima facie assessment against any or  
1702 all lots or parcels described therein or by canceling,  
1703 increasing, or reducing the same, according to the special  
1704 benefits which the board decides each such lot or parcel has  
1705 received or will receive on account of such improvement. If any  
1706 property that may be chargeable under this section shall have  
1707 been omitted from the preliminary roll or if the prima facie  
1708 assessment shall not have been made against it, the board may  
1709 place on such roll an apportionment to such property. The board  
1710 shall not confirm any assessment in excess of the special  
1711 benefits to the property assessed and the assessments so  
1712 confirmed shall be in proportion to the special benefits.  
1713 Forthwith after such confirmation such assessment roll shall be  
1714 delivered to the secretary of the board. The assessment so made  
1715 shall be final and conclusive as to each lot or parcel assessed  
1716 unless proper steps are taken within 30 days in a court of  
1717 competent jurisdiction to secure relief. If the assessment  
1718 against any property shall be sustained or reduced or abated by  
1719 the court, the secretary of the board shall note that fact on

1720 the assessment roll opposite the description of the property  
 1721 affected thereby. The amount of the special assessment against  
 1722 any lot or parcel which may be abated by the court, unless the  
 1723 assessment upon all benefited property be abated, or the amount  
 1724 by which such assessment is so reduced, may by resolution of the  
 1725 board be made chargeable against the district at large; or, at  
 1726 the discretion of the board, a new assessment roll may be  
 1727 prepared and confirmed in the manner herein above provided for  
 1728 the preparation and confirmation of the original assessment  
 1729 roll.

1730 (i) Pending the final confirmation of such special  
 1731 assessments in the manner provided in this subsection, the  
 1732 district shall have a lien on all such lands and real estate  
 1733 after the confirmation of the initial resolution, in the manner  
 1734 provided in this subsection.

1735 (7) (a) The district engineer, under the procedure provided  
 1736 for in this subsection shall next, after the passage of the  
 1737 initial resolution and filing of the plans and estimates of cost  
 1738 by the district engineer, prepare an assessment roll for the  
 1739 district in duplicate, which assessment roll shall contain an  
 1740 apportionment of the estimated total cost of the improvement as  
 1741 between the district and each lot or parcel of land subject to  
 1742 the special assessment under the initial resolution, such  
 1743 apportionment to be made in accordance with the provisions of  
 1744 the initial resolution. One of the duplicates of said assessment  
 1745 roll shall be filed with the secretary of the board and the  
 1746 other duplicate shall be retained by the district engineer in

1747 his or her files, all thereof to remain open to public  
1748 inspection.

1749 (b) Upon the completion and filing of said assessment roll  
1750 the secretary to the board shall cause a copy thereof to be  
1751 published once in a newspaper published in Broward County and in  
1752 general circulation within the district, together with a notice  
1753 directed to all property owners interested in said special  
1754 assessments, stating that at a meeting of the board on a certain  
1755 day and hour, not earlier than 15 days after such publication,  
1756 the board sitting as an equalizing board, will hear objections  
1757 of all interested persons to the final confirmation of such  
1758 assessment roll, and will finally confirm such assessment roll  
1759 or take such action relative thereto as it deems necessary and  
1760 advisable. A copy of the notice shall be mailed to the  
1761 landowners of the land to be benefited by construction of the  
1762 assessable improvement. The landowners shall be determined by  
1763 reference to the last available tax roll of Broward County. The  
1764 secretary of the board shall keep a record in which shall be  
1765 inscribed, at the request of any person, firm, or corporation  
1766 having or claiming to have any interest in any lot or parcel of  
1767 land, the name and post office address of such person, firm, or  
1768 corporation, together with a brief description or designation of  
1769 such lot or parcel, and it shall be the duty of the secretary of  
1770 the board to mail a copy of such notice to such person, firm, or  
1771 corporation at such address at least 10 days before the time for  
1772 the hearing as stated in such notice, but the failure of the  
1773 secretary of the board to keep such record or so to inscribe any  
1774 name or address or to mail any such notice shall not constitute



1775 a valid objection to holding the hearing as provided in this  
1776 section or to any other action taken under the authority of this  
1777 section.

1778 (c) At the time and place named in the notice provided for  
1779 in the paragraph (b), the board shall meet as an equalizing  
1780 board to hear and consider any and all complaints as to said  
1781 special assessments, and shall adjust and equalize the said  
1782 special assessments on a basis of justice and right, and when so  
1783 equalized and approved such special assessments shall stand  
1784 confirmed and remain legal, valid, and binding liens upon the  
1785 properties upon which such special assessments are made, until  
1786 paid in accordance with the provisions of this act; provided,  
1787 however, that upon the completion of such improvements, if the  
1788 actual cost of such assessable improvements is less than the  
1789 amount of such special assessments levied, the district shall  
1790 rebate to the owners of any properties which shall have been  
1791 specially assessed for such assessable improvements the  
1792 difference in the special assessments as originally made,  
1793 levied, and confirmed, and the proportionate part of the actual  
1794 cost of said assessable improvements as finally determined upon  
1795 the completion of said assessable improvements; and in the event  
1796 that the actual cost of said assessable improvements shall be  
1797 more than the amount of such special assessments confirmed and  
1798 levied, finally determined upon the completion of said  
1799 assessable improvements, the proportionate part of such excess  
1800 cost of such assessable improvements may be levied against all  
1801 of the lands and properties against which such special  
1802 assessments were originally levied, or, in the alternative, the

1803 board may, in its discretion, pay such excess cost from any  
 1804 legally available funds.

1805 (d) All objections to any such assessment roll on the  
 1806 ground that it contains items which cannot be properly assessed  
 1807 against property, or that it is, for any default or defect in  
 1808 the passage or character of the assessment roll or the plans or  
 1809 specifications or estimate, void or voidable in whole or in  
 1810 part, or that it exceeds the power of the board, shall be made  
 1811 in writing in person or by attorney, and filed with the  
 1812 secretary of the board at or before the time or adjourned time  
 1813 of such hearing on the assessment roll. Any objections against  
 1814 the making of any assessable improvements not so made shall be  
 1815 considered as waived, and if any objections shall be made and  
 1816 overruled or shall not be sustained, the confirmation of the  
 1817 assessment roll shall be the final adjudication of the issue  
 1818 presented unless proper steps shall be taken in a court of  
 1819 competent jurisdiction to secure relief within 20 days.

1820 (e) All the provisions of subsection (6) not inconsistent  
 1821 with this subsection shall apply to the levy of special  
 1822 assessments under this subsection.

1823 (8) (a) Any assessment may be paid at the office of the  
 1824 secretary of the board within 60 days after the confirmation  
 1825 thereof, without interest. Thereafter all assessments shall be  
 1826 payable in equal installments, with interest as determined by  
 1827 the board, not to exceed 10 percent per year, from the  
 1828 expiration of said 60 days in each of the succeeding number of  
 1829 years which the board shall determine by resolution, not  
 1830 exceeding 20; provided, however, that the board may provide that

1831 any assessment may be paid at any time before due, together with  
1832 interest accrued thereon to the date of payment, if such prior  
1833 payment shall be permitted by the proceedings authorizing any  
1834 assessment bonds or other obligations for the payment of which  
1835 such special assessments have been pledged.

1836 (b) All such special assessments levied pursuant to this  
1837 act may, in the discretion of the board, be collected by the tax  
1838 collector of the county at the same time as the general county  
1839 taxes are collected by the tax collector of the county, and the  
1840 board shall in such event certify to the county tax collector in  
1841 each year a list of all such special assessments and a  
1842 description of and names of the owners of the properties against  
1843 such special assessments have been levied and the amounts due  
1844 thereof in such year, and interest thereon for any deficiencies  
1845 for prior years. The amount to be collected in such year may  
1846 include, in the discretion of the board, the principal  
1847 installment of such special assessments which will become due at  
1848 any time in the next succeeding fiscal year, and all or any part  
1849 of the interest which will become due on such special  
1850 assessments during such next fiscal year, together with any  
1851 deficiencies for prior years.

1852 (c) The board may, in lieu of providing for the collection  
1853 of said special assessments by the tax collector of the county,  
1854 provide for the collection of said special assessments by the  
1855 district under such terms and conditions as the board shall  
1856 determine. In such event, the bills or statements for the  
1857 amounts due in any fiscal year shall be mailed to the owners of  
1858 all properties affected by such special assessments at such time

1859 or times as the board shall determine and such bills or  
 1860 statements may include all or any part of the principal and  
 1861 interest which will mature and become due on the annual  
 1862 installments of such special assessments during the fiscal year  
 1863 in which installments of such special assessments are payable.

1864 (d) All charges of the county tax collector or of the  
 1865 district, and the fees, costs, and expenses of any paying  
 1866 agents, trustees, or other fiduciaries for assessment bonds  
 1867 issued under this act, shall be deemed to be costs of the  
 1868 operation and maintenance of any drainage improvements in  
 1869 connection with which such special assessments were levied and  
 1870 the board shall be authorized and directed to provide for the  
 1871 payment each year of such costs of collection, fees, and other  
 1872 expenses from the maintenance tax as provided in this act as  
 1873 shall be mutually agreed upon between the board and the county  
 1874 tax collector as additional compensation for his or her services  
 1875 for each such assessment district in which the special  
 1876 assessments are collected by him or her.

1877 (e) All assessments shall constitute a lien upon the  
 1878 property so assessed from the date of final confirmation  
 1879 thereof, of the same nature and to the same extent as the lien  
 1880 for general county taxes falling due in the same year or years  
 1881 in which such assessments or installments thereof fall due, and  
 1882 any assessment or installment not paid when due shall be  
 1883 collectable with such interest and with reasonable attorney's  
 1884 fee and costs, but without penalties, by the district by  
 1885 proceedings in a court of equity to foreclose the line of  
 1886 assessments as a lien for mortgages is or may be foreclosed

1887 under the laws of the state; provided that any such proceedings  
1888 to foreclose shall embrace all installments of principal  
1889 remaining unpaid with accrued interest thereon, which  
1890 installments shall, by virtue of the institution of such  
1891 proceedings, immediately become due and payable. Nevertheless,  
1892 if, prior to any sale of the property under decree of  
1893 foreclosure in such proceedings, payment is made of the  
1894 installment or installments which are shown to be due under the  
1895 provisions of subsection (6) or subsection (7), and by this  
1896 subsection and all costs, including interest and reasonable  
1897 attorney's fees, such payment shall have the effect of restoring  
1898 the remaining installments to their original maturities as  
1899 provided by the resolution passed pursuant to subsection (8) and  
1900 the proceedings shall be dismissed. It shall be the duty of the  
1901 board to enforce the prompt collection of assessment by the  
1902 means herein provided, and such duty may be enforced at the suit  
1903 of any holder of bonds issued under this act in a court of  
1904 competent jurisdiction by mandamus or other appropriate  
1905 proceedings or action. Not later than 30 days after the annual  
1906 installments are due and payable, it shall be the duty of the  
1907 board to direct the attorney for the district to institute  
1908 actions within 2 months after such direction to enforce the  
1909 collection of all special assessments for assessable  
1910 improvements made under this section and remaining due and  
1911 unpaid at the time of such direction. Such action shall be  
1912 prosecuted in the manner and under the conditions in and under  
1913 which mortgages are foreclosed under the laws of the state. It  
1914 shall be lawful to join in one action the collection of

1915 assessments against any or all property assessed by virtue of  
 1916 the same assessment roll unless the court shall deem such  
 1917 joinder prejudicial to the interest of any defendant. The court  
 1918 shall allow a reasonable attorney's fee for the attorney for the  
 1919 district and the same shall be collectable as a part of or in  
 1920 addition to the costs of the action. At the sale pursuant to  
 1921 decree in any such action, the district may be a purchaser to  
 1922 the same extent as an individual person or corporation, except  
 1923 that the part of the purchase price represented by the  
 1924 assessments sued upon and the interest thereon need not be paid  
 1925 in cash. Property so acquired by the district may be sold or  
 1926 otherwise disposed of.

1927 (f) All assessments and charges made under the provisions  
 1928 of this section for the payment of all or any part of the cost  
 1929 of any assessable improvements for which assessment bonds shall  
 1930 have been issued under the provisions of this act, or which have  
 1931 been pledged as additional security for any other bonds or  
 1932 obligations issued under this act, shall be maintained in a  
 1933 special fund or funds and be used only for the payment of  
 1934 principal or interest on such assessment bonds or other bonds or  
 1935 obligations.

1936 (g) Broward County and each school district and other  
 1937 political subdivision wholly or partly within the district shall  
 1938 possess the same power and be subject to the same duties and  
 1939 liabilities in respect of assessments under this section  
 1940 affecting the real estate of such county, school district, or  
 1941 other political subdivision which private owners of real estate  
 1942 possess or are subject to hereunder, and such real estate of any

1943 such county, school district, and political subdivision shall be  
 1944 subject to liens for said assessments in all cases where the  
 1945 same property would be subject to such liens had it at the time  
 1946 the lien attached been owned by a private owner.

1947 Section 43. Issuance of certificates of indebtedness based  
 1948 on assessments for assessable improvements; assessment bonds.--

1949 (1) The board may, after any assessments for assessable  
 1950 improvements are made, determined, and confirmed as provided in  
 1951 section 42, issue certificates of indebtedness for the amount so  
 1952 assessed against the abutting property or property otherwise  
 1953 benefited, as the case may be, and separate certificates shall  
 1954 be issued against each part or parcel of land or property  
 1955 assessed, which certificates shall state the general nature of  
 1956 the improvement for which the said assessment is made. Said  
 1957 certificates shall be payable in annual installments in  
 1958 accordance with the installments of the special assessment for  
 1959 which they are issued. The board may determine the interest to  
 1960 be borne by such certificates, not to exceed 10 percent per  
 1961 year, and may sell such certificates at either private or public  
 1962 sale and determine the form, manner of execution, and other  
 1963 details of such certificates. Such certificates shall recite  
 1964 that they are payable only from the special assessments levied  
 1965 and collected from the part or parcel of land or property  
 1966 against which they are issued. The proceeds of such certificates  
 1967 may be pledged for the payment of principal of and interest on  
 1968 any revenue bonds or general obligation bonds issued to finance  
 1969 in whole or in part such assessable improvement, or, if not so

1970 pledged, may be used to pay the cost or part of the cost of such  
 1971 assessable improvements.

1972 (2) The district may also issue assessment bonds or other  
 1973 obligations payable from a special fund into which such  
 1974 certificates of indebtedness referred to in the subsection (1)  
 1975 may be deposited; or, if such certificates of indebtedness have  
 1976 not been issued, the district may assign to such special fund  
 1977 for the benefit of the holders of such assessment bonds or other  
 1978 obligations, or to a trustee for such bondholders, the  
 1979 assessment liens provided for in this act unless such  
 1980 certificates of indebtedness or assessment liens have been  
 1981 theretofore pledged for any bonds or other obligations  
 1982 authorized hereunder. In the event of the creation of such  
 1983 special fund and the issuance of such assessment bonds or other  
 1984 obligations, the proceeds of such certificates of indebtedness  
 1985 of assessment liens deposited therein shall be used only for the  
 1986 payment of the assessment bonds or other obligations issued as  
 1987 provided in this section. The district is hereby authorized to  
 1988 covenant with the holders of such assessment bonds or other  
 1989 obligations that it will diligently and faithfully enforce and  
 1990 collect all the special assessments and interest and penalties  
 1991 thereon for which such certificates of indebtedness or  
 1992 assessment liens have been deposited in or assigned to such fund  
 1993 and to foreclose such assessment liens so assigned to such  
 1994 special fund or represented by the certificates of indebtedness  
 1995 deposited in said special fund, after such assessment liens have  
 1996 become delinquent, and deposit the proceeds derived from such  
 1997 foreclosure, including interest and penalties, in such special



1998 fund, and to make any other covenants deemed necessary or  
 1999 advisable in order to properly secure the holders of such  
 2000 assessment bonds or other obligations.

2001 (3) The assessment bonds or other obligations issued  
 2002 pursuant to this section shall have such dates of issue and  
 2003 maturity as shall be deemed advisable by the board, provided,  
 2004 however, that the maturities of such assessment bonds or other  
 2005 obligations shall not be more than 2 years after the due date of  
 2006 the last installment which will be payable on any of the special  
 2007 assessments for which such assessment liens, or the certificates  
 2008 of indebtedness representing such assessment liens, are assigned  
 2009 to or deposited in such special fund.

2010 (4) Such assessment bonds or other obligations issued  
 2011 under this section shall bear such interest as the board may  
 2012 determine not to exceed 10 percent per year, shall be executed,  
 2013 shall have such provisions for redemption prior to maturity, and  
 2014 shall be sold in the manner and be subject to all of the  
 2015 applicable provisions contained in this act for revenue bonds,  
 2016 except as the same may be inconsistent with the provisions of  
 2017 this section.

2018 (5) All assessment bonds or other obligations issued under  
 2019 the provisions of this act, except certificates of indebtedness  
 2020 issued against separate lots or parcels of land or property as  
 2021 provided in this section, shall be and constitute and have all  
 2022 the qualities and incidents of negotiable instruments under the  
 2023 law merchant and the laws of the state.

2024 Section 44. Foreclosure of liens.--Any lien in favor of  
 2025 the district arising under chapter 298, Florida Statutes, or

2026 under this act may be foreclosed by the district by foreclosure  
 2027 proceedings in the name of the district in the circuit court in  
 2028 like manner as is provided in chapter 173, Florida Statutes, and  
 2029 amendments thereto, and the provisions of said chapter shall be  
 2030 applicable to such proceedings with the same force and effect as  
 2031 if said provisions were expressly set forth in this act. Any act  
 2032 required or authorized to be done by or on behalf of a city or  
 2033 town in foreclosure proceedings under chapter 173, Florida  
 2034 Statutes, may be performed by such officer or agent of the  
 2035 district as the board of supervisors may designate. Such  
 2036 foreclosure proceedings may be brought at any time after the  
 2037 expiration of 1 year after the date any tax, or installment  
 2038 thereof, becomes delinquent.

2039 Section 45. Payment of taxes and redemption of tax liens  
 2040 by the district; sharing in proceeds of tax sale under section  
 2041 197.520, Florida Statutes, as amended.--

2042 (1) The district has the right to:

2043 (a) Pay any delinquent state, county, district, municipal,  
 2044 or other tax or assessment upon lands located wholly or  
 2045 partially within the boundaries of the district.

2046 (b) Redeem or purchase any tax sales certificate issued or  
 2047 sold on account of any state, county, district, municipal, or  
 2048 other taxes or assessments upon lands located wholly or  
 2049 partially within the boundaries of the district.

2050 (2) Delinquent taxes paid, or tax sales certificates  
 2051 redeemed or purchased, by the district, together with all  
 2052 penalties for the default in payment of the same and all costs  
 2053 in collecting the same and a reasonable attorney's fee, shall

2054 constitute a lien in favor of the district of equal dignity with  
 2055 the liens of state and county taxes and other taxes of equal  
 2056 dignity with state and county taxes, upon all the real property  
 2057 against which said taxes were levied. The lien of the district  
 2058 may be foreclosed in the manner provided in this act.

2059 (3) In any sale of land pursuant to section 197.520,  
 2060 Florida Statutes, and amendments thereto, the district may  
 2061 certify to the clerk of the circuit court of the county holding  
 2062 such sale, the amount of taxes due to the district upon the  
 2063 lands sought to be sold, and the district shall share in the  
 2064 disbursement of the sales proceeds in accordance with the  
 2065 provisions of this act and under law.

2066 Section 46. Mandatory use of certain district facilities  
 2067 and services.--The district may require all lands, buildings,  
 2068 and premises, and all persons, firms, and corporations within  
 2069 the district to use the drainage, reclamation, and water and  
 2070 sewer facilities of the district. Subject to such exceptions as  
 2071 may be provided by the resolutions, rules, or bylaws of the  
 2072 board, and subject to the terms and provisions of any resolution  
 2073 authorizing any bonds and agreements with bondholders, no  
 2074 drainage and reclamation or water and sewer facilities shall be  
 2075 constructed or operated within the district unless the board  
 2076 gives its consent thereto and approves the plans and  
 2077 specifications therefor.

2078 Section 47. Bids required.--No contract shall be let by  
 2079 the board for the construction or maintenance of any project  
 2080 authorized by this act, nor shall any goods, supplies, or  
 2081 materials be purchased when the amount thereof to be paid by

2082 said district shall exceed \$4,000, unless notice of bids shall  
 2083 be advertised once a week for 2 consecutive weeks in a newspaper  
 2084 published in Broward County and in general circulation within  
 2085 the district, and in each case the bid of the lowest responsible  
 2086 bidder shall be accepted, unless all bids are rejected because  
 2087 the bids are too high. The board may require the bidders to  
 2088 furnish bond with responsible surety to be approved by the  
 2089 board. Nothing in this section shall prevent the board from  
 2090 undertaking and performing the construction, operation, and  
 2091 maintenance of any project or facility authorized by this act,  
 2092 by the employment of labor, material, and machinery.

2093 Section 48. Maintenance of projects across rights-of-  
 2094 way.--The district shall have the power to construct and operate  
 2095 its projects in, along, or under any dedications to the public,  
 2096 platted rights-of-way, platted reservations, streets, alleys,  
 2097 highways, or other public places or ways, and across any drain,  
 2098 ditch, canal, floodway, holding basin, excavation, grade, fill,  
 2099 or cut, within or without the district.

2100 Section 49. Agreements with state commissions and  
 2101 others.--The board shall have the power to retain and enter into  
 2102 agreements with fiscal agents, financial advisors, state  
 2103 commissions, engineers, and other consultants or advisors with  
 2104 respect to the issuance and sale of any bonds, and the cost and  
 2105 expense thereof may be treated as part of the cost and expense  
 2106 of such project. Upon request of the board any state commission  
 2107 may provide such technical assistance or other services relating  
 2108 to bond issues as may be necessary or desirable under the  
 2109 circumstances.

2110        Section 50. Agreements with other political bodies for the  
2111 joint discharge of common functions.--The board and any other  
2112 political bodies, whether now in existence or hereafter created,  
2113 are authorized to enter into and carry into effect contracts and  
2114 agreements relating to the common powers, duties, and functions  
2115 of the board and any other political bodies, to the end that  
2116 there may be effective cooperation and coordination in  
2117 discharging their common functions, powers, and duties.

2118        Section 51. Fees, rentals, and charges; procedure for  
2119 adoption and modifications; minimum revenue requirements.--

2120        (1) The district is authorized to prescribe, fix,  
2121 establish, and collect rates, fees, rentals, or other charges  
2122 (hereinafter sometimes referred to as "revenues"), and to revise  
2123 the same from time to time, for the facilities and services  
2124 furnished by the district, within or without the limits of the  
2125 district; including, but not limited to, drainage facilities,  
2126 recreation facilities, and water and sewer systems, to recover  
2127 the costs of making connection with any district facility or  
2128 system; and to provide for reasonable penalties against any user  
2129 or property for any such rates, fees, rentals, or other charges  
2130 that are delinquent.

2131        (2) No such rates, fees, rentals, or other charges for any  
2132 of the facilities or services of the district shall be fixed  
2133 until after a public hearing at which all the users of the  
2134 proposed facility or services, owners, tenants, or occupants  
2135 served or to be served thereby and all other interested persons  
2136 shall have an opportunity to be heard concerning the proposed  
2137 rates, fees, rentals, or other charges. Notice of such public

2138 hearing setting forth the proposed schedule or schedules of  
2139 rates, fees, rentals, and other charges shall have been  
2140 published in a newspaper in Broward County in general  
2141 circulation within the district at least once at least 10 days  
2142 prior to such public hearing, which may be adjourned from time  
2143 to time. After such hearing such schedule or schedules, either  
2144 as initially proposed, or as modified or amended, may be finally  
2145 adopted. A copy of the schedule or schedules of such rates,  
2146 fees, rentals, or charges as finally adopted shall be kept on  
2147 file in an office designated by the board and shall be open at  
2148 all reasonable times to public inspection. The rates, fees,  
2149 rentals, or charges so fixed for any class of users or property  
2150 served shall be extended to cover any additional users or  
2151 properties thereafter served which shall fall in the same class,  
2152 without the necessity of any notice or hearing. Any change or  
2153 revision of rates, fees, rentals, or charges may be made in the  
2154 same manner as the same were originally established, as  
2155 hereinabove provided, except that if such changes or revisions  
2156 are made substantially pro rata as to all classes of the type of  
2157 service involved no notice or hearing shall be required.

2158 (3) Such rates, fees, rentals, and charges shall be just,  
2159 equitable, and uniform for users of the same class, and where  
2160 appropriate may be based or computed either upon the amount of  
2161 service furnished or upon the number or average number of  
2162 persons residing or working or otherwise occupying the premises  
2163 served, or upon any other factor affecting the use of the  
2164 facilities furnished, or upon any combination of the foregoing

2165 factors, as may be determined by the board on an equitable  
 2166 basis.

2167 (4) The rates, fees, rentals, or other charges prescribed  
 2168 shall be such as will produce revenues, together with any other  
 2169 assessments, taxes, revenues, or funds available or pledged for  
 2170 such purpose, at least sufficient to provide for the items  
 2171 hereinafter listed, but not necessarily in the order stated:

2172 (a) To provide for all expenses of operation and  
 2173 maintenance of such facility or service.

2174 (b) To pay when due all bonds and interest thereon for the  
 2175 payment of which such revenues are, or shall have been, pledged  
 2176 or encumbered, including reserves for such purpose.

2177 (c) To provide for any other funds which may be required  
 2178 under the resolution or resolutions authorizing the issuance of  
 2179 bonds pursuant to this act.

2180 (5) The board shall have the power to enter into contracts  
 2181 for the use of the projects of the district and with respect to  
 2182 the services and facilities furnished or to be furnished by the  
 2183 district, including, but not limited to, service agreements with  
 2184 landowners and others within or without the district providing  
 2185 for the drainage of land by the district or the furnishing of  
 2186 any of the other services and facilities of the district, for  
 2187 such consideration and on such other terms and conditions as the  
 2188 board may approve. No hearing or notice thereof shall be  
 2189 required prior to the authorization or execution by the board of  
 2190 any such contract or agreement, and the same shall not be  
 2191 subject to revision except in accordance with their terms. Such  
 2192 contracts or agreements, and revenues or service charges

2193 received or to be received by the district thereunder, may be  
 2194 pledged as security for any of the lands of the district.

2195 Section 52. Recovery of delinquent charges.--In the event  
 2196 that any of the rates, fees, rentals, charges, or delinquent  
 2197 penalties shall not be paid as and when due and shall be in  
 2198 default for 30 days or more, the unpaid balance thereof and all  
 2199 interest accrued thereon, together with reasonable attorney's  
 2200 fees and costs, may be recovered by the district in a civil  
 2201 action.

2202 Section 53. Discontinuance of service.--In the event that  
 2203 the fees, rentals, or other charges for the services and  
 2204 facilities of any project are not paid when due, the board shall  
 2205 have the power to discontinue and shut off the same until such  
 2206 fees, rentals, or other charges, including interest, penalties,  
 2207 and charges for the shutting off and discontinuance and the  
 2208 restoration of such services and facilities, are fully paid, and  
 2209 for such purposes may enter on any lands, waters, and premises  
 2210 of any person, firm, corporation, or body, public or private,  
 2211 within or without the district limits. Such delinquent fees,  
 2212 rentals, or other charges, together with interest, penalties,  
 2213 and charges for the shutting off and discontinuance and the  
 2214 restoration of such services and facilities, and the reasonable  
 2215 attorney's fees and other costs, may be recovered by the  
 2216 district, which may also enforce payment of such delinquent  
 2217 fees, rentals, or other charges by any other lawful method of  
 2218 enforcement.

2219 Section 54. Action taken on consent of landowners.--Any  
 2220 action required under this act or under chapter 298, Florida



2221 Statutes, to be taken on public hearing for the purpose of  
 2222 receiving and passing on objections by landowners may be taken  
 2223 without such notice or hearing upon the written consent of all  
 2224 of the landowners affected by such action.

2225 Section 55. Enforcement and penalties.--The board or any  
 2226 aggrieved person may have recourse to such remedies in law and  
 2227 equity as may be necessary to ensure compliance with the  
 2228 provisions of this act, including injunctive relief to enjoin or  
 2229 restrain any person violating the provisions of this act; and  
 2230 any bylaws, resolutions, regulations, rules, codes, and orders  
 2231 adopted under this act. In case any building or structure is  
 2232 erected, constructed, reconstructed, altered, repaired,  
 2233 converted, or maintained, or any building, structure, land, or  
 2234 water is used, in violation of this act, or of any code, order,  
 2235 resolution or other regulation made under authority conferred by  
 2236 this act or under law, the board and any citizen residing in the  
 2237 district may institute any appropriate action or proceeding to  
 2238 prevent such unlawful erection, construction, reconstruction,  
 2239 alteration, repair, conversion, maintenance, or use; to  
 2240 restrain, correct, or avoid such violation; to prevent the  
 2241 occupancy of such building, structure, land, or water; and to  
 2242 prevent any illegal act, conduct, business, or use in or about  
 2243 such premises, land, or water.

2244 Section 56. Exemption of district property from  
 2245 execution.--All district property shall be exempt from levy and  
 2246 sale by virtue of an execution and no execution or other  
 2247 judicial process shall issue against such property, nor shall  
 2248 any judgment against the district be a charge or lien on its

2249 property or revenues, provided that nothing herein contained  
2250 shall apply to or limit the rights of bondholders to pursue any  
2251 remedy for the enforcement of any lien or pledge given by the  
2252 district in connection with any of the bonds or obligations of  
2253 the district.

2254 Section 4. Chapters 71-580, 84-398, 85-387, 87-505, 89-  
2255 440, 91-353, 92-245, 94-445, and 96-537, Laws of Florida, are  
2256 repealed.

2257 Section 5. If any one or more of the sections or  
2258 provisions of this act or the application of such sections or  
2259 provisions to any situation, circumstances, or person, shall for  
2260 any reason be held to be unconstitutional, such  
2261 unconstitutionality shall not affect any other sections or  
2262 provisions as to any other situation, circumstances or person,  
2263 and it is intended that this law shall be construed and applied  
2264 as if such section or provision had not been included herein for  
2265 any unconstitutional application.

2266 Section 6. This act shall take effect upon becoming a law.