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1                                   A bill to be entitled  
 2           An act relating to Alligator Point Water Resources  
 3           District, Franklin County; codifying, amending,  
 4           reenacting, and repealing chapters 63-1350 and 85-414,  
 5           Laws of Florida; providing legislative intent; providing  
 6           definitions; providing that the district may provide sewer  
 7           and wastewater collection and disposal services; providing  
 8           severability; providing construction; providing for  
 9           annexation; requiring a referendum; providing an effective  
 10          date.

11  
 12 Be It Enacted by the Legislature of the State of Florida:

13  
 14           Section 1. Pursuant to section 189.429, Florida Statutes,  
 15 this act constitutes the codification of all special acts  
 16 relating to Alligator Point Water Resources District. It is the  
 17 intent of the Legislature in enacting this law to provide a  
 18 single, comprehensive special act charter for the district  
 19 including all current legislative authority granted to the  
 20 district by its several legislative enactments and any  
 21 additional authority granted by this act.

22           Section 2. Chapters 63-1350 and 85-414, Laws of Florida,  
 23 are amended, codified, reenacted, and repealed as herein  
 24 provided.

25           Section 3. The Alligator Point Water Resources District is  
 26 re-created and the charter for such district is re-created and  
 27 reenacted to read:

28           Section 1. This act shall be known as the "Alligator Point  
 29 Water Resources District Act."

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30 Section 2. As used in this act:

31 (1) "Water system" means waterworks or water treatment  
 32 plant, or other operation concerning fresh water production,  
 33 distribution, or sale.

34 (2) "District" means the Alligator Point Water Resources  
 35 District of Franklin County.

36 (3) "Board" means the Alligator Point Water Resources  
 37 Board.

38 (4) "Sewer system" means plant, system, facility, or other  
 39 operation concerning collection, treatment, purification, or  
 40 disposal of sewage.

41 Section 3. There is created in Franklin County an  
 42 independent special district to be known as Alligator Point  
 43 Water Resources District. The district shall include all that  
 44 portion of Alligator Point in said county described as follows:

45 Fractional sections 4, 5, 6 and 7 in Township 7,  
 46 South, Range 1 West and fractional section 1, 2, 3 and  
 47 12 in Township 7 South, Range 2 West.

48 Section 4. (1) The governing body of the district shall  
 49 be the Alligator Point Water Resources Board consisting of three  
 50 members, each of whom shall be the owner of the fee simple title  
 51 to real estate located in the district.

52 (2) Appointments to fill interim vacancies on the board  
 53 shall be for the unexpired term only. Members shall be appointed  
 54 by the Governor for terms of 4 years.

55 Section 5. Boards appointed by the Governor shall at their  
 56 first meeting elect from their membership a chair. No person  
 57 shall be appointed as a member of the board if such person is  
 58 not the owner of real property within the district.

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59 Section 6. The board of the Alligator Point Water

60 Resources District is authorized and empowered:

61 (1) To purchase and/or construct, reconstruct, buy,  
 62 improve, extend, enlarge, equip, repair, maintain, and operate a  
 63 water system; to provide fresh water either within or without  
 64 the district for a distance of 5 miles, or both; to operate,  
 65 manage, and control all such systems so purchased and/or  
 66 constructed and all properties pertaining thereto; and to  
 67 furnish and supply water, sewage, and disposal services to such  
 68 district or adjoining area and any persons, firms, or  
 69 corporation, public or private, in any such area.

70 (2) To issue negotiable water revenue certificates of the  
 71 district, payable from revenues to be derived from the operation  
 72 of said water and/or sewer system.

73 (3) To levy a tax not to exceed 5 mills on all taxable  
 74 property within the district.

75 (4) To fix and collect rates and charges for water or  
 76 sewer furnished by said water and sewer systems and to fix and  
 77 collect charges for making connections with any water or sewer  
 78 system.

79 (5) To acquire in the name of the district, by purchase,  
 80 gift, or the exercise of the right of eminent domain, within and  
 81 without such lands and rights and interests therein, including  
 82 lands over and under water and riparian rights; to acquire such  
 83 personal property as it may deem necessary in connection with  
 84 the construction or operation of water and sewer systems; and to  
 85 hold and dispose of all real and personal property under its  
 86 control.

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87       (6) To make and enter into all contracts and agreements  
 88       necessary or incidental to the performance of its duties and the  
 89       execution of its powers under this act, including a trust  
 90       agreement or trust agreements securing any bonds issued  
 91       hereunder; to employ such expert and clerical personnel as may,  
 92       in the judgment of the board, be deemed necessary; and to fix  
 93       their compensation, provided, however, that all such expenses  
 94       shall be payable solely from funds made available under the  
 95       provisions of this act.

96       (7) To exercise jurisdiction, control, and supervision  
 97       over any water and sewer systems owned, operated, or maintained  
 98       by it; to make and enforce such rules and regulations for the  
 99       maintenance and operation of any such system as may in its  
 100       judgment be necessary or desirable for the efficient operation  
 101       thereof; and to accomplish the purposes of this act.

102       (8) To enter on any lands, water, or premises located  
 103       within or without the district to make surveys, borings,  
 104       soundings, or examinations to effectuate the purposes of this  
 105       act.

106       (9) To construct and operate water mains, laterals,  
 107       conduits, pipelines, pumping stations, lift stations, valves,  
 108       force mains, laterals, pressure lines, mains, and all necessary  
 109       appurtenances thereto, in, along, or under any street, alleys,  
 110       highways, or other public places within or without the district.

111       (10) To restrain, enjoin, or otherwise prevent any  
 112       political subdivision or agency and any person or corporation,  
 113       public or private, from discharging into any navigable or  
 114       nonnavigable waters within the limits of the district any  
 115       sewage, industrial waters, or other refuse which would

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116 contribute to the pollution of such and to restrain, enjoin, or  
 117 otherwise prevent the violation of any provision of this act or  
 118 any resolution, regulation, or rule adopted pursuant to the  
 119 powers granted by this act.

120 (11) Subject to such provisions and restrictions as may be  
 121 set forth in any resolution or trust agreement authorizing or  
 122 securing any bonds issued under the provisions of this act, to  
 123 enter into contracts with the government of the United States or  
 124 the state or any agency or instrumentality of either thereof, or  
 125 with any municipality, district, private corporation,  
 126 copartnership, association, or individual providing for or  
 127 relating to such water system or the purchase and sale of water  
 128 or sewer system and the disposal of sewage.

129 (12) To receive and accept from any authorized agency of  
 130 the Federal Government loans or grants for the planning,  
 131 construction, improvement, extension, enlargement,  
 132 reconstruction, or equipment of any water and sewer systems; to  
 133 enter into agreements with such agency respecting any such loans  
 134 or grants; and to receive and accept aid or contributions from  
 135 any source of either money, property, labor, or other things of  
 136 value, to be held, used, and applied only for the purposes for  
 137 which such loans, grants, or contributions be made.

138 (13) To do all acts and things necessary or convenient to  
 139 carry out the powers expressly granted in this act.

140 Section 7. No funds of the district shall be used for any  
 141 purpose other than those defined in section 6 and the  
 142 administration of the affairs and business of the district, or  
 143 the purpose, acquisition, construction, expansion, care,  
 144 maintenance, upkeep, and operation of a fresh water system and

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145 sewer system in the district as the board may determine to be  
 146 for the best interest of the district and inhabitants thereof.

147 Section 8. All taxable property within the district shall  
 148 be subject to an ad valorem tax not to exceed 5 mills of the  
 149 assessed valuation of such property to be used to carry out the  
 150 purposes of this act. In accordance with timetables set by  
 151 Florida Statutes, each year the district board shall meet and  
 152 determine the millage necessary to provide funds to be levied  
 153 and assessed on such property to carry out the purposes of this  
 154 act; provided, however, that the millage determined by the board  
 155 shall not exceed the limitations of this section. The ad valorem  
 156 tax authorized by this section shall be levied and collected in  
 157 the same manner as taxes for county purposes are assessed and  
 158 collected in Franklin County. Taxes of the district shall be of  
 159 equal dignity with taxes for county purposes and shall become  
 160 liens and be enforced in the same manner as taxes for county  
 161 purposes.

162 Section 9. The board may fix and revise from time to time  
 163 rates and charges for water furnished by any water system and  
 164 for sewage disposal by any sewer system and charge and collect  
 165 the same. Any such rates and charges shall be so fixed and  
 166 revised as to provide funds, with other funds available for such  
 167 purpose, sufficient at all times:

168 (1) To pay the cost of maintaining, repairing, and  
 169 operating the water and sewer systems of the district, and to  
 170 provide reserves therefor and for replacements, depreciation,  
 171 and necessary extensions and enlargements.

172 (2) To pay the principal of and the interest on all  
 173 outstanding bonds for the payment of which such rates and

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174 charges are pledged as the same shall become due and provide  
 175 reserves therefor.

176 (3) To provide a margin of safety for making such payments  
 177 and providing such reserves. Such rates and charges shall not be  
 178 subject to supervision or regulation by any commission, board,  
 179 bureau, or agency of the state or of any political subdivision  
 180 of the state. Such rates and charges shall be just and  
 181 equitable.

182 Section 10. The board may provide in the resolution  
 183 authorizing the issuance of bonds under this act or in any trust  
 184 agreement securing such bonds that if any water or sewer rates  
 185 shall not be paid within 30 days from the rendition of any such  
 186 bills, the district shall discontinue furnishing water to such  
 187 premises and may disconnect the same from the water system. Any  
 188 such resolution or trust agreement may include any or all of the  
 189 following provisions, and may require the board to adopt such  
 190 resolutions or to take such other lawful action as shall be  
 191 necessary to effectuate such provisions, and the board is hereby  
 192 authorized to adopt such resolutions and to take such other  
 193 action.

194 (1) The district may require the owner, tenant, or  
 195 occupant of each lot or parcel of land within the district who  
 196 is obligated to pay water or sewer rates to the district; to  
 197 make a reasonable deposit with the district in advance; to  
 198 ensure the payment of such rates or charges; and to be subject  
 199 to application to the payment thereof if and when delinquent.

200 (2) If any water or sewer rates charges payable to the  
 201 district shall not be paid within 30 days after the same shall  
 202 become due and payable, the district may at the expiration of

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203 such 30 days period disconnect the premises from the water  
 204 system and the district may proceed to recover the amount of any  
 205 such delinquent rates or charges, with interest at the highest  
 206 legal rate, in any court having jurisdiction over claims for  
 207 money damages.

208 Section 11. The provisions of this act are severable, and  
 209 it is the intention to confer the whole or any part of the  
 210 powers herein provided for and if any of the provisions of this  
 211 act shall be held unconstitutional by any court of competent  
 212 jurisdiction, the decision of such court shall not affect or  
 213 impair any of the remaining provisions of this act. It is hereby  
 214 declared to be the legislative intent that this act would have  
 215 been adopted had such unconstitutional provision not been  
 216 included therein.

217 Section 4. This act shall be construed as a remedial act  
 218 and shall be liberally construed to promote the purpose for  
 219 which it is intended.

220 Section 5. Chapters 63-1350 and 85-414, Laws of Florida,  
 221 are repealed.

222 Section 6. In accordance with the provisions of law  
 223 relating to elections currently in force, a referendum shall be  
 224 called by the Franklin County Supervisor of Elections, to be  
 225 paid for by the Alligator Point Water Resources District, on the  
 226 question of whether the boundaries of the Alligator Point Water  
 227 Resources District shall be modified to include land in section  
 228 7 and whether property within the annexed area shall be subject  
 229 to an ad valorem tax not to exceed 5 mills.

230 Section 7. Effective 15 days after approval by a majority  
 231 vote of those qualified electors residing within the area



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232 proposed to be annexed and voting on the question in the  
 233 referendum, section 3 of the charter contained in section 3 of  
 234 this act shall be amended to read:

235 Section 3. There is created in Franklin County a special  
 236 taxing district to be known as Alligator Point Water Resources  
 237 District. The district shall include all that portion of  
 238 Alligator Point in said county described as follows:

239 Fractional sections 4, 5, 6 and 7 in Township 7,  
 240 South, Range 1 West and fractional section 1, 2, 3 and  
 241 12 in Township 7 South, Range 2 West.

242  
 243 A parcel of land in Township 6 South, Range 1 West,  
 244 Township 6 South, Range 2 West, Franklin County,  
 245 Florida, described as follows:

246  
 247 All of Sections 17, 20, 21, 28, 29, 31, 32 and 33,  
 248 Township 6 South, Range 1 West;

249  
 250 AND:

251  
 252 That part of Sections 18 and 19, Township 6 South,  
 253 Range 1 West, Franklin County, Florida lying Easterly  
 254 of the following described line:

255  
 256 For a POINT OF BEGINNING commence at the Northwest  
 257 corner of Section 30, Township 6 South, Range 1 West,  
 258 Franklin County, Florida; thence N 00°13'04" W along  
 259 the West line of the Southwest 1/4 of said Section 19  
 260 a distance of 2645.60 feet to the Northwest corner of

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261 said Southwest 1/4; thence N 00°13'26" W along the  
 262 West line of the Northwest 1/4 of said Section 19 a  
 263 distance of 799.70 feet; thence N 80°03'23" E a  
 264 distance of 1556 feet, more or less, to the waters of  
 265 an unnamed tidal creek; thence Southerly, Easterly and  
 266 Northerly along the waters of said unnamed tidal creek  
 267 to the waters of Ochlockonee Bay and the POINT OF  
 268 TERMINATION;

269

270 AND:

271

272 That part of Section 30, Township 6 South, Range 1  
 273 West, and Sections 25 and 36, Township 6 South, Range  
 274 2 West, Franklin County, Florida lying easterly of the  
 275 following described line:

276

277 For a POINT OF BEGINNING commence at the Northwest  
 278 corner of said Section 30; thence S 00°16'05" E along  
 279 the west line of said Section 30 a distance of 278.33  
 280 feet to a point of intersection with a line that is  
 281 parallel with and 25 feet westerly of the centerline  
 282 of an existing unnamed woods road, said point being on  
 283 a non-tangent curve to the right, concave westerly,  
 284 having a radius of 973.04 feet; thence southerly along  
 285 the arc of said curve, through a central angle of  
 286 03°46'22" for an arc length of 64.07 feet, said curve  
 287 subtended by a chord bearing S 14°07'41" E for 64.06  
 288 feet, to an intersection with a non-tangent curve to  
 289 the left, concave southeasterly, having a radius of

290 85.00 feet; thence southwesterly along the arc of said  
 291 curve, through a central angle of 32°48'03" for an arc  
 292 length of 48.66 feet, said curve subtended by a chord  
 293 bearing S 26°58'09" W for 48.00 feet, to the PRC with  
 294 a curve to the right, concave westerly, having a  
 295 radius of 725.03 feet; thence southerly along the arc  
 296 of said curve, through a central angle of 09°30'31"  
 297 for an arc length of 120.33 feet to the PT; thence S  
 298 20°04'38" W a distance of 23.17 feet to the PC of a  
 299 curve to the left, concave easterly, having a radius  
 300 of 221.01 feet; thence southerly along the arc of said  
 301 curve, through a central angle of 24°30'22" for an arc  
 302 length of 94.53 feet to the PT; thence S 04°25'44" E a  
 303 distance of 93.27 feet to the PC of a curve to the  
 304 right, concave westerly, having a radius of 310.59  
 305 feet; thence southerly along the arc of said curve,  
 306 through a central angle of 30°49'17" for an arc length  
 307 of 167.08 feet to the PT; thence S 26°23'33" W a  
 308 distance of 116.92 feet to the PC of a curve to the  
 309 left, concave southeasterly, having a radius of 287.01  
 310 feet; thence southwesterly along the arc of said  
 311 curve, through a central angle of 17°25'20" for an arc  
 312 length of 87.27 feet to the PCC with a curve to the  
 313 left, concave easterly, having a radius of 225.01  
 314 feet; thence southerly along the arc of said curve,  
 315 through a central angle of 19°30'16" for an arc length  
 316 of 76.60 feet to the PCC with a curve to the left,  
 317 concave northeasterly, having a radius of 475.02 feet;  
 318 thence southeasterly along the arc of said curve,

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319 through a central angle of 18°51'32" for an arc length  
 320 of 156.35 feet to the PT; thence S 29°23'36" E a  
 321 distance of 108.55 feet to the PC of a curve to the  
 322 right, concave westerly, having a radius of 254.01  
 323 feet; thence southerly along the arc of said curve,  
 324 through a central angle of 35°25'30" for an arc length  
 325 of 157.05 feet to the PT; thence S 06°01'54" W a  
 326 distance of 145.63 feet to the PC of a curve to the  
 327 left, concave easterly, having a radius of 275.01  
 328 feet; thence southerly along the arc of said curve,  
 329 through a central angle of 20°25'36" for an arc length  
 330 of 98.04 feet to the PRC with a curve to the right,  
 331 concave westerly, having a radius of 188.78 feet;  
 332 thence southerly along the arc of said curve, through  
 333 a central angle of 22°37'19" for an arc length of  
 334 74.54 feet to the PT; thence S 08°13'37" W a distance  
 335 of 110.11 feet to the PC of a curve to the right,  
 336 concave northwesterly, having a radius of 55.00 feet;  
 337 thence southwesterly along the arc of said curve,  
 338 through a central angle of 57°46'34" for an arc length  
 339 of 55.46 feet to the PT; thence S 66°00'12" W a  
 340 distance of 99.90 feet to the PC of a curve to the  
 341 left, concave southeasterly, having a radius of 125.00  
 342 feet; thence southwesterly along the arc of said  
 343 curve, through a central angle of 28°30'00" for an arc  
 344 length of 62.18 feet to the PCC with a curve to the  
 345 left, concave southeasterly, having a radius of 255.01  
 346 feet; thence southwesterly along the arc of said  
 347 curve, through a central angle of 13°28'58" for an arc

348 length of 60.01 feet to the PT; thence S 24°01'13" W a  
 349 distance of 85.10 feet to the PC of a curve to the  
 350 left, concave easterly, having a radius of 240.01  
 351 feet; thence southerly along the arc of said curve,  
 352 through a central angle of 38°23'12" for an arc length  
 353 of 160.80 feet to the PRC with a curve to the right,  
 354 concave westerly, having a radius of 5734.76 feet;  
 355 thence southerly along the arc of said curve, through  
 356 a central angle of 01°25'26" for an arc length of  
 357 142.51 feet to the PCC with a curve to the right,  
 358 concave westerly, having a radius of 1200.05 feet;  
 359 thence southerly along the arc of said curve, through  
 360 a central angle of 08°00'00" for an arc length of  
 361 167.56 feet to the PT; thence S 04°56'33" E for a  
 362 distance of 97.78 feet to the PC of a curve to the  
 363 right, concave westerly, having a radius of 159.48  
 364 feet; thence southerly along the arc of said curve,  
 365 through a central angle of 24°10'04" for an arc length  
 366 of 67.27 feet to the PT; thence S 19°13'31" W a  
 367 distance of 81.51 feet to the PC of a curve to the  
 368 left, concave easterly, having a radius of 261.29  
 369 feet; thence southerly along the arc of said curve,  
 370 through a central angle of 20°52'24" for an arc length  
 371 of 95.19 feet to the PT; thence S 01°38'53" E a  
 372 distance of 161.74 feet to the PC of a curve to the  
 373 left, concave northeasterly, having a radius of 103.82  
 374 feet; thence southeasterly along the arc of said  
 375 curve, through a central angle of 37°13'42" for an arc  
 376 length of 67.46 feet to the PT; thence S 38°52'35" E a

377 distance of 59.04 feet to the PC of a curve to the  
 378 left, concave northeasterly, having a radius of 145.01  
 379 feet; thence southeasterly along the arc of said  
 380 curve, through a central angle of 17°01'58" for an arc  
 381 length of 43.11 feet to the PCC with a curve to the  
 382 left, concave northeasterly, having a radius of  
 383 1165.05 feet; thence southeasterly along the arc of  
 384 said curve, through a central angle of 05°24'08" for  
 385 an arc length of 109.85 feet to the PRC with a curve  
 386 to the right, concave southwesterly, having a radius  
 387 of 130.01 feet; thence southeasterly along the arc of  
 388 said curve, through a central angle of 35°15'03" for  
 389 an arc length of 79.99 feet to the PT; thence S  
 390 26°03'37" E a distance of 36.95 feet to the PC of a  
 391 curve to the right, concave westerly, having a radius  
 392 of 155.90 feet; thence southerly along the arc of said  
 393 curve, through a central angle of 19°29'19" for an arc  
 394 length of 53.03 feet to the PT; thence S 06°34'18" E a  
 395 distance of 145.31 feet to the PC of a curve to the  
 396 right, concave westerly, having a radius of 381.72  
 397 feet; thence southerly along the arc of said curve,  
 398 through a central angle of 20°52'37" for an arc length  
 399 of 139.09 feet to the PRC with a curve to the left,  
 400 concave easterly, having a radius of 217.01 feet;  
 401 thence southerly along the arc of said curve, through  
 402 a central angle of 15°07'08" for an arc length of  
 403 57.26 feet to the PT; thence S 00°48'49" E a distance  
 404 of 918.62 feet to the PC of a curve to the left,  
 405 concave easterly, having a radius of 1100.05 feet;

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406 thence southerly along the arc of said curve, through  
407 a central angle of 03°32'45" for an arc length of  
408 68.08 feet to the PRC with a curve to the right,  
409 concave westerly, having a radius of 1081.49 feet;  
410 thence southerly along the arc of said curve, through  
411 a central angle of 07°46'27" for an arc length of  
412 146.74 feet to the PRC of a curve to the left, concave  
413 easterly, having a radius of 371.42 feet; thence  
414 southerly along the arc of said curve, through a  
415 central angle of 09°50'26" for an arc length of 63.79  
416 feet to the PRC with a curve to the right, concave  
417 westerly, having a radius of 466.22 feet; thence  
418 southerly along the arc of said curve, through a  
419 central angle of 10°34'22" for an arc length of 86.03  
420 feet to the PRC with a curve to the left, concave  
421 easterly, having a radius of 1097.87 feet; thence  
422 southerly along the arc of said curve, through a  
423 central angle of 08°04'58" for an arc length of 154.87  
424 feet to the PRC with a curve to the right, concave  
425 westerly, having a radius of 157.61 feet; thence  
426 southerly along the arc of said curve, through a  
427 central angle of 21°49'49" for an arc length of 60.05  
428 feet to the PRC with a curve to the left, concave  
429 easterly, having a radius of 525.02 feet; thence  
430 southerly along the arc of said curve, through a  
431 central angle of 10°11'47" for an arc length of 93.43  
432 feet to the PCC with a curve to the left, concave  
433 easterly, having a radius of 581.75 feet; thence  
434 southerly along the arc of said curve, through a

435 central angle of 11°08'59" for an arc length of 113.21  
 436 feet to the PRC with a curve to the right, concave  
 437 westerly, having a radius of 651.66 feet; thence  
 438 southerly along the arc of said curve, through a  
 439 central angle of 03°52'58" for an arc length of 44.16  
 440 feet to the PRC with a curve to the left, concave  
 441 easterly, having a radius of 5339.97 feet; thence  
 442 southerly along the arc of said curve, through a  
 443 central angle of 01°57'39" for an arc length of 182.76  
 444 feet to the PT; thence S 01°31'47" E a distance of  
 445 205.41 feet to the PC of a curve to the right, concave  
 446 westerly, having a radius of 1347.71 feet; thence  
 447 southerly along the arc of said curve, through a  
 448 central angle of 03°51'32" for an arc length of 90.77  
 449 feet to the PRC with a curve to the left, concave  
 450 easterly, having a radius of 1572.32 feet; thence  
 451 southerly along the arc of said curve, through a  
 452 central angle of 04°54'51" for an arc length of 134.85  
 453 feet to the PT; thence S 02°35'06" E a distance of  
 454 221.17 feet to the PC of a curve to the right, concave  
 455 westerly, having a radius of 129.00 feet; thence  
 456 southerly along the arc of said curve, through a  
 457 central angle of 04°53'08" for an arc length of 11.00  
 458 feet to the PRC with a curve to the left, concave  
 459 easterly, having a radius of 4508.07 feet; thence  
 460 southerly along the arc of said curve, through a  
 461 central angle of 02°37'18" for an arc length of 206.27  
 462 feet to an intersection with a line that is parallel  
 463 with and 1320.00 feet southerly of a westerly



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464 projection of the South line of said Section 30;  
465 thence S 88°48'15" W along said line a distance of  
466 1475.19 feet to an intersection with a line that is  
467 parallel with and 1500.00 feet westerly of a southerly  
468 projection of the West line of said Section 30; thence  
469 S 00°16'05" E a distance of 703 feet, more or less, to  
470 the waters of Alligator Harbor and the POINT OF  
471 TERMINATION.  
472 Section 8. This act shall take effect upon becoming a law.