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

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

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

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are amended, codified, reenacted, and repealed as herein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

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

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

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.

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 the area
64 described in section 3 of this act or to property located
65 outside the district's boundaries if the district enters into an
66 agreement with effected property owners, or both; to operate,
67 manage, and control all such systems so purchased and/or
68 constructed and all properties pertaining thereto; and to
69 furnish and supply water, sewage, and disposal services to such
70 district or adjoining area and any persons, firms, or
71 corporation, public or private, in any such area.

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

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

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

81 (5) To acquire in the name of the district, by purchase or
82 gift, within and without such lands and rights and interests

83 therein, including lands over and under water and riparian
 84 rights; to acquire such personal property as it may deem
 85 necessary in connection with the construction or operation of
 86 water and sewer systems; and to hold and dispose of all real and
 87 personal property under its control.

88 (6) To enter into contracts with private parties or
 89 interlocal agreements with governmental entities for the purpose
 90 of purchasing, constructing, operating, or maintaining a water
 91 system or providing water services in the area described in
 92 section 3 of this act or to areas outside the district's
 93 boundaries.

94 (7) To exercise the right and power of eminent domain,
 95 pursuant to general law, over property described in section 3,
 96 except municipal, county, state, special district, or federal
 97 property used for a public purpose.

98 (8) To make and enter into all contracts and agreements
 99 necessary or incidental to the performance of its duties and the
 100 execution of its powers under this act, including a trust
 101 agreement or trust agreements securing any bonds issued
 102 hereunder; to employ such expert and clerical personnel as may,
 103 in the judgment of the board, be deemed necessary; and to fix
 104 their compensation, provided, however, that all such expenses
 105 shall be payable solely from funds made available under the
 106 provisions of this act.

107 (9) To exercise jurisdiction, control, and supervision
 108 over any water and sewer systems owned, operated, or maintained
 109 by it; to make and enforce such rules and regulations for the
 110 maintenance and operation of any such system as may in its

111 judgment be necessary or desirable for the efficient operation
112 thereof; and to accomplish the purposes of this act.

113 (10) To enter on any lands, water, or premises located
114 within the area described in section 3 or, pursuant to an
115 agreement with the property owner or interlocal agreement, land
116 located outside the district's boundaries to make surveys,
117 borings, soundings, or examinations to effectuate the purposes
118 of this act.

119 (11) To construct and operate water mains, laterals,
120 conduits, pipelines, pumping stations, lift stations, valves,
121 force mains, laterals, pressure lines, mains, and all necessary
122 appurtenances thereto, in, along, or under any street, alley,
123 highway, or other public place in the area described in section
124 3 or any other area that is subject to an agreement between the
125 district and the entity controlling the public property.

126 (12) To restrain, enjoin, or otherwise prevent any
127 political subdivision or agency and any person or corporation,
128 public or private, from discharging into any navigable or
129 nonnavigable waters within the limits of the district any
130 sewage, industrial waters, or other refuse which would
131 contribute to the pollution of such and to restrain, enjoin, or
132 otherwise prevent the violation of any provision of this act or
133 any resolution, regulation, or rule adopted pursuant to the
134 powers granted by this act.

135 (13) Subject to such provisions and restrictions as may be
136 set forth in any resolution or trust agreement authorizing or
137 securing any bonds issued under the provisions of this act, to
138 enter into contracts with the government of the United States or

139 the state or any agency or instrumentality of either thereof, or
 140 with any municipality, district, private corporation,
 141 copartnership, association, or individual providing for or
 142 relating to such water system or the purchase and sale of water
 143 or sewer system and the disposal of sewage.

144 (14) To receive and accept from any authorized agency of
 145 the Federal Government loans or grants for the planning,
 146 construction, improvement, extension, enlargement,
 147 reconstruction, or equipment of any water and sewer systems; to
 148 enter into agreements with such agency respecting any such loans
 149 or grants; and to receive and accept aid or contributions from
 150 any source of either money, property, labor, or other things of
 151 value, to be held, used, and applied only for the purposes for
 152 which such loans, grants, or contributions be made.

153 (15) To do all acts and things necessary or convenient to
 154 carry out the powers expressly granted in this act.

155 Section 7. No funds of the district shall be used for any
 156 purpose other than those defined in section 6 and the
 157 administration of the affairs and business of the district, or
 158 the purpose, acquisition, construction, expansion, care,
 159 maintenance, upkeep, and operation of a fresh water system and
 160 sewer system in the district as the board may determine to be
 161 for the best interest of the district and inhabitants thereof.

162 Section 8. All taxable property within the district shall
 163 be subject to an ad valorem tax not to exceed 5 mills of the
 164 assessed valuation of such property to be used to carry out the
 165 purposes of this act. In accordance with timetables set by
 166 Florida Statutes, each year the district board shall meet and

167 determine the millage necessary to provide funds to be levied
168 and assessed on such property to carry out the purposes of this
169 act; provided, however, that the millage determined by the board
170 shall not exceed the limitations of this section. The ad valorem
171 tax authorized by this section shall be levied and collected in
172 the same manner as taxes for county purposes are assessed and
173 collected in Franklin County. Taxes of the district shall be of
174 equal dignity with taxes for county purposes and shall become
175 liens and be enforced in the same manner as taxes for county
176 purposes.

177 Section 9. The board may fix and revise from time to time
178 rates and charges for water furnished by any water system and
179 for sewage disposal by any sewer system and charge and collect
180 the same. Any such rates and charges shall be so fixed and
181 revised as to provide funds, with other funds available for such
182 purpose, sufficient at all times:

183 (1) To pay the cost of maintaining, repairing, and
184 operating the water and sewer systems of the district, and to
185 provide reserves therefor and for replacements, depreciation,
186 and necessary extensions and enlargements.

187 (2) To pay the principal of and the interest on all
188 outstanding bonds for the payment of which such rates and
189 charges are pledged as the same shall become due and provide
190 reserves therefor.

191 (3) To provide a margin of safety for making such payments
192 and providing such reserves. Such rates and charges shall not be
193 subject to supervision or regulation by any commission, board,
194 bureau, or agency of the state or of any political subdivision

195 of the state. Such rates and charges shall be just and
 196 equitable.

197 Section 10. The board may provide in the resolution
 198 authorizing the issuance of bonds under this act or in any trust
 199 agreement securing such bonds that if any water or sewer rates
 200 shall not be paid within 30 days from the rendition of any such
 201 bills, the district shall discontinue furnishing water to such
 202 premises and may disconnect the same from the water system. Any
 203 such resolution or trust agreement may include any or all of the
 204 following provisions, and may require the board to adopt such
 205 resolutions or to take such other lawful action as shall be
 206 necessary to effectuate such provisions, and the board is hereby
 207 authorized to adopt such resolutions and to take such other
 208 action.

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

215 (2) If any water or sewer rates charges payable to the
 216 district shall not be paid within 30 days after the same shall
 217 become due and payable, the district may at the expiration of
 218 such 30 days period disconnect the premises from the water
 219 system and the district may proceed to recover the amount of any
 220 such delinquent rates or charges, with interest at the highest
 221 legal rate, in any court having jurisdiction over claims for
 222 money damages.

223 Section 11. The provisions of this act are severable, and
224 it is the intention to confer the whole or any part of the
225 powers herein provided for and if any of the provisions of this
226 act shall be held unconstitutional by any court of competent
227 jurisdiction, the decision of such court shall not affect or
228 impair any of the remaining provisions of this act. It is hereby
229 declared to be the legislative intent that this act would have
230 been adopted had such unconstitutional provision not been
231 included therein.

232 Section 4. This act shall be construed as a remedial act
233 and shall be liberally construed to promote the purpose for
234 which it is intended.

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

237 Section 6. In accordance with provisions of law relating
238 to elections currently in force, the Alligator Point Water
239 Resources District shall call and the Franklin County Supervisor
240 of Elections shall conduct a referendum no later than November
241 30, 2006, of the qualified electors residing within the area
242 proposed to be annexed pursuant to section 7. "Qualified
243 elector" means a person who is a registered voter qualified to
244 vote in a general election held in Franklin County. The purpose
245 of said referendum shall be to determine whether the boundaries
246 of the Alligator Point Water Resources District shall be
247 expanded to include land that is not currently within the
248 district's boundaries as described in section 7, and whether
249 property within the annexed area shall be subject to ad valorem
250 taxation at a rate not to exceed 5 mills.

251 Section 7. Effective 15 days after approval by a majority
 252 vote of those qualified electors residing within the area
 253 proposed to be annexed and voting on the question in the
 254 referendum, section 3 of the charter contained in section 3 of
 255 this act shall be amended to read:

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

260 Fractional sections 4, 5, 6 and 7 in Township 7,
 261 South, Range 1 West and fractional section 1, 2, 3 and
 262 12 in Township 7 South, Range 2 West.

263
 264 A parcel of land in Township 6 South, Range 1 West,
 265 Township 6 South, Range 2 West, Franklin County,
 266 Florida, described as follows:

267
 268 All of Sections 17, 20, 21, 28, 29, 31, 32 and 33,
 269 Township 6 South, Range 1 West;

270
 271 AND:

272
 273 That part of Sections 18 and 19, Township 6 South,
 274 Range 1 West, Franklin County, Florida lying Easterly
 275 of the following described line:

276
 277 For a POINT OF BEGINNING commence at the Northwest
 278 corner of Section 30, Township 6 South, Range 1 West,

279 Franklin County, Florida; thence N 00°13'04" W along
 280 the West line of the Southwest 1/4 of said Section 19
 281 a distance of 2645.60 feet to the Northwest corner of
 282 said Southwest 1/4; thence N 00°13'26" W along the
 283 West line of the Northwest 1/4 of said Section 19 a
 284 distance of 799.70 feet; thence N 80°03'23" E a
 285 distance of 1556 feet, more or less, to the waters of
 286 an unnamed tidal creek; thence Southerly, Easterly and
 287 Northerly along the waters of said unnamed tidal creek
 288 to the waters of Ochlockonee Bay and the POINT OF
 289 TERMINATION;

290
 291 AND:
 292

293 That part of Section 30, Township 6 South, Range 1
 294 West, and Sections 25 and 36, Township 6 South, Range
 295 2 West, Franklin County, Florida lying easterly of the
 296 following described line:

297
 298 For a POINT OF BEGINNING commence at the Northwest
 299 corner of said Section 30; thence S 00°16'05" E along
 300 the west line of said Section 30 a distance of 278.33
 301 feet to a point of intersection with a line that is
 302 parallel with and 25 feet westerly of the centerline
 303 of an existing unnamed woods road, said point being on
 304 a non-tangent curve to the right, concave westerly,
 305 having a radius of 973.04 feet; thence southerly along
 306 the arc of said curve, through a central angle of

307 | 03°46'22" for an arc length of 64.07 feet, said curve
 308 | subtended by a chord bearing S 14°07'41" E for 64.06
 309 | feet, to an intersection with a non-tangent curve to
 310 | the left, concave southeasterly, having a radius of
 311 | 85.00 feet; thence southwesterly along the arc of said
 312 | curve, through a central angle of 32°48'03" for an arc
 313 | length of 48.66 feet, said curve subtended by a chord
 314 | bearing S 26°58'09" W for 48.00 feet, to the PRC with
 315 | a curve to the right, concave westerly, having a
 316 | radius of 725.03 feet; thence southerly along the arc
 317 | of said curve, through a central angle of 09°30'31"
 318 | for an arc length of 120.33 feet to the PT; thence S
 319 | 20°04'38" W a distance of 23.17 feet to the PC of a
 320 | curve to the left, concave easterly, having a radius
 321 | of 221.01 feet; thence southerly along the arc of said
 322 | curve, through a central angle of 24°30'22" for an arc
 323 | length of 94.53 feet to the PT; thence S 04°25'44" E a
 324 | distance of 93.27 feet to the PC of a curve to the
 325 | right, concave westerly, having a radius of 310.59
 326 | feet; thence southerly along the arc of said curve,
 327 | through a central angle of 30°49'17" for an arc length
 328 | of 167.08 feet to the PT; thence S 26°23'33" W a
 329 | distance of 116.92 feet to the PC of a curve to the
 330 | left, concave southeasterly, having a radius of 287.01
 331 | feet; thence southwesterly along the arc of said
 332 | curve, through a central angle of 17°25'20" for an arc
 333 | length of 87.27 feet to the PCC with a curve to the
 334 | left, concave easterly, having a radius of 225.01

335 feet; thence southerly along the arc of said curve,
336 through a central angle of 19°30'16" for an arc length
337 of 76.60 feet to the PCC with a curve to the left,
338 concave northeasterly, having a radius of 475.02 feet;
339 thence southeasterly along the arc of said curve,
340 through a central angle of 18°51'32" for an arc length
341 of 156.35 feet to the PT; thence S 29°23'36" E a
342 distance of 108.55 feet to the PC of a curve to the
343 right, concave westerly, having a radius of 254.01
344 feet; thence southerly along the arc of said curve,
345 through a central angle of 35°25'30" for an arc length
346 of 157.05 feet to the PT; thence S 06°01'54" W a
347 distance of 145.63 feet to the PC of a curve to the
348 left, concave easterly, having a radius of 275.01
349 feet; thence southerly along the arc of said curve,
350 through a central angle of 20°25'36" for an arc length
351 of 98.04 feet to the PRC with a curve to the right,
352 concave westerly, having a radius of 188.78 feet;
353 thence southerly along the arc of said curve, through
354 a central angle of 22°37'19" for an arc length of
355 74.54 feet to the PT; thence S 08°13'37" W a distance
356 of 110.11 feet to the PC of a curve to the right,
357 concave northwesterly, having a radius of 55.00 feet;
358 thence southwesterly along the arc of said curve,
359 through a central angle of 57°46'34" for an arc length
360 of 55.46 feet to the PT; thence S 66°00'12" W a
361 distance of 99.90 feet to the PC of a curve to the
362 left, concave southeasterly, having a radius of 125.00

363 | feet; thence southwesterly along the arc of said
364 | curve, through a central angle of 28°30'00" for an arc
365 | length of 62.18 feet to the PCC with a curve to the
366 | left, concave southeasterly, having a radius of 255.01
367 | feet; thence southwesterly along the arc of said
368 | curve, through a central angle of 13°28'58" for an arc
369 | length of 60.01 feet to the PT; thence S 24°01'13" W a
370 | distance of 85.10 feet to the PC of a curve to the
371 | left, concave easterly, having a radius of 240.01
372 | feet; thence southerly along the arc of said curve,
373 | through a central angle of 38°23'12" for an arc length
374 | of 160.80 feet to the PRC with a curve to the right,
375 | concave westerly, having a radius of 5734.76 feet;
376 | thence southerly along the arc of said curve, through
377 | a central angle of 01°25'26" for an arc length of
378 | 142.51 feet to the PCC with a curve to the right,
379 | concave westerly, having a radius of 1200.05 feet;
380 | thence southerly along the arc of said curve, through
381 | a central angle of 08°00'00" for an arc length of
382 | 167.56 feet to the PT; thence S 04°56'33" E for a
383 | distance of 97.78 feet to the PC of a curve to the
384 | right, concave westerly, having a radius of 159.48
385 | feet; thence southerly along the arc of said curve,
386 | through a central angle of 24°10'04" for an arc length
387 | of 67.27 feet to the PT; thence S 19°13'31" W a
388 | distance of 81.51 feet to the PC of a curve to the
389 | left, concave easterly, having a radius of 261.29
390 | feet; thence southerly along the arc of said curve,

391 | through a central angle of 20°52'24" for an arc length
392 | of 95.19 feet to the PT; thence S 01°38'53" E a
393 | distance of 161.74 feet to the PC of a curve to the
394 | left, concave northeasterly, having a radius of 103.82
395 | feet; thence southeasterly along the arc of said
396 | curve, through a central angle of 37°13'42" for an arc
397 | length of 67.46 feet to the PT; thence S 38°52'35" E a
398 | distance of 59.04 feet to the PC of a curve to the
399 | left, concave northeasterly, having a radius of 145.01
400 | feet; thence southeasterly along the arc of said
401 | curve, through a central angle of 17°01'58" for an arc
402 | length of 43.11 feet to the PCC with a curve to the
403 | left, concave northeasterly, having a radius of
404 | 1165.05 feet; thence southeasterly along the arc of
405 | said curve, through a central angle of 05°24'08" for
406 | an arc length of 109.85 feet to the PRC with a curve
407 | to the right, concave southwesterly, having a radius
408 | of 130.01 feet; thence southeasterly along the arc of
409 | said curve, through a central angle of 35°15'03" for
410 | an arc length of 79.99 feet to the PT; thence S
411 | 26°03'37" E a distance of 36.95 feet to the PC of a
412 | curve to the right, concave westerly, having a radius
413 | of 155.90 feet; thence southerly along the arc of said
414 | curve, through a central angle of 19°29'19" for an arc
415 | length of 53.03 feet to the PT; thence S 06°34'18" E a
416 | distance of 145.31 feet to the PC of a curve to the
417 | right, concave westerly, having a radius of 381.72
418 | feet; thence southerly along the arc of said curve,

419 | through a central angle of 20°52'37" for an arc length
420 | of 139.09 feet to the PRC with a curve to the left,
421 | concave easterly, having a radius of 217.01 feet;
422 | thence southerly along the arc of said curve, through
423 | a central angle of 15°07'08" for an arc length of
424 | 57.26 feet to the PT; thence S 00°48'49" E a distance
425 | of 918.62 feet to the PC of a curve to the left,
426 | concave easterly, having a radius of 1100.05 feet;
427 | thence southerly along the arc of said curve, through
428 | a central angle of 03°32'45" for an arc length of
429 | 68.08 feet to the PRC with a curve to the right,
430 | concave westerly, having a radius of 1081.49 feet;
431 | thence southerly along the arc of said curve, through
432 | a central angle of 07°46'27" for an arc length of
433 | 146.74 feet to the PRC of a curve to the left, concave
434 | easterly, having a radius of 371.42 feet; thence
435 | southerly along the arc of said curve, through a
436 | central angle of 09°50'26" for an arc length of 63.79
437 | feet to the PRC with a curve to the right, concave
438 | westerly, having a radius of 466.22 feet; thence
439 | southerly along the arc of said curve, through a
440 | central angle of 10°34'22" for an arc length of 86.03
441 | feet to the PRC with a curve to the left, concave
442 | easterly, having a radius of 1097.87 feet; thence
443 | southerly along the arc of said curve, through a
444 | central angle of 08°04'58" for an arc length of 154.87
445 | feet to the PRC with a curve to the right, concave
446 | westerly, having a radius of 157.61 feet; thence

447 southerly along the arc of said curve, through a
448 central angle of 21°49'49" for an arc length of 60.05
449 feet to the PRC with a curve to the left, concave
450 easterly, having a radius of 525.02 feet; thence
451 southerly along the arc of said curve, through a
452 central angle of 10°11'47" for an arc length of 93.43
453 feet to the PCC with a curve to the left, concave
454 easterly, having a radius of 581.75 feet; thence
455 southerly along the arc of said curve, through a
456 central angle of 11°08'59" for an arc length of 113.21
457 feet to the PRC with a curve to the right, concave
458 westerly, having a radius of 651.66 feet; thence
459 southerly along the arc of said curve, through a
460 central angle of 03°52'58" for an arc length of 44.16
461 feet to the PRC with a curve to the left, concave
462 easterly, having a radius of 5339.97 feet; thence
463 southerly along the arc of said curve, through a
464 central angle of 01°57'39" for an arc length of 182.76
465 feet to the PT; thence S 01°31'47" E a distance of
466 205.41 feet to the PC of a curve to the right, concave
467 westerly, having a radius of 1347.71 feet; thence
468 southerly along the arc of said curve, through a
469 central angle of 03°51'32" for an arc length of 90.77
470 feet to the PRC with a curve to the left, concave
471 easterly, having a radius of 1572.32 feet; thence
472 southerly along the arc of said curve, through a
473 central angle of 04°54'51" for an arc length of 134.85
474 feet to the PT; thence S 02°35'06" E a distance of

475 221.17 feet to the PC of a curve to the right, concave
476 westerly, having a radius of 129.00 feet; thence
477 southerly along the arc of said curve, through a
478 central angle of 04°53'08" for an arc length of 11.00
479 feet to the PRC with a curve to the left, concave
480 easterly, having a radius of 4508.07 feet; thence
481 southerly along the arc of said curve, through a
482 central angle of 02°37'18" for an arc length of 206.27
483 feet to an intersection with a line that is parallel
484 with and 1320.00 feet southerly of a westerly
485 projection of the South line of said Section 30;
486 thence S 88°48'15" W along said line a distance of
487 1475.19 feet to an intersection with a line that is
488 parallel with and 1500.00 feet westerly of a southerly
489 projection of the West line of said Section 30; thence
490 S 00°16'05" E a distance of 703 feet, more or less, to
491 the waters of Alligator Harbor and the POINT OF
492 TERMINATION.
493 Section 8. This act shall take effect upon becoming a law.