

## ENROLLED

HB 765, Engrossed 1

2005 Legislature

1 A bill to be entitled

2 An act relating to Polk County; abolishing the Peace Creek  
3 Drainage District; amending the charter of the Lake Region  
4 Lakes Management District, as reenacted and amended by  
5 chapter 2004-393, Laws of Florida; redefining the  
6 territorial boundaries of the district; clarifying  
7 eligibility to vote for members of the board of  
8 commissioners of the district; revising the authority of  
9 the district to perform certain works on its property;  
10 limiting tax assessments; providing an effective date.

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

13  
14 Section 1. The Peace Creek Drainage District, a district  
15 existing under chapter 298, Florida Statutes, is abolished on  
16 July 1, 2005.

17 Section 2. Section 1 of the charter of the Lake Region  
18 Lakes Management District, as reenacted and amended by section 3  
19 of chapter 2004-393, Laws of Florida, is amended to read:

20 Section 1. Purpose and territorial boundaries.--That for  
21 the purpose of acquiring, constructing, operating, maintaining,  
22 and protecting a system of boat canals, drainage canals; dams,  
23 locks, and other proper and necessary works in connection  
24 therewith, for the purpose of aiding in flood control, lake  
25 level management, and protecting, maintaining, and improving the  
26 water quality in the lakes and canals in conjunction with state,  
27 county, and city agencies, for the purpose of connecting the  
28 lakes within or adjacent to the boundaries hereinafter

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

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29 | prescribed, and for moving waters out of such lakes, and for the  
30 | purpose of promoting access to the lakes and the public  
31 | convenience, utility, and welfare, the Lake Region Lakes  
32 | Management District (the "district"), in Polk County has been  
33 | created and established, and is hereby confirmed, as an  
34 | independent special district.7 The territorial boundaries ~~of~~  
35 | ~~which~~ are as follows, to wit:

36 |         (1) Beginning at the center of east line of  
37 | section 2, or township twenty-eight (28) south, of  
38 | range twenty-six (26) east; thence south with section  
39 | line between section one (1) and two (2), eleven (11)  
40 | and twelve (12), thirteen (13) and fourteen (14),  
41 | twenty-three (23) and twenty-four (24), to the  
42 | northeast corner of section twenty-six (26) said  
43 | township and range; Thence east on section line to  
44 | northeast corner of northwest quarter of section  
45 | twenty-five (25), thence south with the half section  
46 | line to the center of section thirteen (13), township  
47 | 29 south, range 26 east; Thence west on the half  
48 | section line to the southwest corner of the northwest  
49 | quarter of section line to the southwest corner of the  
50 | northwest quarter of section sixteen (16) said  
51 | township and range; Thence north with section line to  
52 | the northwest corner of the southwest quarter of  
53 | section four (4), said township and range; Thence west  
54 | with the half section line to center of section six  
55 | (6) said township and range; Thence north with half  
56 | section line to the northwest corner of northeast

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57 | quarter (NE 1/4) of section thirty-one (31), township  
58 | 28 south, range 26 east; Thence west with section line  
59 | to southeast corner of section twenty-five (25),  
60 | township 28 south, range 25 east; Thence north with  
61 | the section line to the northeast corner of section  
62 | twenty-four (24), said township and range; Thence west  
63 | to center of north line of section twenty-four (24);  
64 | thence north with half section line to center of  
65 | section one (1), township 28, range 25; Thence east  
66 | with the half section line to the northeast corner of  
67 | southeast quarter (SE 1/4) of section two (2),  
68 | township 28 south, range 26 east, the point of  
69 | beginning; embracing within said district the  
70 | following lands, viz; The south half of sections two,  
71 | three, four, five and six and all of sections seven,  
72 | eight, nine, ten, eleven, fourteen, fifteen, sixteen,  
73 | seventeen, eighteen, nineteen, twenty, twenty-one,  
74 | twenty-two, twenty-three, twenty-six, twenty-seven,  
75 | twenty-eight, twenty-nine, thirty, thirty-two, thirty-  
76 | three, thirty-four, and thirty-five and the west half  
77 | of sections twenty-five and thirty-six and the east  
78 | half of section thirty-one in township 28 south, range  
79 | 26 east and all of sections two, three, four, nine,  
80 | ten and eleven, and the west half of sections one and  
81 | twelve and the north half of sections five, fourteen,  
82 | fifteen and sixteen and the northeast quarter of  
83 | section six and the northwest quarter of section  
84 | thirteen in township 29 south, range 26 east, and the

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85 east half of sections twelve and thirteen, and the  
86 southeast quarter of section one in township 28 south,  
87 range 25 east.

88 And:

89 Beginning at the Northwest corner of Section 2,  
90 Township 28 South, Range 26 East, Polk County,  
91 Florida;

92 Run thence Easterly, along the north line thereof, to  
93 the Northeast corner of the West one-half of the  
94 Northeast quarter of said Section 2;

95 Thence Southerly, along said east line of the west  
96 one-half of the Northeast quarter of said Section 2,  
97 to the Southeast corner thereof;

98 Thence Westerly, along the south line of the west one-  
99 half of the Northeast quarter and the south line of  
100 the Northwest quarter of said Section 2, to the  
101 Southeast corner of the north one-half of Section 3,  
102 Township 28 South, Range 26 East;

103 Thence continue Westerly, along the south line of the  
104 North one-half of said Section 3, to the southeast  
105 corner of the north one-half of Section 4, Township 28  
106 South, Range 26 East;

107 Thence continue Westerly, along the south line of the  
108 north one-half of said Section 4, to the southeast  
109 corner of the north one-half of Section 5, Township 28  
110 South, Range 26 East;

111 Thence continue Westerly, along the south line of the  
112 north one-half of said Section 5, to the southeast

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113 | corner of the north one-half of Section 6, Township 28  
 114 | South, Range 26 East;  
 115 | Thence continue Westerly, along the south line of the  
 116 | north one-half of said Section 6, to the southeast  
 117 | corner of the Northeast quarter of Section 1, Township  
 118 | 28 South, Range 25 East;  
 119 | Thence continue Westerly, along the south line of the  
 120 | Northeast quarter and the south line of the Northwest  
 121 | quarter of said Section 1, to the southwest corner of  
 122 | the East one-half of the Northwest quarter of said  
 123 | Section 1;  
 124 | Thence Northerly, along the west line of the East one-  
 125 | half of the Northwest quarter of said Section 1, to  
 126 | the northwest corner thereof;  
 127 | Thence Easterly, along the north line of the East one-  
 128 | half of the Northwest quarter of said Section 1, to  
 129 | the southwest corner of the South one-half of the  
 130 | Southeast quarter of Section 36, Township 27 South,  
 131 | Range 25 East;  
 132 | Thence Northerly, along the west line of the South  
 133 | one-half of the Southeast quarter of said Section 36,  
 134 | to the northwest corner thereof;  
 135 | Thence Easterly, along the north line of the South  
 136 | one-half of the Southeast quarter of said Section 36,  
 137 | to the northeast corner thereof, also being a point on  
 138 | the westerly line of Section 31, Township 27 South,  
 139 | Range 26 East;

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140 Thence Northerly, along the west line of said Section  
 141 31, to the southwest corner of Section 30, Township 27  
 142 South, Range 26 East;  
 143 Thence continue Northerly, along the west line of said  
 144 Section 30, to the southwest corner of Section 19,  
 145 Township 27 South, Range 26 East;  
 146 Thence continue Northerly, along the west line of said  
 147 Section 19, to the northwest corner thereof;  
 148 Thence Easterly, along the north line of said Section  
 149 19, to the northwest corner of Section 20, Township 27  
 150 South, Range 26 East;  
 151 Thence continue Easterly, along the north line of said  
 152 Section 20, to the southwest corner of the Southeast  
 153 quarter of the Southeast quarter of Section 17,  
 154 Township 27 South, Range 26 East;  
 155 Thence Northerly, along the west line of the Southeast  
 156 quarter of the Southeast quarter of said Section 17,  
 157 to the northwest corner thereof;  
 158 Thence Easterly, along the north line of the Southeast  
 159 quarter of the Southeast quarter of said Section 17,  
 160 to the northeast corner thereof;  
 161 Thence Southerly, along the east line of the Southeast  
 162 quarter of the Southeast quarter of said Section 17,  
 163 to the Northwest corner of Section 21, Township 27  
 164 South, Range 26 East;  
 165 Thence Easterly, along the north line of said Section  
 166 21, to the northeast corner thereof;

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167 Thence Southerly, along the east line of said Section  
 168 21, to the northwest corner of the Southwest quarter  
 169 of Section 22, Township 27 South, Range 26 East;  
 170 Thence Easterly, along the north line of the Southwest  
 171 quarter of said Section 22, to the northeast corner  
 172 thereof;  
 173 Thence Southerly, along the east line of the Southwest  
 174 quarter of said Section 22, to the southeast corner  
 175 thereof, also being a point on the north line of  
 176 Section 27, Township 27 South, Range 26 East;  
 177 Thence Easterly, along the north line of said Section  
 178 27, to the northeast corner thereof;  
 179 Thence Southerly, along the east line of said Section  
 180 27, to the northeast corner of Section 34, Township 27  
 181 South, Range 26 East;  
 182 Thence continue Southerly, along the east line of said  
 183 Section 34, to the southeast corner thereof and the  
 184 Point of Beginning.

185 (2) Begin at the southwest corner of Section 24,  
 186 Township 28 South, Range 26 East;  
 187 Thence east along the south line of Section 24 to the  
 188 Southwest corner of Section 19, Township 28 South,  
 189 Range 27 East;  
 190 Thence east along the south line of Sections 19 and  
 191 20, said Township and Range, to the intersection with  
 192 the centerline of U.S. Highway 27 (State Road 25);  
 193 Thence northerly along said centerline through  
 194 Sections 20 and 17, said Township and Range, to the

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195 intersection with the south line of Section 8, said  
196 Township and Range;  
197 Thence east along said south line to the southwest  
198 corner of Section 9, said Township and Range;  
199 Thence north along the west line of said Section 9 to  
200 the Southwest corner of the west half of the northwest  
201 quarter of said Section 9;  
202 Thence east to the southeast corner of said west half;  
203 Thence north along the east line of said west half and  
204 along the east line of the west one quarter of Section  
205 4, said Township and Range to the north line of said  
206 Section 4;  
207 Thence west along the north line of said Section 4 and  
208 Sections 5 and 6, said Township and Range, to the  
209 intersection with the centerline of said U.S. Highway  
210 27;  
211 Thence northerly along said centerline through  
212 Sections 31 and 30, Township 27 South, Range 27 East  
213 to the intersection with the centerline of U.S.  
214 Highway 92;  
215 Thence westerly along said centerline through said  
216 Section 30 and through Sections 25 and 26, Township 27  
217 South, Range 26 East to the intersection with the west  
218 line of said Section 26;  
219 Thence south along the west line of said Section 26  
220 and Section 35, said Township and Range, to the  
221 southwest corner of said Section 35 and a point on the



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222 | north line of Section 2, Township 28 South, Range 26  
 223 | East;  
 224 | Thence east along the north line of said Section 2 to  
 225 | the Northwest corner of the east half of the northeast  
 226 | quarter of said Section 2;  
 227 | Thence south to the southwest corner of said east  
 228 | half;  
 229 | Thence east to the southeast corner of the northeast  
 230 | quarter of said Section 2;  
 231 | Thence south along the east lines of said Section 2  
 232 | and Sections 11, 14 and 23, said Township and Range to  
 233 | the Point of Beginning.

234 | All of the above lands lying in Polk County, Florida.

235 | Section 3. Section 2 of the charter of the Lake Region  
 236 | Lakes Management District, as reenacted and amended by section 3  
 237 | of chapter 2004-393, Laws of Florida, is amended to read:

238 | Section 2. Elections.--The governing body of the district  
 239 | shall consist of three commissioners who must ~~shall~~ be qualified  
 240 | electors residing within the ~~said~~ district, and they shall be  
 241 | known and designated as the "Board of Commissioners of the Lake  
 242 | Region Lakes Management District." The board of commissioners  
 243 | shall be the governing body of the district, whose duty,  
 244 | authority, and power shall be as provided in this act. Each  
 245 | present commissioner shall continue to hold office until his or  
 246 | her current term expires in 1990. For the purposes of  
 247 | qualification and running for office in 1990 and thereafter,  
 248 | commission seats shall be designated as seat 1, seat 2, and seat  
 249 | 3. Members elected to seats 1 and 3 at the 1990 general election

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250 shall hold office for a period of 4 years until the general  
251 election in 1994. The member elected to seat 2 shall hold office  
252 for a period of 2 years until the general election of 1992  
253 whereupon the member elected for that seat in 1992 shall hold  
254 office for a period of 4 years. Thereafter, all commissioners  
255 shall hold office for terms of 4 years each. At the general  
256 election every 4 years, a successor shall be elected by the  
257 electors of the district as redefined in this act. Members shall  
258 be elected in a nonpartisan fashion with no political party  
259 affiliation shown on the ballot, and must receive a majority  
260 vote of those electors voting in the election. Election of  
261 members shall be held at the same time as the first primary  
262 election as provided by law. If no candidate receives a majority  
263 of the votes cast in such primary, a runoff election of the two  
264 candidates receiving the greatest number of votes will be held  
265 at the same time as the general election. Elected commissioners  
266 shall take office on the first Tuesday following the first  
267 Monday in January following their election.

268 Section 4. Paragraph (d) of subsection (1) of section 3 of  
269 the charter of the Lake Region Lakes Management District, as  
270 reenacted and amended by section 3 of chapter 2004-393, Laws of  
271 Florida, is amended to read:

272 Section 3. General powers and authority.--

273 (1) The board of commissioners is authorized and  
274 empowered:

275 (d) To beautify and maintain the rights-of-way, canal  
276 banks and berms, lakes, public lake shores, and other property  
277 of the district as may enhance the appearance thereof and be

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278 | beneficial to the property of the district. ~~To the extent this~~  
279 | ~~work takes place on property owned by private entities or other~~  
280 | ~~public agencies, the prior permissions of such entities or~~  
281 | ~~agencies shall be required.~~

282 |       Section 5. Subsection (5) is added to section 8 of the  
283 | charter of the Lake Region Lakes Management District, as  
284 | reenacted and amended by section 3 of chapter 2004-393, Laws of  
285 | Florida, to read:

286 |       Section 8. Taxes.--

287 |       (5) Taxes for those residents located within newly created  
288 | boundaries shall not be levied until January 1, 2007.

289 |       Section 6. This act shall take effect July 1, 2005.