

1 A bill to be entitled
2 An act relating to Lee and Hendry Counties; creating
3 and establishing the Lehigh Acres Municipal Services
4 Improvement District as an independent special
5 district; providing legislative findings and intent;
6 providing a district charter; describing boundaries;
7 providing powers and authority of the district;
8 providing applicability of chapters 189 and 197, F.S.,
9 and other general laws; providing for a board;
10 providing authority, duties, and powers of the
11 district board; providing for elections, compensation,
12 and removal of board members; authorizing the board to
13 employ a manager and staff; repealing chapters 2000-
14 423, 2003-315, 2005-308, 2006-319, 2009-260, and 2012-
15 254, Laws of Florida, relating to the East County
16 Water Control District; dissolving the East County
17 Water Control District; providing for the transfer of
18 assets, assumption of all lawful debts and other
19 obligations, and continuation of contracts by the
20 Lehigh Acres Municipal Services Improvement District;
21 prohibiting annexation by any municipality of any area
22 within the district; providing an exception for
23 municipal incorporation of the entire area; providing
24 construction; providing that the act shall take
25 precedence over any conflicting law to the extent of
26 such conflict; providing an effective date.

27
28
29
30
31
32
33
34
35
36
37
38
39
40
41
42
43
44
45
46
47
48
49
50
51
52

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

Section 1. Legislative findings.—The Legislature finds:

(1) The East County Water Control District is comprised of approximately 60,000 acres lying in the unincorporated area of eastern Lee County known as Lehigh Acres and approximately 2,000 acres of western Hendry County.

(2) According to the 2010 United States Census, the population of Lehigh Acres is approximately 86,784.

(3) Upon completion of all projected construction, the population of Lehigh Acres is projected to exceed 250,000, making Lehigh Acres one of the largest communities in Florida.

(4) The East County Water Control District currently provides such services as authorized under chapter 298, Florida Statutes, and operates under chapters 2000-423, 2003-315, 2005-308, 2006-319, 2009-260, and 2012-254, Laws of Florida, in the entire described area of Lehigh Acres in Lee and Hendry Counties.

(5) The Lehigh Acres Fire Control District currently provides such services as authorized under chapter 191, Florida Statutes, to the area of Lehigh Acres located in Lee County.

(6) The Lehigh Acres Streelighting Unit is a municipal services taxing unit created and controlled by the Board of County Commissioners of Lee County. The Streetlighting Unit operates within a designated area of Lehigh Acres with the

53 purpose of providing streetlighting, maintenance of
54 streetlights, and installation and maintenance of decorative
55 seasonal banners and holiday lighting.

56 (7) In nonbinding referenda conducted in 1996 and 2008,
57 the residents in Lehigh Acres rejected proposed incorporation of
58 a municipal general government.

59 (8) The residents in Lehigh Acres continue to prefer and
60 support the method of non-ad valorem assessment used by the East
61 County Water Control District and also prefer to use the same
62 funding method to meet other specific needs within the
63 community, including, without limitation, the installation and
64 maintenance of streets, sidewalks, and streetlights.

65 (9) There is no pending or proposed municipal
66 incorporation for Lehigh Acres, and the residents remain under
67 several different special districts, imposing multiple layers of
68 administration, regulation, and cost, including multiple
69 assessments, both ad valorem and non-ad valorem, for the
70 delivery of services.

71 (10) The unique history and situation of Lehigh Acres, the
72 need and desire of the population for basic services now being
73 addressed in part by multiple districts, and the lack of any
74 reasonable alternatives prove that an independent special
75 district with powers and authority sufficient to address the
76 diverse needs of this population will provide the broadest
77 degree of necessary services in the most efficient, least
78 intrusive, and most cost-effective manner.

79 Section 2. Legislative intent.—

80 (1) Based on the foregoing findings, it is the intent of
81 the Legislature to create and constitute the Lehigh Acres
82 Municipal Services Improvement District for the purposes of
83 providing the services authorized in this act.

84 (2) For the effective and efficient provision of services
85 to all residents and visitors in Lehigh Acres, it is the intent
86 of the Legislature for the Board of County Commissioners of Lee
87 County and the Board of District Commissioners of the Lehigh
88 Acres Municipal Services Improvement District, as soon as
89 practicable, to negotiate for the implementation by the district
90 of the powers authorized under subsection (2) of section 3 of
91 section 4. It is the further intent of the Legislature that a
92 framework be established to facilitate the negotiation for the
93 implementation of each authorized power. In establishing this
94 framework, the Legislature intends that the Board of District
95 Commissioners of the Lehigh Acres Municipal Services Improvement
96 District be granted the authority and flexibility to negotiate
97 for the implementation of each authorized power independently
98 from any other authorized power.

99 Section 3. The Lehigh Acres Municipal Services Improvement
100 District ("district") is created as an independent special
101 district in Lee and Hendry Counties. The district is organized
102 and exists for all purposes and shall hold all powers set forth
103 in this act and chapters 189 and 197, Florida Statutes, except

104 as otherwise provided in this act. The district charter may be
 105 amended only by special act of the Legislature.

106 Section 4. The charter for the Lehigh Acres Municipal
 107 Services Improvement District is created to read:

108 Section 1. Name and corporate status.—

109 (1) The name of the district is the "Lehigh Acres
 110 Municipal Services Improvement District."

111 (2) The district shall be an independent special district
 112 of the State of Florida and a body corporate and politic.

113 Section 2. District boundaries.—The lands incorporated
 114 within the Lehigh Acres Municipal Services Improvement District
 115 consist of the following described lands in Hendry and Lee
 116 Counties:

117 A. LANDS IN LEE COUNTY, FLORIDA:

118
 119 SECTION 25: The following portions of Section 25;
 120 The East 1/2 of the Northeast 1/4 of the Northeast
 121 1/4, together with the Northeast 1/4 of the Southeast
 122 1/4 of the Northeast 1/4.

123
 124 TOWNSHIP 43 SOUTH, RANGE 27 EAST

125
 126 SECTION 19:

127
 128 Commencing at the Southeast corner of Government Lot 5
 129 of said Section 19, said point also being the

130 Southeast Corner of the Southwest of said Section 19;
 131 thence North 89° 32' 09" West along the South line of
 132 said Section 19, a distance of 941.17 feet to the
 133 POINT OF BEGINNING thence continuing along the south
 134 line of said Section 19 a distance of 623.70 feet;
 135 thence North 00° 33' 48" West along the west line of
 136 lands described in Book 4433, Page 952-953 of the
 137 Official Records of Lee County, Florida a distance of
 138 579.14 feet to a point on the southerly right-of-way
 139 of the Caloosahatchee River Canal; thence North 72°
 140 41' 35" East along said right-of-way a distance of
 141 264.64 feet; thence North 50° 57' 38" East along said
 142 right-of way a distance of 399.11 feet; thence North
 143 84° 04' 34" East along said right-of-way a distance of
 144 57.98 feet to the northeast corner of lands described
 145 in Book 3558, Page 3183-3185 of the Official Records
 146 of Lee County, Florida; thence South 00° 33' 49" East
 147 along the east line of said lands a distance of 920.30
 148 feet to the POINT OF BEGINNING and there terminate.

149
 150 SECTION 30: The following portions of Section 30;

151
 152 That portion of the West 1/2 of said Section 30 lying
 153 North of State Road 80, LESS the West 118.40 feet
 154 thereof.

155

156 That portion of the Northwest 1/4 of the Northeast 1/4
 157 of Section 30 lying North of State Road 80.

158
 159 That portion of Section 30 lying South of the
 160 Southerly Right-of-Way line of State Road 80, LESS the
 161 West 200.00 feet of said Section 30 lying South of
 162 Hickey's Creek,

163
 164 AND LESS lots 18 thru 28, Lots 31 and 32, Lots 37 and
 165 38, Lots 41 thru 44 all as shown on Pine Creek Acres,
 166 Unit No. 1 as recorded in Plat Book 10, Page 13 of the
 167 Public Records of Lee County, Florida;

168
 169 AND LESS Lot 1, Lots 23 and 24, Lots 27 and 28, the 50
 170 foot Right-of-Way for Dixie Lane and that portion of
 171 the 50 foot Right-of-Way for Pine Boulevard lying
 172 Easterly of a line connecting the Northeast corner of
 173 Lot 92 with the Southeast corner of Lot 35 all as
 174 shown on Pine Creek Acres, Unit No. 2 as recorded in
 175 Plat Book 10, Page 74 of the said Public Records;

176
 177 AND LESS the following described parcel;

178
 179 BEGINNING at the Northeast corner of Pine Creek Acres,
 180 Unit No. 1 as recorded in Plat Book 10, Page 13 of the
 181 said Public Records; thence South 00° 56' 00" East

182 along the East line of said Pine Creek Acres, Unit No.
 183 1 and the Southerly projection thereof, a distance of
 184 223.86 feet; thence North 89° 35' 20" East, a distance
 185 of 166.20 feet; thence North 00° 24' 40" West, a
 186 distance of 203.00 feet to the said Southerly Right-
 187 of-Way line of State Road 80; thence North 82° 54' 00"
 188 West along the said Southerly Right-of-Way line of
 189 State Road 80 to the POINT OF BEGINNING;

191 AND LESS the following described parcel;

193 Commencing at the said Northeast corner of Pine Creek
 194 Acres, Unit No. 1; thence South 82° 54' 00" East along
 195 the said Southerly Right-of-Way line of State Road 80,
 196 a distance of 307.31 feet to the POINT OF BEGINNING of
 197 this description; thence South 00° 24' 40" East, a
 198 distance of 237.58 feet; thence North 89° 35' 20"
 199 East, a distance of 209.19 feet; thence South 00° 24'
 200 40" East, a distance of 918.16 feet; thence North 89°
 201 35' 20" East, a distance of 420.00 feet; thence North
 202 00° 24" 40" West, a distance of 1069.39 feet to the
 203 said Southerly Right-of-Way line of State Road 80;
 204 thence Northwesterly along the said Southerly Right-
 205 of-Way line of State Road 80 to the POINT OF
 206 BEGINNING;

208 AND LESS the following described parcel;
 209
 210 BEGINNING at the intersection of the East line of the
 211 Northwest 1/4 of the Northeast 1/4 of said Section 30
 212 and the said Southerly Right-of-Way line of State Road
 213 80; thence South 00° 24' 40" East along the East line
 214 of the West 1/2 of the Northeast 1/4 of said Section
 215 30, a distance of 129.00 feet from the Northwest
 216 corner of the Southeast 1/4 of the Northeast 1/4 of
 217 said Section 30; thence South 89° 41' 55" East along a
 218 line parallel with the North line of the said
 219 Southeast 1/4 of the Northeast 1/4, a distance of
 220 337.00 feet; thence North 00° 24' 40" West to the said
 221 Southerly Right-of-Way line of State Road 80; thence
 222 North 81° 08' 00" West along the said Southerly Right-
 223 of-Way line of State Road 80 to the POINT OF
 224 BEGINNING.

225
 226 SECTION 31: The following portions of Section 31;
 227
 228 The West 1/2, together with the West 1/2 of the
 229 Southeast 1/4, together with the Southeast 1/4 of the
 230 Southeast 1/4, together with the Southwest 1/4 of the
 231 Northeast 1/4, together with the Southwest 1/4 of the
 232 Northwest 1/4 of the Northeast 1/4, together with the

233 Northeast 1/4 of the Northeast 1/4 of the Northeast
 234 1/4.
 235
 236 SECTION 36: The East 1/2 of Section 36, LESS the
 237 Northwest 1/4 of the Northeast 1/4 thereof.
 238
 239 TOWNSHIP 44 SOUTH, RANGE 26 EAST
 240
 241 SECTION 1-3: All of Sections 1, 2 and 3.
 242
 243 SECTION 4: The East 1/2 of Section 4.
 244
 245 SECTION 10: The following portions of Section 10;
 246
 247 The East 1/2 of the Southeast 1/4, together with the
 248 Northwest 1/4 of the Southeast 1/4.
 249
 250 SECTIONS 11-14: All of Sections 11, 12, 13 and 14.
 251
 252 SECTION 15: The East 1/2 of the East 1/2 of Section
 253 15.
 254
 255 SECTION 16: The following portions of Section 16;
 256
 257 All of Units 1 through 5 of "Lehigh Acres" as recorded
 258 in Plat Book 27, Page 186 of the Public Records of Lee

259 County, Florida, together with Lot 16, Block 36 of
260 "Buckingham Park, Northwest Section" as recorded in
261 Plat Book 9, Page 92 of the said Public Records.

262

263 SECTION 19: The following portions of Section 19;

264

265 The Southeast 1/4, together with that portion of the
266 Northeast 1/4 of said Section 19 lying South of
267 Buckingham Road.

268

269 SECTION 20: The following portions of Section 20;

270

271 The South 1/2, together with that portion of the North
272 1/2 of said Section 20 lying South of Buckingham Road.

273

274 SECTION 21: The following portions of "Buckingham
275 Park, South Section" as recorded in Plat Book 9, Page
276 99 of the said Public Records being in Section 21:

277

278 Lots 3 through 10 of Block 40; Lots 1 and 3 of Block
279 38,

280

281 Lot 28 of Block 29; the North 40 feet of Lot 29 of
282 Block 29; all of Tract "D", all of Block "E," together
283 with the Re-subdivision of that portion of Block "E"
284 of said "Buckingham Park, South Section" as replatted

285 on "Plat of Unit 3 Lehigh Park, a Subdivision of
286 Lehigh Acres" as recorded in Plat Book 15, Page 66 of
287 the said Public Records, together with that portion of
288 said Section 21 lying Southwesterly of the centerline
289 of a 60 foot easement as described in Miscellaneous
290 Book 32, Page 335 of the said Public Records.

291
292 SECTION 22: That portion of Section 22 lying South and
293 Southwesterly of Homestead Road as shown on Plat of
294 "Buckingham Park Entrance Roads" as recorded in Plat
295 Book 9, Page 97 of the said Public Records.

296
297 SECTIONS 23-29: All of Sections 23, 24, 25, 26, 27, 28
298 and 29.

299
300 SECTION 30: The following portions of Section 30;
301
302 The South 1/2, together with the South 100 feet of the
303 North 1/2 together with the remainder of the Northeast
304 1/4.

305
306 SECTION 31: That portion of said Section 31 lying
307 Northeasterly of State Road 82.

308
309 SECTIONS 32-36: All of Sections 32, 33, 34, 35 and 36.

310

311 TOWNSHIP 44 SOUTH, RANGE 27 EAST

312

313 SECTION 1: All of Section 1.

314

315 SECTION 2: All of Section 2, LESS the Northwest 1/4 of
 316 the Northwest 1/4 thereof.

317

318 SECTION 3: All of Section 3, LESS the Northeast 1/4
 319 thereof, AND LESS the East 1/2 of the Northwest 1/4
 320 thereof.

321

322 SECTIONS 4-6: All of Sections 4, 5 and 6.

323

324 SECTION 7: The following portions of Section 7;

325

326 The South 1/2, together with the Northwest 1/4,
 327 together with the Southwest 1/4 of the Northeast 1/4,
 328 together with the North 1/2 of the Northeast 1/4,
 329 together with the North 854 feet of the East 466 feet
 330 of the Southeast 1/4 of the Northeast 1/4.

331

332 SECTION 8: The following portions of Section 8;

333

334 The South 1/2, together with the Northwest 1/4 of the
 335 Northeast 1/4, together with the West 1/2 of the

336 Northeast 1/4, together with the East 3/4 of the
 337 Southeast 1/4 of the Northwest 1/4.

338
 339 SECTION 9: All of said Section 9, LESS the Southwest
 340 1/4 of the Northeast 1/4 thereof.

341
 342 SECTIONS 10-36: All of Sections 10, 11, 12, 13, 14,
 343 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27,
 344 28, 29, 30, 31, 32, 33, 34, 35 and 36.

345
 346 TOWNSHIP 45 SOUTH, RANGE 26 EAST

347
 348 SECTIONS 1-3: All of Section 1, 2 and 3.

349
 350 SECTION 4: All that portion of Section 4 lying North
 351 of State Road 82.

352
 353 SECTION 5: All that portion of Section 5 lying North
 354 of State Road 82.

355
 356 SECTION 6: All that portion of Section 6 lying North
 357 of State Road 82.

358
 359 SECTION 9: All that portion of Section 9 lying North
 360 of State Road 82.

361

362 SECTION 10: All that portion of Section 10 lying North
 363 of State Road 82.

364
 365 SECTION 11: All that portion of Section 11 lying North
 366 of State Road 82.

367
 368 SECTION 12: All of Section 12.

369
 370 SECTION 13: All that portion of Section 13 lying North
 371 of State Road 82.

372
 373 SECTION 14: All that portion of Section 14 lying North
 374 of State Road 82.

375
 376 TOWNSHIP 45 SOUTH, RANGE 27 EAST

377
 378 SECTIONS 1-3: All of Sections 1, 2 and 3.

379
 380 SECTION 4: All of Section 4, LESS the Southeast 1/4 of
 381 the Southeast 1/4 thereof, AND LESS the South 1/2 of
 382 the Northeast 1/4 of the Southeast 1/4 of said Section
 383 4,

384
 385 AND LESS the South 1/2 of the Northeast 1/4 of the
 386 Northeast 1/4 of the Southeast 1/4 of said Section 4,

387 AND LESS the Northwest 1/4 of the Northeast 1/4 of the
 388 Southeast 1/4 of said Section 4.

390 SECTION 5: The following portions of Section 5;

391
 392 The Northwest 1/4, together with the East 3/4 of the
 393 North 1/2 of the Southwest 1/4, together with The
 394 South 1/2 of the Southwest 1/4, together with the
 395 Southwest 1/4 of the Southeast 1/4 LESS the South 175
 396 feet of the East 125 feet thereof, together with The
 397 following described parcel being in the Northeast 1/4
 398 of the Northeast 1/4 of said Section 5; Commencing at
 399 the Northeast corner of said Section 5; thence
 400 Westerly along the North line of said Section 5, said
 401 North line of Section 5 being the South line of Units
 402 7 and 18 of "Leeland Heights" as shown on plat
 403 recorded in Plat Book 12, Page 53 of the said Public
 404 Records, a distance of 116.51 feet to the Southwest
 405 corner of Lot 10 of Block 87 of said "Leeland Heights"
 406 and the POINT OF BEGINNING of this description; thence
 407 continuing Westerly along the said North line of
 408 Section 5, a distance of 1208.55 feet to the Northwest
 409 corner of the Northeast 1/4 of the Northeast 1/4 of
 410 said Section 5; thence South 01° 35' 34" East along
 411 the West line of the said Northeast 1/4 of the
 412 Northeast 1/4 of Section 5, a distance of 1149.72

413 feet; thence Easterly along a line parallel with the
414 said North line of Section 5, a distance of 1268.07
415 feet to a point of intersection with a line parallel
416 with and 60 feet Westerly of (as measured at right
417 angles) the East line of said Section 5; thence North
418 01° 44' 40" West along said parallel line, a distance
419 of 1089.78 feet to a point of intersection with a line
420 parallel with and 60 feet Southerly of (as measured at
421 right angles) the said North line of Section 5; thence
422 Westerly along said line parallel with and 60 feet
423 Southerly of the North line of Section 5, a distance
424 of 58.31 feet to a point of intersection with the
425 Southerly prolongation of the West line of said Lot 10
426 of Block 87 of "Leeland Heights"; thence Northerly
427 along said Southerly prolongation, a distance of 60.00
428 feet to the POINT OF BEGINNING. Bearings in last
429 described parcel relative to said Plat of Units 7 and
430 18 of "Leeland Heights," together with the following
431 described parcel beginning at the Northwest corner of
432 the Southeast 1/4 of said Section 5; thence
433 N02°13'08"W along the west line of the Northeast 1/4
434 of said Section 5 a distance of 1405.94 feet to a
435 point on the Southwesterly right-of-way line of
436 Homestead Road (80 feet wide); thence S45°12'26"E
437 along said Southwesterly right-of-way a distance of
438 3913.55 feet to the East line of the Southeast 1/4 of

439 said Section 5; thence S02°29'49"E along the East line
440 of the Southeast 1/4 of said Section 5 a distance of
441 1239.65 feet to the Southeast corner of the Southeast
442 1/4 of said Section 5; thence S89°08'31"W along the
443 South line of the Southeast 1/4 of said Section 5 a
444 distance of 1462.65 feet; thence N02°21'32"W a
445 distance of 175.06 feet; thence N89°08'31"E a distance
446 of 125.05 feet to a point on the East line of the
447 Southwest 1/4 of the Southeast 1/4 of said Section 5;
448 thence N02°21'29"W along the East line of the
449 Southwest 1/4 of the Southeast 1/4 of said Section 5 a
450 distance of 1141.39 feet to the Northeast corner of
451 the Southwest 1/4 of the Southeast 1/4 of said Section
452 5; thence S89°08'13" W along the North line of the
453 Southwest 1/4 of the Southeast 1/4 of said Section 5 a
454 distance of 1334.41 feet to the West line of the
455 Southeast 1/4 of said Section 5; thence N02°13'08"W
456 along the West line of the Southeast 1/4 of said
457 Section 5 a distance of 1316.26 feet to the POINT OF
458 BEGINNING; with the exception of the following
459 described parcel recorded in Book 2383, Page 399 of
460 the Official Records of Lee County, Florida and
461 BEGINNING at the Northwest corner of the Southeast 1/4
462 of said Section 5; thence N89°07'57"E along the North
463 line of said Southeast 1/4 a distance of 1340.36 feet
464 to a point on the Southwesterly right-of-way line of

465 Homestead Road (80 feet wide);thence S45°12'26"E along
 466 said right-of-way line a distance 530.85 feet to the
 467 POINT OF BEGINNING of said parcel; thence continuing
 468 S45°12'26"E along said right-of-way line a distance of
 469 461.42 feet; thence S44°50'37"W a distance of 100.69
 470 feet; thence S89°07'57"W along a line lying 780.00
 471 feet South of (as measured per perpendicular) and
 472 parallel to the aforementioned North line of said
 473 Southeast 1/4 a distance of 687.60 feet; thence
 474 N00°45'12"W a distance of 400.32 feet; thence
 475 N89°07'57"E a distance of 436.39 feet to a point on
 476 the Southwesterly right-of-way line of Homestead Road
 477 and the POINT OF BEGINNING.

478
 479 SECTION 6: All of Section 6, LESS the following
 480 described parcel: BEGINNING at the Southwest corner of
 481 Government Lot 5 of said Section 6; thence Northerly
 482 along the West line of said Government Lot 5, a
 483 distance of 466.70 feet; thence Easterly along a line
 484 parallel with the South line of said Government Lot 5,
 485 a distance of 466.70 feet; thence Southerly along a
 486 line parallel with the said West line of Government
 487 Lot 5, a distance of 466.70 feet; thence Westerly
 488 along the South line of said Government Lot 5, a
 489 distance of 466.70 feet to the POINT OF BEGINNING.

491 SECTION 7: All of Section 7.

492

493 SECTION 8: All of Section 8, LESS the Southwest 1/4 of

494 the Southeast 1/4 thereof.

495

496 SECTION 9: The following portions of Section 9;

497

498 The West 1/2 of the Southwest 1/4, together with the

499 Southeast 1/4, together with the West 1/2 of the

500 Northeast 1/4, together with the Southeast 1/4 of the

501 Northeast 1/4.

502

503 SECTIONS 10-17: All of Sections 10, 11, 12, 13, 14,

504 15, 16 and 17.

505

506 SECTION 18: All of Section 18, LESS the 200 foot

507 Right-of-Way for State Road 82 thereof, AND LESS the

508 Westerly 25 feet of that portion of said Section 18

509 lying Northerly of said State Road 82, said 25 foot

510 strip as conveyed to Lee County for roadway purposes

511 by deed recorded in Official Record Book 147, Page 73

512 of the said Public Records of Lee County.

513

514 SECTION 19: All of Section 19, LESS the 200 foot

515 Right-of-Way for State Road 82 thereof, AND LESS the

516 following described parcel, BEGINNING at the Northeast

517 corner of said Section 19; thence South 89°55'00"W
518 along the North line of said Section 19 a distance of
519 1327.50 feet to the Northwest corner of the East 1/2
520 of the Northeast 1/4 of said Section 19; thence South
521 49°30'50"W a distance of 465.93 ft to a point on the
522 North right-of-way line of State Road 82; thence
523 Southeasterly with the North right-of-way line of
524 State Road 82 to a point on the East line of said
525 Section 19; thence North 00°34'00"W along the East
526 line of said Section 19 to the POINT OF BEGINNING.

527
528 SECTION 20: All of Section 20, LESS the 200 foot
529 Right-of-Way for State Road 82 thereof, AND LESS the
530 following described parcel, BEGINNING at the Northwest
531 corner of said Section 20; thence North 89° 15' 50"
532 East along the North line of said Section 20, a
533 distance of 227.46 feet; thence South 00° 34' 00" East
534 along a line parallel with the West line of said
535 Section 20, a distance of 1516.82 feet to a point of
536 intersection with the Northerly Right-of-Way line of
537 State Road 82; thence North 49° 52' 20" West along the
538 said Northerly Right-of-Way line of State Road 82, a
539 distance of 300.00 feet to a point of intersection
540 with the West line of said Section 20; thence North
541 00° 34' 00" East along the said West line of Section
542 20 to the POINT OF BEGINNING; AND LESS the following

543 described parcel, BEGINNING at the intersection of the
 544 Southwesterly Right-of-Way line of State Road 82 and
 545 the South line of said Section 20; thence North 24°
 546 51' 40" West along the said Southwesterly Right-of-Way
 547 line of State Road 82, a distance of 1000.00 feet;
 548 thence South 32° 24' 30" West, a distance of 1081.39
 549 feet to a point of intersection with the said South
 550 line of Section 20; thence North 89° 40' 40" East
 551 along the said South line of Section 20, a distance of
 552 1000.00 feet to the POINT OF BEGINNING. Last described
 553 parcel being recorded in Deed Book 306, Page 153 of
 554 the said Public Records of Lee County.

555
 556 SECTIONS 21-26: All of Sections 21, 22, 23, 24, 25 and
 557 26.

558
 559 SECTION 27: All of Section 27 lying NORTH of State
 560 Road 82.

561
 562 SECTION 28: All of Section 28 lying North of State
 563 Road 82.

564
 565 SECTION 29: All of Section 29 lying North of State
 566 Road 82.

567

568 SECTION 34: All of Section 34 lying North of State
 569 Road 82.

571 SECTION 35: All of Section 35 lying North of State
 572 Road 82.

574 SECTION 36: All of Section 36 LESS the 200 foot Right-
 575 of-Way for State Road 82 thereof.

577 B. LANDS IN HENDRY COUNTY, FLORIDA

579 TOWNSHIP 43 SOUTH, RANGE 28 EAST

581 SECTION 30: The following portions of Section 30:

583 The West 400.00 feet of the Southwest 1/4 less the
 584 right-of-way for State Road 80, together with the
 585 parcel commencing at the West 1/4 corner of Section
 586 30; thence along the West Section line North 01° 01'
 587 11" West, a distance of 164.01 feet to the North
 588 right-of-way line of State Road 80 and the POINT OF
 589 BEGINNING; thence continuing North 01° 01' 11" West, a
 590 distance of 1156.17 feet to the South Right-of-Way
 591 line for the Caloosahatchee River (C-43 canal); thence
 592 along said South Right-of-Way line North 78° 07' 28"
 593 East, a distance of 162.92 feet; thence South 01° 01'

594 11" East, a distance of 415.55 feet; thence South 45°
 595 02' 36" East, a distance of 345.35 feet; thence South
 596 01° 01' 11" East, a distance of 520.42 feet to the
 597 North Right-of-Way for State Road 80; thence along
 598 said right-of-way South 88° 36' 43" West, a distance
 599 of 400.00 feet to the POINT OF BEGINNING.

600

601 SECTION 31: The following portions of Section 31;

602

603 The Southeast 1/4 of the Northwest 1/4, together with
 604 the East 1/2 of the Southwest 1/4, together with the
 605 South 185.00 feet of the North 1/2 of the Northwest
 606 1/4 less the West 1189.24 feet of the East 1439.25
 607 feet of the South 25.00 feet thereof; together with
 608 the West 660.76 feet of the North 30.00 feet of the
 609 Southwest 1/4 of the Northwest 1/4; together with the
 610 West 400.00 feet of the Northwest 1/4 of the Northwest
 611 1/4.

612

613 TOWNSHIP 44 SOUTH, RANGE 28 EAST

614

615 SECTION 6: The West 1/2 of Section 6.

616

617 SECTION 7: The West 1/2 of Section 7.

618

619 SECTION 18: The West 1/2 of Section 18.

620
621
622
623
624
625
626
627
628
629
630
631
632
633
634
635
636
637
638
639
640
641
642
643
644
645

SECTION 19: The West 1/2 of Section 19.

SECTION 30: The West 1/2 of Section 30.

SECTION 31: The West 1/2 of Section 31.

Section 3. Powers of the district.—

(1) The district shall have all authority, powers, and duties granted by this charter and by chapters 189 and 197, Florida Statutes.

(2) The district shall have all authority, powers, and duties to provide the following services:

(a) Drainage and water control as provided in subsection (4).

(b) Public improvements and community facilities as provided in subsection (5).

(c) Designation, creation, implementation, and maintenance of conservation, mitigation, and wildlife habitat, including, without limitation:

1. Recreational, cultural, and educational facilities.

2. Navigational and boating facilities.

(d) With regard to water and waste water services, the district shall have, and the board may exercise, subject to the regulatory jurisdiction and permitting authority of all applicable governmental bodies, agencies, and special districts

646 having authority with respect to any area included therein, the
647 power to provide water supply, sewer, and wastewater management,
648 reclamation, and reuse or any combination thereof, and to
649 construct and operate connecting intercepting or outlet sewers
650 and sewer mains and pipes and water mains, conduits, or
651 pipelines in, along, and under any street, alley, highway, or
652 other public place or ways, and to dispose of any effluent,
653 residue, or other byproducts of such system or sewer system.

654 (e) Local streets and sidewalks.

655 (f) Streetlights.

656 (g) Installation, maintenance, and control of outdoor
657 signage, monuments, and decorative and seasonal banners and
658 lights.

659 (h) The district board shall act as the planning advisory
660 panel for Lehigh Acres.

661
662 The special powers enumerated in paragraphs (d), (e), (f), (g),
663 and (h) do not apply within any portion of Hendry County.
664 Implementation of the powers authorized in paragraphs (d), (e),
665 (f), (g), and (h) shall be pursuant to the completion and
666 execution of an agreement with the Board of County Commissioners
667 of Lee County, including, without limitation, the dissolution of
668 the Lehigh Acres Streetlighting Unit and the transfer of all
669 equipment, facilities, leases, contracts, and obligations of the
670 unit to the district. The district shall have the authority and
671 flexibility to enter into one or more agreements with the Board

672 of County Commissioners of Lee County for the implementation of
673 each power authorized under paragraphs (d), (e), (f), (g), and
674 (h).

675 (3) The district shall have the authority to employ staff
676 to discharge its responsibilities, including, but not limited
677 to, staff necessary to exercise its authority and discharge its
678 duties under subsection (4). Employees of the district shall
679 serve at the pleasure of the district board.

680 (4) The following provisions provide and limit the
681 district's power and authority for drainage and water control:

682 (a) In exercising its authority for drainage and water
683 control, the district shall have the authority provided by, and
684 be subject to, ss. 298.16, 298.17, 298.18, 298.20, 298.21,
685 298.22, 298.225, 298.23, 298.24, 298.25, 298.26, 298.28,
686 298.301, 298.305, 298.329, 298.333, 298.341, 298.345, 298.353,
687 298.36, 298.365, 298.366, 298.401, 298.41(1), 298.465, 298.47,
688 298.48, 298.49, 298.50, 298.52, 298.54, 298.56, 298.59, 298.61,
689 298.62, 298.63, and 298.66, Florida Statutes.

690 (b) The district shall have the power to employ a person
691 designated as manager of the district and to vest such authority
692 in, delegate the performance of such duties to, and provide such
693 compensation for such person as may be determined by the board.
694 The manager shall have charge to manage the works of said
695 district and its construction, operation, and maintenance. The
696 district may require the manager to furnish bond with good and

697 sufficient surety in such amount as the board may by resolution
698 determine.

699 (5) The district shall have, and the board may exercise,
700 subject to the regulatory jurisdiction and permitting authority
701 of all applicable governmental bodies, agencies, and special
702 districts having authority with respect to any area included
703 therein, any or all of the following special powers relating to
704 public improvements and community facilities authorized by this
705 act:

706 (a) The power to finance, fund, plan, establish, acquire,
707 construct or reconstruct, enlarge or extend, equip, operate, and
708 maintain systems, facilities, and basic infrastructure for
709 conservation areas, mitigation areas, and wildlife habitat,
710 including the maintenance of any plant or animal species, and
711 any related interest in real or personal property.

712 (b) After the board has obtained the consent of the local
713 general purpose government within the jurisdiction of which the
714 specified power is to be exercised, the power to plan,
715 establish, acquire, construct or reconstruct, enlarge or extend,
716 equip, operate, and maintain additional systems and facilities
717 for parks and facilities for indoor and outdoor recreational,
718 cultural, and educational uses, with the exception of Lake
719 Camille Park, Williams Park, and ECO Park.

720 (c) The power to construct and maintain navigational and
721 boating facilities in its canals, including, but not limited to,
722 locks and dams, to widen and deepen its canals, to make them

723 usable for navigation and boating, and to regulate in all
 724 respects the use of its canals for navigation and boating,
 725 including, but not limited to, the size of boats, their speed,
 726 and hours of use.

727 (6) The district's planning requirements shall be as set
 728 forth in this act and chapter 189, Florida Statutes.

729 Section 4. Board of district commissioners.-

730 (1) The authority, power, business, and affairs of the
 731 district shall be exercised and administered by a governing body
 732 known as the "Board of District Commissioners of the Lehigh
 733 Acres Municipal Services Improvement District."

734 (2) The following provisions shall control the Lehigh
 735 Acres Municipal Services Improvement District:

736 (a) On the effective date of this act, the members of the
 737 former Board of Commissioners of the East County Water Control
 738 District shall constitute the five-member Board of District
 739 Commissioners of the Lehigh Acres Municipal Services Improvement
 740 District, with existing terms of office to remain intact.

741 The procedures for conducting district elections or referenda
 742 and for qualification of electors shall be pursuant to chapter
 743 189, Florida Statutes. Unless otherwise provided in s. 189.04,
 744 Florida Statutes, all elections for district commissioners shall
 745 be held on the first Tuesday after the first Monday in November
 746 of even-numbered years. The district commissioners shall be
 747 registered voters and residents of the district and elected at
 748 large by nonpartisan plurality vote with the candidate who

749 receives the highest number of votes for each seat winning the
750 election. Only registered voters residing within the district
751 shall be permitted to vote. The cost of any election shall be
752 borne by the district. The term of each commissioner shall begin
753 10 days after that commissioner's election.

754 (b) Qualifying for the position of district commissioner
755 shall be coordinated by the supervisors of elections of the
756 counties within which the district is located. Methods of
757 qualifying shall be uniform pursuant to s. 99.092, Florida
758 Statutes. Candidates shall be required to open depositories and
759 appoint treasurers before accepting any contributions or
760 expending any funds.

761 (c) Vacancies on the board shall be filled pursuant to s.
762 189.04(3)(b), Florida Statutes.

763 (d) The members of the board shall be reimbursed for their
764 expenses pursuant to s. 112.061, Florida Statutes, and paid a
765 salary of \$250 per calendar month during term of office as
766 established herein. The board may remove any member who has
767 three consecutive, unexcused absences from regularly scheduled
768 meetings. In addition, commissioners shall not be paid for any
769 unexcused absences from regularly scheduled meetings. The board
770 shall adopt policies by resolution defining excused and
771 unexcused absences.

772 (e) Each year, the board of commissioners shall hold an
773 annual organizational meeting and elect a chair, vice chair,

774 secretary, and treasurer, whose duties shall be established by
 775 resolution of the board.

776 (3) The board shall have those administrative duties set
 777 forth in this charter and chapter 189, Florida Statutes.

778 (4) A quorum of the board shall be a majority of its
 779 members. Official action will require a majority of those voting
 780 members present.

781 (5) Requirements for financial disclosure, meeting
 782 notices, reporting, public records maintenance, and per diem
 783 expenses for officers and employees shall be as set forth in
 784 chapters 112, 119, 189, and 286, Florida Statutes.

785 Section 5. Finances.—

786 (1) The powers, functions, and duties of the district
 787 regarding bond issuance, other revenue-raising capabilities,
 788 budget preparation and approval, liens and foreclosure of liens,
 789 use of tax deeds and tax certificates as appropriate for non-ad
 790 valorem assessments, and contractual agreements, and the methods
 791 for financing the district and for collecting non-ad valorem
 792 assessments, fees, or service charges, shall be as set forth in
 793 this charter, in chapters 170, 189, and 197, Florida Statutes,
 794 and in any applicable general or special law.

795 (2) The district shall have no power or authority to
 796 impose or collect ad valorem taxes.

797 (3) Annual installment assessments, which are levied
 798 pursuant to s. 298.36, Florida Statutes, shall become due and be
 799 collected during each year at the same time that county taxes

800 are due and collected, pursuant to s. 298.36, Florida Statutes,
801 chapter 197, Florida Statutes, and this charter. Said
802 assessments shall be a lien until paid on the property against
803 which assessed and enforceable in like manner as county taxes.

804 (4) Maintenance assessments as provided for under s.
805 298.54, Florida Statutes, shall be apportioned upon the basis of
806 the net assessments of benefits assessed as accruing from
807 original construction and shall be due and collected pursuant to
808 s. 298.54, Florida Statutes, chapter 197, Florida Statutes, and
809 this charter. Provided, nothing herein shall prevent the board
810 of commissioners from apportioning maintenance taxes for the
811 maintenance of the district facilities equally to all benefited
812 acres if the board of commissioners determines that benefits are
813 substantially equal for benefited acreage throughout the
814 district. Said assessments shall be a lien until paid on the
815 property against which assessed and enforceable in like manner
816 as county taxes.

817 (5) Non ad-valorem assessments and user charges or fees,
818 including impact fees, authorized by the board of commissioners
819 may be levied to finance, fund, plan, establish, acquire,
820 construct, operate, and maintain systems, facilities, and basic
821 infrastructures for water supply, sewer, and wastewater
822 management, reclamation, and reuse and to construct and operate
823 connecting intercepting or outlet sewers and sewer mains and
824 pipes and water mains, conduits, or pipelines in, along, and
825 under any street, alley, highway, or other public place or ways,

826 and to dispose of any effluent, residue, or other byproducts of
827 such system or sewer system.

828 (6) The methods for assessing and collecting non-ad
829 valorem assessments, fees, or service charges shall be as set
830 forth in this charter and chapter 170, chapter 189, chapter 197,
831 or chapter 298, Florida Statutes. The receipt and collection of
832 these charges or fees shall be in the manner prescribed by
833 resolution not inconsistent with general law.

834 (7) Notwithstanding s. 298.47, Florida Statutes, the board
835 of district commissioners may issue bonds maturing at annual
836 intervals within 40 years.

837 (8) Notwithstanding s. 298.36(2), Florida Statutes, the
838 secretary of the board of district commissioners, as soon as
839 said total assessment is levied, shall, at the expense of the
840 district, prepare a list of all assessments levied, said list to
841 be stored in electronic format.

842 (9) The board annually shall prepare, consider, and adopt
843 a district budget pursuant to the applicable requirements of
844 this charter and chapter 189, Florida Statutes. The fiscal year
845 shall be from October 1 through September 30.

846 (10) All warrants for the payment of labor, equipment,
847 materials, and other allowable expenses incurred by the board of
848 district commissioners in carrying out this charter shall be
849 payable on accounts and vouchers approved by the board.

850 (11) (a) The district shall have the authority to charge
851 and collect impact fees for capital improvements on new

852 construction within the district as prescribed in this charter,
853 chapter 189, Florida Statutes, or any other applicable general
854 law.

855 (b) The district shall comply with s. 163.31801, Florida
856 Statutes, and chapter 189, Florida Statutes, in its collection
857 and use of impact fees. New facilities and equipment shall be as
858 provided in chapter 189, Florida Statutes.

859 (c) The district is authorized to enter into agreements
860 regarding the collection of impact fees.

861 (12) The district shall have the authority to sell, lease,
862 or otherwise encumber surplus real property owned by the
863 district for the benefit of the district, except for
864 environmentally sensitive property as designated by the
865 Department of Environmental Protection.

866 Section 5. Chapters 2000-423, 2003-315, 2005-308, 2006-
867 319, 2009-260, and 2012-254, Laws of Florida, are repealed.

868 Section 6. The East County Water Control District is
869 dissolved.

870 Section 7. As of the effective date of this act, all
871 property, whether real, personal, or mixed, that is owned,
872 possessed, or controlled by the East County Water Control
873 District and all other assets, contracts, obligations, and
874 liabilities of the East County Water Control District are hereby
875 transferred and vested in the Lehigh Acres Municipal Services
876 Improvement District. All contracts and obligations of the East
877 County Water Control District existing on the effective date of

878 this act shall remain in full force and effect, and this act
879 shall in no way affect the validity of such contracts or
880 obligations.

881 Section 8. Notwithstanding the provisions of general or
882 other special law, the annexation by any municipality of any of
883 the lands within the district as described in section 4 is
884 prohibited. This prohibition of annexation shall not prevent any
885 subsequent chartering of a municipal incorporation comprised of
886 the entirety of the area occupied by the district.

887 Section 9. The provisions of this act shall be liberally
888 construed in order to effectively carry out the purposes of this
889 act in the interest of the public health, welfare, and safety of
890 the citizens served by the district.

891 Section 10. In the event of a conflict between any
892 provision of this act and the provisions of any other act, the
893 provisions of this act shall control to the extent of such
894 conflict.

895 Section 11. This act shall take effect upon becoming a
896 law.