

1 A bill to be entitled
2 An act relating to Brevard and Volusia Counties;
3 creating the Deering Park Stewardship District;
4 providing a short title; providing legislative
5 findings and intent; providing definitions; stating
6 legislative policy regarding creation of the District;
7 establishing compliance with minimum requirements in
8 s. 189.031(3), F.S., for creation of an independent
9 special district; providing for creation and
10 establishment of the District; providing District
11 boundaries; providing for the jurisdiction and charter
12 of the District; providing for a governing board and
13 establishing membership criteria and election
14 procedures; providing for board members' terms of
15 office; providing for board meetings; providing for
16 administrative duties of the board; providing a method
17 for election of the board; providing for a District
18 manager and District personnel; providing for a
19 District treasurer, selection of a public depository,
20 and District budgets and financial reports; providing
21 for the general powers of the District; providing for
22 the special powers of the District to plan, finance,
23 and provide community infrastructure and services
24 within the District; providing for bonds; providing
25 for future ad valorem taxation; providing for special

26 assessments; providing for authority to borrow money;
 27 providing for tax liens; providing for competitive
 28 procurement; providing for fees and charges; providing
 29 for amendment to the charter; providing for required
 30 notices to purchasers of units within the District;
 31 defining District public property; providing for
 32 construction; providing severability; providing for a
 33 referendum; providing effective dates.
 34

35 Be It Enacted by the Legislature of the State of Florida:
 36

37 Section 1. This act may be cited as the "Deering Park
 38 Stewardship District Act."

39 Section 2. Legislative findings and intent; definitions;
 40 policy.-

41 (1) LEGISLATIVE INTENT AND PURPOSE OF THE DISTRICT.-

42 (a) The extensive lands located wholly within Brevard and
 43 Volusia Counties and the City of Edgewater and covered by this
 44 act contain many opportunities for thoughtful, comprehensive,
 45 responsible, and consistent development over a long period.

46 (b) There is a need to use a special and limited purpose
 47 independent special district unit of local government for the
 48 Deering Park Stewardship District (District) lands located
 49 within Brevard and Volusia Counties and the City of Edgewater
 50 and covered by this act to provide for a more comprehensive

51 conservation and community development approach, which will
52 facilitate an integral relationship between conservation,
53 regional transportation, land use, and urban design to provide
54 for a diverse mix of housing and regional employment and
55 economic development opportunities, rather than fragmented
56 development with underutilized infrastructure generally
57 associated with urban sprawl.

58 (c) There is a considerably long period of time during
59 which there is a significant burden to provide various systems,
60 facilities, and services on the initial landowners of the
61 District lands, such that there is a need for flexible
62 management, sequencing, timing, and financing of the various
63 systems, facilities, and services to be provided to these lands,
64 taking into consideration absorption rates, commercial
65 viability, and related factors.

66 (d) While chapter 190, Florida Statutes, provides an
67 opportunity for previous community development services and
68 facilities to be provided by the continued use of community
69 development districts in a manner that furthers the public
70 interest, given the size of District lands and the duration of
71 development, continuing to utilize multiple community
72 development districts over these lands would result in an
73 inefficient, duplicative, and needless proliferation of local
74 special purpose governments, contrary to the public interest and
75 the Legislature's findings in chapter 190, Florida Statutes.

76 Instead, it is in the public interest that the long-range
77 provision for, and management, financing, and long-term
78 maintenance, upkeep, and operation of, services and facilities
79 to be provided for ultimate development and conservation of the
80 lands covered by this act be under one coordinated entity. The
81 creation of a single District will assist in integrating the
82 management of state resources and allow for greater and more
83 coordinated stewardship of natural resources.

84 (e) Longer involvement of the initial landowner with
85 regard to the provision of systems, facilities, and services for
86 the District lands, coupled with the special and limited purpose
87 of the District, is in the public interest.

88 (f) The existence and use of such a special and limited
89 purpose local government for the District lands, subject to
90 Brevard County, Volusia County, and the City of Edgewater
91 comprehensive plans, will provide for a comprehensive and
92 complete community development approach to promote a sustainable
93 and efficient land use pattern for the District lands with long-
94 term planning for green infrastructure and conservation areas
95 which require perpetual protection and stewardship as well as
96 sustainably planned development; provide opportunities for the
97 mitigation of impacts and development of infrastructure in an
98 orderly and timely manner; prevent the overburdening of the
99 general-purpose local government and the taxpayers; and provide
100 an enhanced tax base and regional employment and economic

101 development opportunities.

102 (g) The creation and establishment of the District will
103 encourage local government financial self-sufficiency in
104 providing public facilities and in identifying and implementing
105 fiscally sound, innovative, and cost-effective techniques to
106 provide and finance public facilities while encouraging
107 sustainable development, use, and coordination of capital
108 improvement plans by all levels of government, in accordance
109 with the goals of chapter 187, Florida Statutes.

110 (h) The creation and establishment of the District is a
111 legitimate supplemental and alternative method available to
112 manage, own, operate, construct, and finance both green and
113 capital infrastructure systems, facilities, and services.

114 (i) In order to be responsive to the critical timing
115 required through the exercise of its special management
116 functions, the District requires financing of those functions,
117 including bondable, lienable, and nonlienable revenue, with full
118 and continuing public disclosure and accountability, funded by
119 landowners, both present and future, and funded also by users of
120 the systems, facilities, and services provided to the land area
121 by the District, without unduly burdening the taxpayers,
122 citizens, and ratepayers of the state or Brevard County, Volusia
123 County, or the City of Edgewater.

124 (j) The District created and established by this act shall
125 not have or exercise any comprehensive planning, zoning, or

126 development permitting power; the establishment of the District
127 shall not be considered a development order within the meaning
128 of chapter 380, Florida Statutes; and all applicable planning
129 and permitting laws, rules, regulations, and policies of Brevard
130 and Volusia Counties and the City of Edgewater continue to
131 control the conservation and development of the land to be
132 serviced by the District.

133 (k) The creation by this act of the District is not
134 inconsistent with Brevard County, Volusia County, or the City of
135 Edgewater comprehensive plans.

136 (l) The creation by this act of the District does not
137 affect any of the existing conservation easements that have been
138 recorded on portions of the property.

139 (m) It is the legislative intent and purpose that no debt
140 or obligation of the District constitute a burden on Brevard
141 County, Volusia County, or the City of Edgewater.

142 (2) DEFINITIONS.—As used in this act:

143 (a) "Ad valorem bonds" means bonds that are payable from
144 the proceeds of ad valorem taxes levied on real and tangible
145 personal property and that are generally referred to as general
146 obligation bonds.

147 (b) "Assessable improvements" means, without limitation,
148 any and all public improvements and community facilities that
149 the District is empowered to provide in accordance with this act
150 that provide a special benefit to property within the District.

151 (c) "Assessment bonds" means special obligations of the
152 District which are payable solely from proceeds of the special
153 assessments or benefit special assessments levied for assessable
154 improvements, provided that, in lieu of issuing assessment bonds
155 to fund the costs of assessable improvements, the District may
156 issue revenue bonds for such purposes payable from assessments.

157 (d) "Assessments" means those nonmillage District
158 assessments which include special assessments, benefit special
159 assessments, and maintenance special assessments and a
160 nonmillage, non-ad valorem maintenance tax if authorized by
161 general law.

162 (e) "Benefit special assessments" means District
163 assessments imposed, levied, and collected pursuant to the
164 provisions of paragraph (12) (b) of section 6.

165 (f) "Board of supervisors" or "board" means the governing
166 body of the District or, if such board has been abolished, the
167 board, body, or commission assuming the principal functions
168 thereof or to whom the powers given to the board by this act
169 have been given by law.

170 (g) "Bond" includes "certificate," and the provisions that
171 are applicable to bonds are equally applicable to certificates.
172 The term also includes any general obligation bond, assessment
173 bond, refunding bond, revenue bond, bond anticipation note, and
174 other such obligation in the nature of a bond as is provided for
175 in this act.

176 (h) "Cost" or "costs," when used in reference to any
177 project, includes, but is not limited to:
178 1. The expenses of determining the feasibility or
179 practicability of acquisition, construction, or reconstruction.
180 2. The cost of surveys, estimates, plans, and
181 specifications.
182 3. The cost of improvements.
183 4. Engineering, architectural, fiscal, and legal expenses
184 and charges.
185 5. The cost of all labor, materials, machinery, and
186 equipment.
187 6. The cost of all lands, properties, rights, easements,
188 and franchises acquired.
189 7. Financing charges.
190 8. The creation of initial reserve and debt service funds.
191 9. Working capital.
192 10. Interest charges incurred or estimated to be incurred
193 on money borrowed prior to and during construction and
194 acquisition and for such reasonable period of time after
195 completion of construction or acquisition as the board may
196 determine.
197 11. The cost of issuance of bonds pursuant to this act,
198 including advertisements and printing.
199 12. The cost of any bond or tax referendum held pursuant
200 to this act and all other expenses of issuance of bonds.

201 13. The discount, if any, on the sale or exchange of
202 bonds.

203 14. Administrative expenses.

204 15. Such other expenses as may be necessary or incidental
205 to the acquisition, construction, or reconstruction of any
206 project, or to the financing thereof, or to the development of
207 any lands within the District.

208 16. Payments, contributions, dedications, and any other
209 exactions required as a condition of receiving any governmental
210 approval or permit necessary to accomplish any District purpose.

211 17. Any other expense or payment permitted by this act or
212 allowable by law.

213 (i) "Deering Park Stewardship District" means the unit of
214 special and limited purpose local government and political
215 subdivision created and chartered by this act, and limited to
216 the performance of those general and special powers authorized
217 by its charter under this act, the boundaries of which are set
218 forth by the act, the governing board of which is created and
219 authorized to operate with legal existence by this act, and the
220 purpose of which is as set forth in this act.

221 (j) "District" means the Deering Park Stewardship
222 District.

223 (k) "District manager" means the manager of the District.

224 (l) "District roads" means highways, streets, roads,
225 alleys, intersection improvements, sidewalks, crossings,

226 landscaping, irrigation, signage, signalization, storm drains,
227 bridges, multi-use trails, lighting, and thoroughfares of all
228 kinds.

229 (m) "General obligation bonds" means bonds which are
230 secured by, or provide for their payment by, the pledge of the
231 full faith and credit and taxing power of the District.

232 (n) "Governing board member" means any member of the board
233 of supervisors.

234 (o) "Land development regulations" means those regulations
235 of the general-purpose local government, adopted under the
236 Community Planning Act, codified as part II of chapter 163,
237 Florida Statutes, to which the District is subject and as to
238 which the District may not do anything that is inconsistent
239 therewith. Land development regulations shall not mean specific
240 management, engineering, operations, or capital improvement
241 planning, needed in the daily management, implementation, and
242 supplying by the District of systems, facilities, services,
243 works, improvements, projects, or infrastructure, so long as
244 they remain subject to and are not inconsistent with the
245 applicable county or city codes.

246 (p) "Landowner" means the owner of a freehold estate as it
247 appears on the deed record, including a trustee, a private
248 corporation, and an owner of a condominium unit. "Landowner"
249 does not include a reversioner, remainderman, mortgagee, or any
250 governmental entity which shall not be counted and need not be

251 notified of proceedings under this act. "Landowner" also means
252 the owner of a ground lease from a governmental entity, which
253 leasehold interest has a remaining term, excluding all renewal
254 options, in excess of 50 years.

255 (q) "General-purpose local government" means a county,
256 municipality, or consolidated city-county government.

257 (r) "Maintenance special assessments" are assessments
258 imposed, levied, and collected pursuant to the provisions of
259 paragraph (12) (d) of section 6.

260 (s) "Non-ad valorem assessment" means only those
261 assessments which are not based upon millage and which can
262 become a lien against a homestead as permitted in s. 4, Art. X
263 of the State Constitution.

264 (t) "Powers" means powers used and exercised by the board
265 of supervisors to accomplish the special and limited purpose of
266 the District, including:

267 1. "General powers," which means those organizational and
268 administrative powers of the District as provided in its charter
269 in order to carry out its special and limited purpose as a local
270 government public body corporate and politic.

271 2. "Special powers," which means those powers enumerated
272 by the District charter to implement its specialized systems,
273 facilities, services, projects, improvements, and infrastructure
274 and related functions in order to carry out its special and
275 limited purposes.

276 3. Any other powers, authority, or functions set forth in
277 this act.

278 (u) "Project" means any development, improvement,
279 property, power, utility, facility, enterprise, service, system,
280 works, or infrastructure now existing or hereafter undertaken or
281 established under the provisions of this act.

282 (v) "Qualified elector" means any person at least 18 years
283 of age who is a citizen of the United States and a legal
284 resident of the state and of the District and who registers to
285 vote with either of the Supervisors of Elections in Brevard
286 County or Volusia County and resides in Brevard County or
287 Volusia County.

288 (w) "Reclaimed water" means water, including from wells or
289 stormwater management facilities, that has received at least
290 secondary treatment and basic disinfection and is reused after
291 flowing out of a domestic wastewater treatment facility, or
292 otherwise as an approved use of surface water or groundwater by
293 the water management district.

294 (x) "Reclaimed water system" means any plant, well,
295 system, facility, or property, and any addition, extension, or
296 improvement thereto at any future time constructed or acquired
297 as part thereof, useful, necessary, or having the present
298 capacity for future use in connection with the development of
299 sources, treatment, purification, or distribution of reclaimed
300 water. The term includes franchises of any nature relating to

301 any such system and necessary or convenient for the operation
302 thereof including for the District's own use or resale.

303 (y) "Refunding bonds" means bonds issued to refinance
304 outstanding bonds of any type and the interest and redemption
305 premium thereon. Refunding bonds may be issuable and payable in
306 the same manner as refinanced bonds, except that no approval by
307 the electorate shall be required unless required by the State
308 Constitution.

309 (z) "Revenue bonds" means obligations of the District that
310 are payable from revenues, including, but not limited to,
311 special assessments and benefit special assessments, derived
312 from sources other than ad valorem taxes on real or tangible
313 personal property and that do not pledge the property, credit,
314 or general tax revenue of the District.

315 (aa) "Sewer system" means any plant, system, facility, or
316 property, and additions, extensions, and improvements thereto at
317 any future time constructed or acquired as part thereof, useful
318 or necessary or having the present capacity for future use in
319 connection with the collection, treatment, purification, or
320 disposal of sewage, including, but not limited to, industrial
321 wastes resulting from any process of industry, manufacture,
322 trade, or business or from the development of any natural
323 resource. The term also includes treatment plants, pumping
324 stations, lift stations, valves, force mains, intercepting
325 sewers, laterals, pressure lines, mains, and all necessary

326 appurtenances and equipment; all sewer mains, laterals, and
 327 other devices for the reception and collection of sewage from
 328 premises connected therewith; and all real and personal property
 329 and any interest therein, and rights, easements, and franchises
 330 of any nature relating to any such system and necessary or
 331 convenient for operation thereof.

332 (bb) "Special assessments" means assessments as imposed,
 333 levied, and collected by the District for the costs of
 334 assessable improvements pursuant to the provisions of this act,
 335 chapter 170, Florida Statutes, and the additional authority
 336 under s. 197.3631, Florida Statutes, or other provisions of
 337 general law, now or hereinafter enacted, which provide or
 338 authorize a supplemental means to impose, levy, or collect
 339 special assessments.

340 (cc) "Taxes" or "tax" means those levies and impositions
 341 of the board of supervisors that support and pay for government
 342 and the administration of law and that may be:

343 1. Ad valorem or property taxes based upon both the
 344 appraised value of property and millage, at a rate uniform
 345 within the jurisdiction; or

346 2. If and when authorized by general law, non-ad valorem
 347 maintenance taxes not based on millage that are used to maintain
 348 District systems, facilities, and services.

349 (dd) "Water system" means any plant, system, facility, or
 350 property, and any addition, extension, or improvement thereto at

351 any future time constructed or acquired as a part thereof,
352 useful, necessary, or having the present capacity for future use
353 in connection with the development of sources, treatment,
354 purification, or distribution of water. The term also includes
355 dams, reservoirs, treatment systems, storage tanks, mains,
356 lines, valves, pumping stations, laterals, and pipes for the
357 purpose of carrying water to the premises connected with such
358 system, and all rights, easements, and franchises of any nature
359 relating to any such system and necessary or convenient for the
360 operation thereof.

361 (3) POLICY.—Based upon its findings, ascertainments,
362 determinations, intent, purpose, and definitions, the
363 Legislature states its policy expressly:

364 (a) The District and the District charter, with its
365 general and special powers, as created in this act, are
366 essential and the best alternative for the residential,
367 commercial, office, hotel, healthcare, and other similar
368 community uses, projects, or functions in the included portion
369 of property consistent with the effective local comprehensive
370 plans, and designed to serve a lawful public purpose.

371 (b) The District, which is a local government and a
372 statutory political subdivision, is limited to its special
373 purpose as expressed in this act, with the power to provide,
374 plan, implement, construct, maintain, and finance as a local
375 government management entity systems, facilities, services,

376 improvements, infrastructure, and projects, and possessing
 377 financing powers to fund its management power over the long term
 378 and with sustained levels of high quality.

379 (c) The creation of the District by and pursuant to this
 380 act, and its exercise of its management and related financing
 381 powers to implement its limited, single, and special purpose, is
 382 not a development order and does not trigger or invoke any
 383 provision within the meaning of chapter 380, Florida Statutes,
 384 and all applicable governmental planning, environmental, and
 385 land development laws, regulations, rules, policies, and
 386 ordinances apply to all development of the land within the
 387 jurisdiction of the District as created by this act.

388 (d) The District shall operate and function subject to,
 389 and not inconsistent with, the applicable comprehensive plan of
 390 Brevard and Volusia Counties and the City of Edgewater and any
 391 applicable development orders, zoning regulations, and other
 392 land development regulations.

393 (e) The special and single purpose District shall not have
 394 the power of a general-purpose local government to adopt a
 395 comprehensive plan or related land development regulation as
 396 those terms are defined in the Community Planning Act.

397 (f) This act may be amended, in whole or in part, only by
 398 special act of the Legislature. The board of supervisors of the
 399 District shall not ask the Legislature to amend this act without
 400 first obtaining a resolution or official statement from the

401 District and Brevard and Volusia Counties and the City of
402 Edgewater as required by s. 189.031(2)(e)4., Florida Statutes,
403 for creation of an independent special district.

404 Section 3. Minimum charter requirements; creation and
405 establishment; jurisdiction; construction; charter.-

406 (1) Pursuant to s. 189.031(3), Florida Statutes, the
407 Legislature sets forth that the minimum requirements in
408 paragraphs (a) through (o) have been met in the identified
409 provisions of this act as follows:

410 (a) The purpose of the District is set forth in sections 2
411 and 3 of this act.

412 (b) The powers, functions, and duties of the District
413 regarding ad valorem taxation, bond issuance, other revenue-
414 raising capabilities, budget preparation and approval, liens and
415 foreclosure of liens, use of tax deeds and tax certificates as
416 appropriate for non-ad valorem assessments, and contractual
417 agreements are in section 6.

418 (c) The methods for establishing the District are in this
419 section.

420 (d) The methods for amending the charter of the District
421 are in section 2.

422 (e) The membership and organization of the governing body
423 and the establishment of a quorum are in section 5.

424 (f) The maximum compensation of each board member is in
425 section 5.

426 (g) The administrative duties of the governing body are in
427 sections 5 and 6.

428 (h) The financial disclosure, noticing, and reporting
429 requirements are in sections 5 and 6.

430 (i) The procedures and requirements for issuing bonds are
431 in section 6.

432 (j) The procedures and requirements for elections and
433 referenda and the qualifications of an elector of the District
434 are in sections 2 and 5.

435 (k) The methods for financing the District are in section
436 6.

437 (l) Other than taxes levied for the payment of bonds and
438 taxes levied for periods not longer than 2 years when authorized
439 by a vote of the electors of the District, the authority to levy
440 ad valorem taxes and the authorized millage rate are in section
441 6.

442 (m) The methods of collecting non-ad valorem assessments,
443 fees, or service charges are in section 6.

444 (n) The planning requirements are in this section and
445 section 6.

446 (o) The geographic boundary limitations of the District
447 are in sections 4 and 6.

448 (2) The District is created and incorporated as a public
449 body corporate and politic, an independent special and limited
450 purpose local government, an independent special district, under

451 s. 189.031, Florida Statutes, as amended from time to time, and
452 as defined in this act and in s. 189.012(3), Florida Statutes,
453 as amended from time to time, in and for portions of Brevard and
454 Volusia Counties and the City of Edgewater. Any amendments to
455 chapter 190, Florida Statutes, after January 1, 2020, granting
456 additional general powers, special powers, authorities, or
457 projects to a community development district by amendment to its
458 uniform charter, ss. 190.006-190.041, Florida Statutes, which
459 are not inconsistent with the provisions of this act, shall
460 constitute a general power, special power, authority, or
461 function of the District. All notices for the enactment by the
462 Legislature of this special act have been provided pursuant to
463 the State Constitution, the Laws of Florida, and the Rules of
464 the Florida House of Representatives and of the Florida Senate.
465 No referendum subsequent to the effective date of this act is
466 required as a condition of establishing the District. Therefore,
467 the District, as created by this act, is established on the
468 property described in this act.

469 (3) The territorial boundary of the District shall embrace
470 and include all of that certain real property described in
471 section 4.

472 (4) The jurisdiction of the District, in the exercise of
473 its general and special powers, and in the carrying out of its
474 special and limited purposes, is both within the external
475 boundaries of the legal description of the District and

476 extraterritorially when limited to, and as authorized expressly
477 elsewhere in, the charter of the District as created in this act
478 or applicable general law. This special and limited purpose
479 District is created as a public body corporate and politic, and
480 local government authority and power is limited by its charter,
481 this act, and subject to the provisions of other general laws,
482 including chapter 189, Florida Statutes, except that an
483 inconsistent provision in this act shall control and the
484 District has jurisdiction to perform such acts and exercise such
485 authorities, functions, and powers as shall be necessary,
486 convenient, incidental, proper, or reasonable for the
487 implementation of its special and limited purpose regarding the
488 sound planning, provision, acquisition, development, operation,
489 maintenance, and related financing of those public systems,
490 facilities, services, improvements, projects, and infrastructure
491 works as authorized herein, including those necessary and
492 incidental thereto. The District shall only exercise any of its
493 powers extraterritorially within Brevard and Volusia Counties
494 and the City of Edgewater after execution of an interlocal
495 agreement between the District and Brevard and Volusia Counties
496 and the City of Edgewater consenting to the District's exercise
497 of any of such powers within Brevard or Volusia Counties or the
498 City of Edgewater as applicable or an applicable development
499 order or as part of other land development regulations issued by
500 Brevard County, Volusia County, or the City of Edgewater.

501 (5) The exclusive charter of the District is this act and,
 502 except as otherwise provided in subsection (2), may be amended
 503 only by special act of the Legislature.

504 (6) The District shall not avail itself of any provision
 505 in general law that would allow for municipal conversion of any
 506 area within the District boundary that is not currently within a
 507 municipal boundary.

508 Section 4. Legal description of the District.—The metes
 509 and bounds legal description of the District, within which there
 510 are no parcels of property owned by those who do not wish their
 511 property to be included within the District, is as follows:

512
 513 LAND IN VOLUSIA COUNTY, FLORIDA
 514 A PART OF SECTIONS 32, 33, 34 AND 35, TOWNSHIP 17
 515 SOUTH, RANGE 33 EAST, VOLUSIA COUNTY, FLORIDA.
 516 TOGETHER WITH
 517 SECTIONS 1, 2, A PART OF SECTION 3, SECTIONS 10, 11,
 518 12, 13, 14, A PART OF SECTION 15, A PART OF SECTION
 519 22, SECTIONS 23, 24, 25, 26, 27, 28, A PART OF SECTION
 520 31, SECTIONS 32, 33, 34, 35 AND 36, TOWNSHIP 18 SOUTH,
 521 RANGE 33 EAST, VOLUSIA COUNTY, FLORIDA.
 522 TOGETHER WITH
 523 A PART OF SECTION 6, A PART OF SECTION 7, A PART OF
 524 SECTION 8, A PART OF SECTION 17, SECTIONS 18, 19, A
 525 PART OF SECTION 20, SECTIONS 29, 30, 31 AND 32,

526 TOWNSHIP 18 SOUTH, RANGE 34 EAST, VOLUSIA COUNTY,
 527 FLORIDA.
 528 TOGETHER WITH
 529 PART OF LOTS 13B, 14B, 15B, 15D, 62 AND 167,
 530 ASSESSOR'S SUBDIVISION OF THE CHARLES SIBBALD GRANT,
 531 AS RECORDED IN MAP BOOK 3, PAGE 151 OF THE PUBLIC
 532 RECORDS OF VOLUSIA COUNTY, FLORIDA.
 533 TOGETHER WITH
 534 SECTIONS 1, 2, 3, 4, 5, A PART OF SECTION 6, A PART OF
 535 SECTION 7, A PART OF SECTION 8, SECTIONS 9, 10, 11,
 536 12, 13, 14, 15, A PART OF SECTION 16, SECTION 17, A
 537 PART OF SECTION 18, A PART OF SECTION 19, SECTION 20,
 538 A PART OF SECTION 21, SECTION 22, A PART OF SECTION
 539 23, SECTION 24, SECTIONS 25, 26, 27, 28, A PART OF
 540 SECTIONS 29, 32, 33, 34, 35, AND SECTION 36, TOWNSHIP
 541 19 SOUTH, RANGE 33 EAST, VOLUSIA COUNTY, FLORIDA.
 542 TOGETHER WITH
 543 SECTIONS 5, 6, 7, 8, 17, 18, 19, 20, 21, 28, 29, PART
 544 OF SECTION 30, SECTIONS 31, 32 AND 33, TOWNSHIP 19
 545 SOUTH, RANGE 34 EAST, VOLUSIA COUNTY, FLORIDA.
 546 TOGETHER WITH
 547 SECTIONS 1, 12, 13 AND 24, TOWNSHIP 20 SOUTH, RANGE 33
 548 EAST, VOLUSIA COUNTY, FLORIDA.
 549 TOGETHER WITH
 550 SECTION 37, TOWNSHIP 21 SOUTH, RANGE 33 EAST, VOLUSIA

551 COUNTY, FLORIDA.
 552 MORE PARTICULARLY DESCRIBED AS FOLLOWS:
 553 FROM THE NORTHWEST CORNER OF SAID SECTION 10, TOWNSHIP
 554 18 SOUTH, RANGE 33 EAST, AS THE POINT OF BEGINNING,
 555 RUN N.00°24'00"W. ALONG THE WEST LINE OF SAID SECTION
 556 3, TOWNSHIP 18 SOUTH, RANGE 33 EAST, A DISTANCE OF
 557 9268.10 FEET; THENCE S.88°53'11"W., ALONG THE SOUTH
 558 LINE OF SAID SECTION 32, TOWNSHIP 17 SOUTH, RANGE 33
 559 EAST, A DISTANCE OF 1121.77 FEET; THENCE
 560 N.01°45'19"W., ALONG THE WEST LINE OF SAID SECTION 32,
 561 A DISTANCE OF 1317.75 FEET; THENCE DEPARTING SAID WEST
 562 LINE, RUN ALONG THE NORTH BOUNDARY OF THE CITY OF
 563 EDGEWATER, FLORIDA THE FOLLOWING COURSES AND
 564 DISTANCES: N.88°48'33"E., A DISTANCE OF 5316.14 FEET;
 565 THENCE N.88°44'53"E., A DISTANCE OF 3973.41 FEET;
 566 THENCE N.01°45'48"W., A DISTANCE OF 663.33 FEET;
 567 THENCE N.88°44'07"E., A DISTANCE OF 661.32 FEET;
 568 THENCE N.01°50'32"W., A DISTANCE OF 1990.46 FEET;
 569 THENCE N.88°41'49"E., A DISTANCE OF 658.58 FEET;
 570 THENCE N.88°35'30"E., A DISTANCE OF 5293.35 FEET;
 571 THENCE N.88°07'12"E., A DISTANCE OF 884.36 FEET TO THE
 572 WEST RIGHT OF WAY LINE OF INTERSTATE NO. 95 (STATE
 573 ROAD NO. 9), A 350 FOOT RIGHT OF WAY; THENCE RUN ALONG
 574 SAID WEST RIGHT OF WAY LINE THE FOLLOWING COURSES AND
 575 DISTANCES; S.29°53'30"E., A DISTANCE OF 452.54 FEET;

576 THENCE S.29°52'50"E., A DISTANCE OF 1053.25 FEET;
 577 THENCE S.29°53'21"E., A DISTANCE OF 1127.04 FEET;
 578 THENCE S.29°53'17"E., A DISTANCE OF 1141.37 FEET;
 579 THENCE DEPARTING SAID WEST RIGHT OF WAY LINE, RUN
 580 S.02°12'11"E., A DISTANCE OF 700.28 FEET; THENCE
 581 N.88°44'42"E., ALONG THE SOUTH LINE OF SAID SECTION
 582 35, TOWNSHIP 17 SOUTH, RANGE 33 EAST, A DISTANCE OF
 583 370.66 FEET TO THE WEST RIGHT OF WAY LINE OF SAID
 584 INTERSTATE NO. 95; THENCE RUN ALONG SAID WEST RIGHT OF
 585 WAY LINE THE FOLLOWING COURSES AND DISTANCES:
 586 S.29°52'48"E., A DISTANCE OF 1270.66 FEET; THENCE
 587 S.29°53'49"E., A DISTANCE OF 1005.54 FEET; THENCE
 588 S.29°52'11"E., A DISTANCE OF 825.17 FEET TO A POINT ON
 589 THE ARC OF A CURVE TO THE RIGHT, HAVING A RADIUS OF
 590 8419.42 FEET, A CENTRAL ANGLE OF 06°23'25", A CHORD
 591 BEARING OF S.26°40'28"E., AND A CHORD DISTANCE OF
 592 938.54 FEET; THENCE RUN SOUTHERLY ALONG THE ARC OF
 593 SAID CURVE A DISTANCE OF 939.03 FEET; THENCE DEPARTING
 594 SAID WEST RIGHT OF WAY LINE, RUN S.00°15'18"W., A
 595 DISTANCE OF 5705.31 FEET TO THE NORTH RIGHT OF WAY
 596 LINE OF OPOSSUM CAMP ROAD, AS DESCRIBED IN OFFICIAL
 597 RECORDS BOOK 7406, PAGE 1820, OFFICIAL RECORDS BOOK
 598 7183, PAGE 1323 AND OFFICIAL RECORDS BOOK 7423, PAGE
 599 614 OF THE PUBLIC RECORDS OF VOLUSIA COUNTY, FLORIDA;
 600 THENCE RUN ALONG SAID NORTH RIGHT OF WAY LINE THE

601 FOLLOWING COURSES AND DISTANCES: S.89°44'56"E., A
 602 DISTANCE OF 581.57 FEET; THENCE S.84°27'37"E., A
 603 DISTANCE OF 969.80 FEET; THENCE N.89°39'54"E., A
 604 DISTANCE OF 333.04 FEET; THENCE N.77°47'22"E., A
 605 DISTANCE OF 102.66 FEET; THENCE DEPARTING SAID NORTH
 606 RIGHT OF WAY LINE, RUN ALONG THE WEST RIGHT OF WAY
 607 LINE OF SAID INTERSTATE NO. 95 THE FOLLOWING COURSES
 608 AND DISTANCES; S.00°18'05"E., A DISTANCE OF 247.60
 609 FEET; THENCE S.76°02'36"E., A DISTANCE OF 163.17 FEET;
 610 THENCE S.62°03'45"E., A DISTANCE OF 149.14 FEET;
 611 THENCE S.31°55'20"E., A DISTANCE OF 1420.66 FEET;
 612 THENCE S.22°11'56"E., A DISTANCE OF 5150.31 FEET;
 613 THENCE DEPARTING SAID WEST RIGHT OF WAY LINE, RUN
 614 S.79°26'18"W, A DISTANCE OF 2782.81 FEET; THENCE
 615 S.00°19'17"W., ALONG THE EAST LINE OF SAID SECTION 18,
 616 TOWNSHIP 18 SOUTH, RANGE 34 EAST, A DISTANCE OF
 617 1245.74 FEET; THENCE S.00°54'04"E., ALONG SAID EAST
 618 LINE, A DISTANCE OF 2650.17 FEET; THENCE
 619 S.00°17'16"E., ALONG THE EAST LINE OF SAID SECTION 19,
 620 TOWNSHIP 18 SOUTH, RANGE 34 EAST, A DISTANCE OF
 621 3067.20 FEET; THENCE DEPARTING SAID EAST LINE, RUN
 622 N.89°29'08"E., A DISTANCE OF 3245.10 FEET; THENCE
 623 N.79°00'40"E., ALONG THE NORTH LINE OF SAID LOT 62 OF
 624 THE ASSESSOR'S SUBDIVISION OF THE CHARLES SIBBALD
 625 GRANT, A DISTANCE OF 1808.41 FEET TO THE WEST RIGHT OF

626 WAY LINE OF SAID INTERSTATE NO 95; THENCE RUN ALONG
 627 SAID WEST RIGHT OF WAY LINE THE FOLLOWING COURSES AND
 628 DISTANCES: S.15°00'53"E., A DISTANCE OF 3903.63 FEET
 629 TO THE POINT OF CURVATURE OF A CURVE TO THE LEFT,
 630 HAVING A RADIUS OF 17353.97 FEET, A CENTRAL ANGLE OF
 631 04°06'04", A CHORD BEARING OF S.17°03'55"E., AND A
 632 CHORD DISTANCE OF 1241.90 FEET; THENCE RUN SOUTHERLY
 633 ALONG THE ARC OF SAID CURVE A DISTANCE OF 1242.16
 634 FEET; THENCE S.19°06'57"E., A DISTANCE OF 3763.61 FEET
 635 TO THE BOUNDARY OF A FLORIDA DEPARTMENT OF
 636 TRANSPORTATION BORROW PIT, AS DESCRIBED IN OFFICIAL
 637 RECORDS BOOK 1790, PAGE 1340, OF THE PUBLIC RECORDS OF
 638 VOLUSIA COUNTY, FLORIDA; THENCE RUN ALONG SAID
 639 BOUNDARY THE FOLLOWING COURSES AND DISTANCES:
 640 S.70°53'03"W., A DISTANCE OF 300.00 FEET; THENCE
 641 N.19°06'57"W., A DISTANCE OF 650.00 FEET; THENCE
 642 S.70°53'03"W., A DISTANCE OF 600.00 FEET; THENCE
 643 S.19°06'57"E., A DISTANCE OF 700.00 FEET; THENCE
 644 N.70°53'03"E., A DISTANCE OF 900.00 FEET TO THE WEST
 645 RIGHT OF WAY LINE OF SAID INTERSTATE NO. 95; THENCE
 646 S.19°06'57"E., ALONG SAID WEST RIGHT OF WAY LINE, A
 647 DISTANCE OF 618.71 FEET; THENCE S.19°07'16"E., ALONG
 648 SAID WEST RIGHT OF WAY LINE, A DISTANCE OF 900.08
 649 FEET; THENCE DEPARTING SAID WEST RIGHT OF WAY LINE,
 650 RUN S.78°29'44"W., ALONG THE SOUTH LINE OF SAID LOT

651 13B OF THE ASSESSOR'S SUBDIVISION OF THE CHARLES
 652 SIBBALD GRANT, A DISTANCE OF 2859.22 FEET; THENCE
 653 S.78°16'18"W., ALONG THE NORTH LINE OF THE JOHN LOW
 654 GRANT, SECTION 47, TOWNSHIP 18 SOUTH, RANGE 34 EAST,
 655 VOLUSIA COUNTY, FLORIDA, A DISTANCE OF 4177.75 FEET;
 656 THENCE S.12°08'20"E., ALONG THE WEST LINE OF SAID JOHN
 657 LOW GRANT, A DISTANCE OF 1797.26 FEET; THENCE
 658 S.11°41'37"E., ALONG THE WEST LINE OF THE JOHN LOW
 659 GRANT, SECTION 39, TOWNSHIP 19 SOUTH, RANGE 34 EAST,
 660 VOLUSIA COUNTY, FLORIDA, A DISTANCE OF 18905.04 FEET;
 661 THENCE N.77°58'53"E., ALONG THE SOUTH LINE OF SAID
 662 JOHN LOW GRANT, A DISTANCE OF 1740.16 FEET; THENCE
 663 S.11°14'40"E., ALONG THE WEST LINE OF THE JOHN
 664 MCINTOSH GRANT, SECTION 44, TOWNSHIP 19 SOUTH, RANGE
 665 34 EAST, VOLUSIA COUNTY, FLORIDA, A DISTANCE OF
 666 8790.60 FEET; THENCE S.78°26'58"W., ALONG THE NORTH
 667 LINE OF THE HEIRS OF JOSEPH DELESPINE GRANT, SECTION
 668 45, TOWNSHIP 19 SOUTH, RANGE 34 EAST, VOLUSIA COUNTY,
 669 FLORIDA, A DISTANCE OF 817.69 FEET; THENCE
 670 S.11°14'16"E., ALONG THE WEST LINE OF SAID HEIRS OF
 671 JOSEPH DELESPINE GRANT, A DISTANCE OF 4842.20 FEET;
 672 THENCE S.89°03'20"W., ALONG THE SOUTH LINE OF SAID
 673 SECTION 33, TOWNSHIP 19 SOUTH, RANGE 34 EAST, A
 674 DISTANCE OF 3099.33 FEET; THENCE S.89°03'20"W., ALONG
 675 THE SOUTH LINE OF SAID SECTION 32, TOWNSHIP 19 SOUTH,

676 RANGE 34 EAST, A DISTANCE OF 5412.49 FEET; THENCE
 677 S.89°01'51"W., ALONG THE SOUTH LINE OF SAID SECTION
 678 31, TOWNSHIP 19 SOUTH, RANGE 34 EAST, A DISTANCE OF
 679 5623.75 FEET; THENCE S.00°47'08"E., ALONG THE EAST
 680 LINE OF SECTION 1, TOWNSHIP 20 SOUTH, RANGE 33 EAST, A
 681 DISTANCE OF 5460.91 FEET; THENCE S.01°03'19"E., ALONG
 682 THE EAST LINE OF SAID SECTION 12, TOWNSHIP 20 SOUTH,
 683 RANGE 33 EAST, A DISTANCE OF 5293.89 FEET; THENCE
 684 S.01°16'36"E., ALONG THE EAST LINE OF SAID SECTION 13,
 685 TOWNSHIP 20 SOUTH, RANGE 33 EAST, A DISTANCE OF
 686 5294.30 FEET; THENCE S.01°13'54"E., ALONG THE EAST
 687 LINE OF SAID SECTION 24, TOWNSHIP 20 SOUTH, RANGE 33
 688 EAST, A DISTANCE OF 2646.95 FEET; THENCE
 689 S.00°53'46"E., ALONG SAID EAST LINE, A DISTANCE OF
 690 239.56 FEET; THENCE S.78°21'43"W., ALONG THE SOUTH
 691 LINE OF SAID SECTION 24, A DISTANCE OF 5363.68 FEET;
 692 THENCE N.01°25'09"W., ALONG THE WEST LINE OF SAID
 693 SECTION 24, A DISTANCE OF 3855.27 FEET; THENCE
 694 N.01°24'38"W., ALONG THE WEST LINE OF SAID SECTION 13,
 695 A DISTANCE OF 2677.98 FEET; THENCE N.01°24'50"W.,
 696 ALONG THE WEST LINE OF SAID SECTION 13, A DISTANCE OF
 697 2678.13 FEET; THENCE N.01°19'06"W., A DISTANCE OF
 698 5291.20 FEET; THENCE N.00°16'57"E., ALONG THE WEST
 699 LINE OF SAID SECTION 1, A DISTANCE OF 5428.92 FEET;
 700 THENCE S.89°02'45"W., ALONG THE SOUTH LINE OF SAID

701 SECTION 36, TOWNSHIP 19 SOUTH, RANGE 33 EAST, A
 702 DISTANCE OF 66.00 FEET; THENCE N.01°41'37"W., ALONG
 703 THE WEST LINE OF SAID SECTION 36, A DISTANCE OF
 704 4329.42 FEET; THENCE S.61°42'29"W., ALONG THE NORTH
 705 LINE OF THE ABANDONED FLORIDA EAST COAST RAILROAD,
 706 OKEECHOBEE BRANCH, A DISTANCE OF 1028.89 FEET TO THE
 707 POINT OF CURVATURE OF A CURVE TO THE RIGHT, HAVING A
 708 RADIUS OF 2815.48 FEET; A CENTRAL ANGLE OF 24°56'00",
 709 A CHORD BEARING OF S.74°10'29"W., AND A CHORD DISTANCE
 710 OF 1215.56 FEET; THENCE RUN WESTERLY ALONG THE ARC OF
 711 SAID CURVE AND SAID NORTH LINE, A DISTANCE OF 1225.21
 712 FEET; THENCE S.86°38'29"W., ALONG SAID NORTH LINE, A
 713 DISTANCE OF 4556.64 FEET; THENCE DEPARTING SAID NORTH
 714 LINE, RUN N.02°44'27"W., A DISTANCE OF 598.14 FEET;
 715 THENCE S.88°45'51"W., A DISTANCE OF 1310.92 FEET;
 716 THENCE S.02°11'09"E., A DISTANCE OF 646.80 FEET TO THE
 717 NORTH LINE OF SAID ABANDONED FLORIDA EAST COAST
 718 RAILROAD; THENCE RUN ALONG SAID NORTH LINE THE
 719 FOLLOWING COURSES AND DISTANCES: S.86°38'29"W., A
 720 DISTANCE OF 6813.36 FEET; THENCE N.01°01'04"W., A
 721 DISTANCE OF 50.04 FEET; THENCE S.86°38'29"W., A
 722 DISTANCE OF 1544.36 FEET; THENCE DEPARTING SAID NORTH
 723 LINE, RUN N.64°20'17"W., A DISTANCE OF 4659.70 FEET;
 724 THENCE N.15°15'27"W., A DISTANCE OF 7492.89 FEET;
 725 THENCE N.15°51'21"W., A DISTANCE OF 829.94 FEET;

726 THENCE N.18°46'59"W., A DISTANCE OF 814.16 FEET;
 727 THENCE N.18°53'10"W., A DISTANCE OF 697.30 FEET;
 728 THENCE N.70°10'39"W., A DISTANCE OF 1587.18 FEET;
 729 THENCE N.14°08'03"W., A DISTANCE OF 3697.19 FEET;
 730 THENCE N.40°29'10"W., A DISTANCE OF 935.94 FEET;
 731 THENCE N.66°49'47"W., A DISTANCE OF 617.13 FEET;
 732 THENCE N.84°07'40"W., A DISTANCE OF 143.78 FEET;
 733 THENCE N.00°51'37"W., ALONG THE WEST LINE OF SAID
 734 SECTION 18, TOWNSHIP 19 SOUTH, RANGE 33 EAST, A
 735 DISTANCE OF 1269.62 FEET TO THE NORTHWEST CORNER OF
 736 SAID SECTION 18; THENCE N.45°02'00"E., A DISTANCE OF
 737 28.62 FEET TO THE EAST RIGHT OF WAY LINE OF PELL ROAD,
 738 AS SHOWN ON THE PLAT OF THE FLORIDA HOMELAND COMPANY
 739 SUBDIVISION, AS RECORDED IN MAP BOOK 4, PAGES 107 AND
 740 108 OF THE PUBLIC RECORDS OF VOLUSIA COUNTY, FLORIDA;
 741 THENCE N.00°42'24"E., ALONG SAID EAST RIGHT OF WAY
 742 LINE, A DISTANCE OF 1326.20 FEET; THENCE DEPARTING
 743 SAID EAST RIGHT OF WAY LINE, RUN N.89°24'02"E., ALONG
 744 THE SOUTH LINE OF LOT 8, BLOCK 3, SAID THE FLORIDA
 745 HOMELAND COMPANY SUBDIVISION, A DISTANCE OF 625.17
 746 FEET; THENCE S.00°25'01"W., ALONG THE WEST LINE OF LOT
 747 11, SAID BLOCK 3, A DISTANCE OF 1308.11 FEET; THENCE
 748 N.89°41'36"E., ALONG THE MAINTAINED NORTH RIGHT OF WAY
 749 LINE OF MAYTOWN ROAD, A DISTANCE OF 325.88 FEET;
 750 THENCE N.00°16'19"E., ALONG THE EAST LINE OF SAID LOT

751 11, A DISTANCE OF 1309.72 FEET; THENCE S.89°24'02"W.,
 752 ALONG THE NORTH LINE OF SAID LOT 11, A DISTANCE OF
 753 322.59 FEET; THENCE N.00°25'01"E., ALONG THE WEST LINE
 754 OF LOT 6, SAID BLOCK 3, A DISTANCE OF 1330.61 FEET;
 755 THENCE N.89°26'32"E., ALONG THE NORTH LINE OF LOTS 4,
 756 5 AND 6, SAID BLOCK 3, A DISTANCE OF 957.64 FEET;
 757 THENCE S.00°01'06"E., ALONG THE EAST LINE OF LOT 3,
 758 SAID BLOCK 3, A DISTANCE OF 1329.77 FEET; THENCE
 759 N.89°03'10"E., ALONG THE SOUTH LINE OF SAID LOT 3, A
 760 DISTANCE OF 322.60 FEET; THENCE N.00°09'47"W., ALONG
 761 THE EAST LINE OF SAID LOT 3, A DISTANCE OF 671.28
 762 FEET; THENCE N.89°23'32"E., ALONG THE SOUTH LINE OF
 763 LOT 1, SAID BLOCK 3, A DISTANCE OF 626.76 FEET; THENCE
 764 S.00°27'15"E., ALONG THE EAST LINE OF LOTS 2, 15 AND
 765 16, SAID BLOCK 3, A DISTANCE OF 1986.79 FEET; THENCE
 766 N.89°00'34"E., ALONG THE MAINTAINED NORTH RIGHT OF WAY
 767 LINE OF SAID MAYTOWN ROAD, A DISTANCE OF 30.00 FEET;
 768 THENCE N.00°27'15"W., ALONG THE WEST LINE OF LOTS 9
 769 AND 10, BLOCK 4, SAID THE FLORIDA HOMELAND COMPANY
 770 SUBDIVISION, A DISTANCE OF 1313.30 FEET; THENCE
 771 N.89°06'34"E., ALONG THE SOUTH LINE OF LOT 8, SAID
 772 BLOCK 4, A DISTANCE OF 636.07 FEET; THENCE
 773 N.00°34'02"W., ALONG THE WEST LINE OF LOT 6, SAID
 774 BLOCK 4, A DISTANCE OF 1325.28 FEET; THENCE
 775 N.89°26'32"E., ALONG THE NORTH LINE OF LOTS 5 AND 6,

776 SAID BLOCK 4, A DISTANCE OF 648.45 FEET; THENCE
 777 S.00°40'49"E., ALONG THE EAST LINE OF SAID LOT 5, A
 778 DISTANCE OF 1325.46 FEET; THENCE N.89°17'09"E., ALONG
 779 THE SOUTH LINE OF LOT 4, SAID BLOCK 4, A DISTANCE OF
 780 325.53 FEET; THENCE N.00°44'14"W., ALONG THE EAST LINE
 781 OF SAID LOT 4, A DISTANCE OF 1108.58 FEET; THENCE
 782 DEPARTING SAID EAST LINE, RUN S.89°26'32"W., A
 783 DISTANCE OF 159.50 FEET; THENCE N.00°44'25"W., A
 784 DISTANCE OF 72.00 FEET; THENCE N.89°26'32"E., A
 785 DISTANCE OF 159.50 FEET; THENCE N.00°44'14"W., ALONG
 786 THE EAST LINE OF LOT 4, SAID BLOCK 4 AND LOT 13, BLOCK
 787 1, SAID THE FLORIDA HOMELAND COMPANY SUBDIVISION, A
 788 DISTANCE OF 1121.41 FEET; THENCE DEPARTING SAID EAST
 789 LINE, RUN S.89°28'17"W., A DISTANCE OF 150.00 FEET;
 790 THENCE N.00°44'14"W., A DISTANCE OF 144.00 FEET;
 791 THENCE N.89°28'17"E., A DISTANCE OF 150.00 FEET;
 792 THENCE N.00°44'14"W., ALONG THE EAST LINE OF SAID LOT
 793 13, A DISTANCE OF 231.00 FEET; THENCE S.89°28'17"W.,
 794 ALONG THE NORTH LINE OF SAID LOT 13, A DISTANCE OF
 795 163.88 FEET; THENCE DEPARTING SAID NORTH LINE, RUN
 796 S.00°40'51"E., A DISTANCE OF 144.00 FEET; THENCE
 797 S.89°28'18"W., A DISTANCE OF 159.00 FEET; THENCE
 798 S.00°40'51"E., ALONG THE WEST LINE OF SAID LOT 13, A
 799 DISTANCE OF 159.00 FEET; THENCE DEPARTING SAID WEST
 800 LINE, RUN S.89°28'18"W., A DISTANCE OF 161.59 FEET;

801 THENCE N.00°39'09"W., A DISTANCE OF 72.00 FEET; THENCE
 802 S.89°28'18"W., A DISTANCE OF 161.56 FEET; THENCE
 803 S.00°37'27"E., ALONG THE WEST LINE OF LOT 12, SAID
 804 BLOCK 1, A DISTANCE OF 288.00 FEET; THENCE DEPARTING
 805 SAID WEST LINE, RUN S.89°28'18"W., A DISTANCE OF
 806 323.39 FEET; THENCE S.00°34'01"E., ALONG THE WEST LINE
 807 OF LOT 11, SAID BLOCK 1, A DISTANCE OF 443.90 FEET;
 808 THENCE DEPARTING SAID WEST LINE, RUN N.89°26'32"E., A
 809 DISTANCE OF 161.92 FEET; THENCE S.00°35'44"E., A
 810 DISTANCE OF 360.00 FEET; THENCE S.89°26'32"W., ALONG
 811 THE SOUTH LINE OF SAID LOT 11, AND THE WESTERLY
 812 EXTENSION THEREOF, A DISTANCE OF 3344.00 FEET; THENCE
 813 N00°51'35"W., ALONG THE EAST RIGHT OF WAY LINE OF SAID
 814 PELL ROAD, A DISTANCE OF 2664.12 FEET; THENCE
 815 N.00°35'21"W., ALONG SAID EAST RIGHT OF WAY LINE, A
 816 DISTANCE OF 20.00 FEET; THENCE DEPARTING SAID EAST
 817 RIGHT OF WAY LINE, RUN N.89°30'05"E., ALONG THE SOUTH
 818 LINE OF LOT 10, BLOCK 3, SAID THE FLORIDA HOMELAND
 819 COMPANY SUBDIVISION, A DISTANCE OF 623.13 FEET; THENCE
 820 N.00°32'27"W., ALONG THE EAST LINE OF SAID LOT 10, A
 821 DISTANCE OF 679.03 FEET; THENCE S.89°32'56"W., ALONG
 822 THE NORTH LINE OF SAID LOT 10, A DISTANCE OF 623.71
 823 FEET; THENCE N.00°35'21"W., ALONG THE EAST RIGHT OF
 824 WAY LINE OF SAID PELL ROAD, A DISTANCE OF 4896.87
 825 FEET; THENCE N.00°16'47"W., ALONG SAID EAST RIGHT OF

826 WAY LINE, A DISTANCE OF 2635.06 FEET; THENCE
 827 N.00°27'14"W., ALONG SAID EAST RIGHT OF WAY LINE, A
 828 DISTANCE OF 2664.46 FEET; THENCE DEPARTING SAID EAST
 829 RIGHT OF WAY LINE, RUN N.89°31'48"E., ON A LINE 20.00
 830 FEET SOUTH OF AND PARALLEL WITH THE NORTH LINE OF SAID
 831 SECTION 31, TOWNSHIP 18 SOUTH, RANGE 33 EAST, A
 832 DISTANCE OF 2506.48 FEET; THENCE N.89°14'45"E., ALONG
 833 SAID OFFSET LINE, A DISTANCE OF 2639.57 FEET; THENCE
 834 N.00°32'50"W., ALONG THE EAST LINE OF SAID SECTION 31,
 835 A DISTANCE OF 20.00 FEET; THENCE N.89°20'42"E., ALONG
 836 THE NORTH LINE OF SAID SECTION 32, TOWNSHIP 18 SOUTH,
 837 RANGE 33 EAST, A DISTANCE OF 2644.02 FEET; THENCE
 838 N.89°19'32"E., ALONG SAID NORTH LINE, A DISTANCE OF
 839 2643.63 FEET; THENCE N.00°32'48"W., ALONG THE WEST
 840 LINE OF SAID SECTION 28, TOWNSHIP 18 SOUTH, RANGE 33
 841 EAST, A DISTANCE OF 2661.94 FEET; THENCE
 842 N.01°17'00"W., ALONG SAID WEST LINE, A DISTANCE OF
 843 2653.26 FEET; THENCE N.89°25'34"E., ALONG THE NORTH
 844 LINE OF SAID SECTION 28, A DISTANCE OF 5328.95 FEET;
 845 THENCE N.88°47'55"E., ALONG THE NORTH LINE OF SAID
 846 SECTION 27, TOWNSHIP 18 SOUTH, RANGE 33 EAST, A
 847 DISTANCE OF 2625.74 FEET; THENCE N.00°07'47"W., ALONG
 848 THE WEST LINE OF THE EAST 1/2 OF SAID SECTION 22,
 849 TOWNSHIP 18 SOUTH, RANGE 33 EAST, A DISTANCE OF
 850 5282.93 FEET; THENCE N.00°28'00"W., ALONG THE WEST

851 LINE OF THE EAST 1/2 OF SAID SECTION 15, TOWNSHIP 18
 852 SOUTH, RANGE 33 EAST, A DISTANCE OF 5317.13 FEET;
 853 THENCE S.88°57'39"W., ALONG THE SOUTH LINE OF SAID
 854 SECTION 10, TOWNSHIP 18 SOUTH, RANGE 33 EAST, A
 855 DISTANCE OF 2667.85 FEET; THENCE N.00°24'16"W., ALONG
 856 THE WEST LINE OF SAID SECTION 10, A DISTANCE OF
 857 5338.90 FEET TO THE POINT OF BEGINNING.
 858 TOGETHER WITH
 859 SECTION 37, TOWNSHIP 21 SOUTH, RANGE 33 EAST, VOLUSIA
 860 COUNTY, FLORIDA, MORE PARTICULARLY DESCRIBED AS
 861 FOLLOWS:
 862 FROM THE NORTHEAST CORNER OF SAID SECTION 37, AS THE
 863 POINT OF BEGINNING; RUN S.00°44'05"E., ALONG THE EAST
 864 LINE OF SAID SECTION 37, A DISTANCE OF 2705.45 FEET;
 865 THENCE S.78°54'18"W., ALONG THE SOUTH LINE OF SAID
 866 SECTION 37, A DISTANCE OF 3990.70 FEET; THENCE
 867 N.08°52'58"W., ALONG THE WEST LINE OF SAID SECTION 37,
 868 A DISTANCE OF 3440.28 FEET; THENCE N.89°02'14"E.,
 869 ALONG THE NORTH LINE OF SAID SECTION 37, A DISTANCE OF
 870 4413.26 FEET TO THE POINT OF BEGINNING.
 871 LESS AND EXCEPT THE FOLLOWING DESCRIBED PARCELS
 872 EXCEPTION NO. 1
 873 A PART OF SECTION 3, TOWNSHIP 18 SOUTH, RANGE 33 EAST,
 874 VOLUSIA COUNTY, FLORIDA, DESCRIBED AS FOLLOWS:
 875 FROM THE SOUTHWEST CORNER OF SAID SECTION 3, RUN

876 N.89°01'41"E., ALONG THE SOUTH LINE OF SAID SECTION 3,
 877 A DISTANCE OF 4619.16 FEET TO THE POINT OF BEGINNING;
 878 THENCE DEPARTING SAID SOUTH LINE, RUN N.00°20'09"W., A
 879 DISTANCE OF 330.00 FEET; THENCE N.89°01'41"E., A
 880 DISTANCE OF 660.00 FEET; THENCE S.00°20'09"E., ALONG
 881 THE EAST LINE OF SAID SECTION 3, A DISTANCE OF 330.00
 882 FEET; THENCE S.89°01'41"W., ALONG THE SOUTH LINE OF
 883 SAID SECTION 3, A DISTANCE OF 660.00 FEET TO THE POINT
 884 OF BEGINNING.

885 EXCEPTION NO. 2

886 A PART OF AN UN-NUMBERED LOT IN FARMTON, FLORIDA, AS
 887 RECORDED IN MAP BOOK 5, PAGE 44, OF THE PUBLIC RECORDS
 888 OF VOLUSIA COUNTY, FLORIDA, MORE PARTICULARLY
 889 DESCRIBED AS FOLLOWS:

890 FROM THE NORTHWEST CORNER OF SECTION 18, TOWNSHIP 19
 891 SOUTH, RANGE 33 EAST, VOLUSIA COUNTY, FLORIDA, RUN N.
 892 89°21'35"E., ALONG THE NORTH LINE OF SAID SECTION 18,
 893 A DISTANCE OF 1586.56 FEET; THENCE DEPARTING SAID
 894 NORTH LINE, RUN S.00°38'25"E., A DISTANCE OF 247.27
 895 FEET TO THE POINT OF BEGINNING; THENCE S.00°51'37"E.,
 896 A DISTANCE OF 100.00 FEET; THENCE N.89°49'16"W., A
 897 DISTANCE OF 50.00 FEET; THENCE N.00°51'37"W., ALONG
 898 THE EAST RIGHT OF WAY OF SEVENTH STREET, A 60 FOOT
 899 RIGHT OF WAY, A DISTANCE OF 100.0 FEET; THENCE
 900 DEPARTING SAID EAST RIGHT OF WAY, RUN S.89°49'16"E., A

901 DISTANCE OF 50.00 FEET TO THE POINT OF BEGINNING.
902 LOTS 16, 17 AND 18, BLOCK 6, FARMTON, FLORIDA, AS
903 RECORDED IN MAP BOOK 5, PAGE 44, OF THE PUBLIC RECORDS
904 OF VOLUSIA COUNTY, FLORIDA.
905 LOTS 38, 39 AND 40, BLOCK 7, FARMTON, FLORIDA, AS
906 RECORDED IN MAP BOOK 5, PAGE 44, OF THE PUBLIC RECORDS
907 OF VOLUSIA COUNTY, FLORIDA.
908 LOT 14, BLOCK 14, FARMTON, FLORIDA, AS RECORDED IN MAP
909 BOOK 5, PAGE 44, OF THE PUBLIC RECORDS OF VOLUSIA
910 COUNTY, FLORIDA.
911 LOTS 1 AND 2, BLOCK 16, FARMTON, FLORIDA, AS RECORDED
912 IN MAP BOOK 5, PAGE 44, OF THE PUBLIC RECORDS OF
913 VOLUSIA COUNTY, FLORIDA.
914 LOT 4, BLOCK 26, FARMTON, FLORIDA, AS RECORDED IN MAP
915 BOOK 5, PAGE 44, OF THE PUBLIC RECORDS OF VOLUSIA
916 COUNTY, FLORIDA.
917 LOT 15, BLOCK 27, FARMTON, FLORIDA, AS RECORDED IN MAP
918 BOOK 5, PAGE 44, OF THE PUBLIC RECORDS OF VOLUSIA
919 COUNTY, FLORIDA.
920 EXCEPTION NO. 3
921 LOT 14, BLOCK 4, THE FLORIDA HOMELAND COMPANY
922 SUBDIVISION, AS RECORDED IN MAP BOOK 4, PAGE 108, OF
923 THE PUBLIC RECORDS OF VOLUSIA COUNTY, FLORIDA, MORE
924 PARTICULARLY DESCRIBED AS FOLLOWS:
925 FROM THE SOUTHEAST CORNER OF SECTION 8, TOWNSHIP 19

926 SOUTH, RANGE 33 EAST, VOLUSIA COUNTY, FLORIDA, RUN
 927 N.00°31'38"W., ALONG THE EAST LINE OF SAID SECTION 8,
 928 A DISTANCE OF 1328.06 FEET; THENCE DEPARTING SAID EAST
 929 LINE, RUN S.89°08'48"W., A DISTANCE OF 661.36 FEET TO
 930 THE POINT OF BEGINNING; THENCE S.00°34'30"E., ALONG
 931 THE EAST LINE OF SAID LOT 14, A DISTANCE OF 1307.17
 932 FEET; THENCE S.89°03'01"W., ALONG THE SOUTH LINE OF
 933 SAID LOT 14, A DISTANCE OF 330.14 FEET; THENCE
 934 N.00°35'56"W., ALONG THE WEST LINE OF SAID LOT 14, A
 935 DISTANCE OF 1309.72 FEET; THENCE N.89°08'48"E., ALONG
 936 THE NORTH LINE OF SAID LOT 14, A DISTANCE OF 330.68
 937 FEET TO THE POINT OF BEGINNING.

938 EXCEPTION NO. 4
 939 LOTS 1 THROUGH 8, BLOCK 1, THE FLORIDA HOMELAND
 940 COMPANY SUBDIVISION, AS RECORDED IN MAP BOOK 4, PAGE
 941 106 OF THE PUBLIC RECORDS OF VOLUSIA COUNTY, FLORIDA,
 942 DESCRIBED AS FOLLOWS:
 943 FROM THE NORTHEAST CORNER OF SECTION 16, TOWNSHIP 19
 944 SOUTH, RANGE 33 EAST, VOLUSIA COUNTY, FLORIDA, AS THE
 945 POINT OF BEGINNING, RUN S.88°58'21"W., ALONG THE NORTH
 946 LINE OF SAID SECTION 16, A DISTANCE OF 2640.30 FEET;
 947 THENCE DEPARTING SAID NORTH LINE, RUN S.00°23'46"E., A
 948 DISTANCE OF 1322.07 FEET; THENCE N.88°49'19"E., A
 949 DISTANCE OF 2644.80 FEET; THENCE N.00°35'19"W., ALONG
 950 THE EAST LINE OF SAID SECTION 16, A DISTANCE OF

951 | 1315.07 FEET TO THE POINT OF BEGINNING.

952 | EXCEPTION NO. 5

953 | A PART OF SECTION 21, TOWNSHIP 19 SOUTH, RANGE 33

954 | EAST, VOLUSIA COUNTY, FLORIDA, DESCRIBED AS FOLLOWS:

955 | FROM THE NORTHEAST CORNER OF SAID SECTION 21, RUN

956 | S.01°38'18"E., ALONG THE EAST LINE OF SAID SECTION 21,

957 | A DISTANCE OF 1332.77 FEET TO THE POINT OF BEGINNING;

958 | THENCE CONTINUE S.01°38'18"E., ALONG SAID EAST LINE, A

959 | DISTANCE OF 1332.77 FEET; THENCE DEPARTING SAID EAST

960 | LINE, RUN S.89°12'21"W., A DISTANCE OF 1322.23 FEET;

961 | THENCE N.01°38'54"W., A DISTANCE OF 266.47 FEET;

962 | THENCE S.88°45'38"W., A DISTANCE OF 495.81 FEET;

963 | THENCE N.01°39'08"W., A DISTANCE OF 1056.03 FEET;

964 | THENCE N.88°45'38"E., A DISTANCE OF 1818.24 FEET TO

965 | THE POINT OF BEGINNING.

966 | EXCEPTION NO. 6

967 | A PART OF SECTION 23, TOWNSHIP 19 SOUTH, RANGE 33

968 | EAST, VOLUSIA COUNTY, FLORIDA, DESCRIBED AS FOLLOWS:

969 | FROM THE NORTHEAST CORNER OF SAID SECTION 23, RUN

970 | S.88°11'09"W., ALONG THE NORTH LINE OF SAID SECTION

971 | 23, A DISTANCE OF 2780.32 FEET; THENCE DEPARTING SAID

972 | NORTH LINE, RUN S.00°56'58"E., A DISTANCE OF 1085.02

973 | FEET TO THE POINT OF BEGINNING; THENCE CONTINUE

974 | S.00°56'58"E., A DISTANCE OF 681.07 FEET; THENCE

975 | N.89°05'01"E., A DISTANCE OF 1001.22 FEET; THENCE

976 N.89°06'09"E., A DISTANCE OF 300.03 FEET; THENCE
 977 S.01°55'57"E., A DISTANCE OF 439.89 FEET; THENCE
 978 S.01°56'44"E., A DISTANCE OF 906.89 FEET; THENCE
 979 S.89°04'18"W., A DISTANCE OF 1113.72 FEET; THENCE
 980 S.88°58'55"W., A DISTANCE OF 210.24 FEET; THENCE
 981 S.89°03'22"W., A DISTANCE OF 1368.56 FEET; THENCE
 982 N.00°30'21"W., A DISTANCE OF 1351.23 FEET; THENCE
 983 N.89°02'05"E., A DISTANCE OF 566.61 FEET; THENCE
 984 N.01°03'27"W., A DISTANCE OF 676.51 FEET; THENCE
 985 N.89°01'31"E., A DISTANCE OF 792.16 FEET TO THE POINT
 986 OF BEGINNING.
 987 EXCEPTION NO. 7
 988 A PART OF SECTION 30, TOWNSHIP 19 SOUTH, RANGE 34
 989 EAST, VOLUSIA COUNTY, FLORIDA, DESCRIBED AS FOLLOWS:
 990 FROM THE NORTHWEST CORNER OF SAID SECTION 30, RUN
 991 N.88°38'58"E., ALONG THE NORTH LINE OF SAID SECTION
 992 30, A DISTANCE OF 2325.54 FEET; THENCE DEPARTING SAID
 993 NORTH LINE, RUN S.00°29'58"E., A DISTANCE OF 1326.77
 994 FEET TO THE POINT OF BEGINNING; THENCE CONTINUE
 995 S.00°29'58"E., A DISTANCE OF 971.19 FEET TO THE
 996 APPROXIMATE NORTH LINE OF THE MAINTAINED LIMITS OF
 997 MAYTOWN ROAD; THENCE RUN ALONG SAID NORTH LINE THE
 998 FOLLOWING COURSES AND DISTANCES: S.60°50'17"W., A
 999 DISTANCE OF 23.44 FEET; THENCE S.62°08'15"W., A
 1000 DISTANCE OF 13.51 FEET; THENCE S.65°22'54"W., A

1001 DISTANCE OF 97.90 FEET; THENCE S.65°14'29"W., A
 1002 DISTANCE OF 100.78 FEET; THENCE S.65°10'43"W., A
 1003 DISTANCE OF 99.18 FEET; THENCE S.65°11'19"W., A
 1004 DISTANCE OF 101.03 FEET; THENCE S.64°13'44"W., A
 1005 DISTANCE OF 100.23 FEET; THENCE S.63°37'08"W., A
 1006 DISTANCE OF 100.05 FEET; THENCE S.65°25'48"W., A
 1007 DISTANCE OF 99.13 FEET; THENCE S.64°59'58"W., A
 1008 DISTANCE OF 100.01 FEET; THENCE S.66°00'09"W., A
 1009 DISTANCE OF 10.72 FEET; THENCE DEPARTING SAID NORTH
 1010 LINE, RUN N.00°38'53"W., A DISTANCE OF 1315.32 FEET;
 1011 THENCE N.88°46'16"E., A DISTANCE OF 771.72 FEET TO THE
 1012 POINT OF BEGINNING.
 1013 EXCEPTION NO. 8
 1014 A PART OF SECTION 30, TOWNSHIP 19 SOUTH, RANGE 34
 1015 EAST, VOLUSIA COUNTY, FLORIDA, DESCRIBED AS FOLLOWS:
 1016 FROM THE NORTHWEST CORNER OF SAID SECTION 30, RUN
 1017 N.88°38'58"E., ALONG THE NORTH LINE OF SAID SECTION
 1018 30, A DISTANCE OF 2325.54 FEET; THENCE DEPARTING SAID
 1019 NORTH LINE, RUN S.00°29'58"E., A DISTANCE OF 2483.00
 1020 FEET TO THE POINT OF BEGINNING; THENCE CONTINUE
 1021 S.00°29'58"E.,
 1022 A DISTANCE OF 170.55 FEET; THENCE S.88°53'38"W., A
 1023 DISTANCE OF 364.92 FEET TO THE SOUTH RIGHT OF WAY LINE
 1024 OF THE FLORIDA EAST CENTRAL REGIONAL RAIL TRAIL, AS
 1025 DESCRIBED IN OFFICIAL RECORDS BOOK 6182, PAGE 1994 OF

1026 THE PUBLIC RECORDS OF VOLUSIA COUNTY, FLORIDA; THENCE
 1027 RUN ALONG SAID SOUTHERLY RIGHT OF WAY LINE THE
 1028 FOLLOWING COURSES AND DISTANCES: N.61°42'29"E., A
 1029 DISTANCE OF 161.81 FEET TO THE POINT OF CURVATURE OF A
 1030 CURVE TO THE RIGHT, HAVING A RADIUS OF 1858.83 FEET, A
 1031 CENTRAL ANGLE OF 07°29'26", A CHORD BEARING OF
 1032 N.65°27'03"E., AND A CHORD DISTANCE OF 242.84 FEET;
 1033 THENCE RUN EASTERLY ALONG THE ARC OF SAID CURVE A
 1034 DISTANCE OF 243.01 FEET TO THE POINT OF BEGINNING.
 1035 EXCEPTION NO. 9
 1036 A PART OF SECTION 30, TOWNSHIP 19 SOUTH, RANGE 34
 1037 EAST, VOLUSIA COUNTY, FLORIDA, DESCRIBED AS FOLLOWS:
 1038 FROM THE SOUTHEAST CORNER OF SAID SECTION 30,
 1039 RUNS.89°08'28"W., ALONG THE SOUTH LINE OF SAID SECTION
 1040 30, A DISTANCE OF 1324.16 FEET TO THE POINT OF
 1041 BEGINNING; THENCE CONTINUE S.89°08'28"W., ALONG SAID
 1042 SOUTH LINE, A DISTANCE OF 937.17 FEET TO THE EAST
 1043 RIGHT OF WAY LINE OF THE FLORIDA EAST CENTRAL REGIONAL
 1044 RAIL TRAIL, AS DESCRIBED IN OFFICIAL RECORDS BOOK
 1045 6182, PAGE 1994 OF THE PUBLIC RECORDS OF VOLUSIA
 1046 COUNTY, FLORIDA; THENCE RUN ALONG SAID EAST RIGHT OF
 1047 WAY LINE THE FOLLOWING COURSES AND DISTANCES:
 1048 N.39°55'34"W., A DISTANCE OF 607.41 FEET; THENCE
 1049 N.00°21'04"W., A DISTANCE OF 78.48 FEET; THENCE
 1050 N.39°55'34"W., A DISTANCE OF 471.26 FEET TO THE POINT

1051 OF CURVATURE OF A CURVE TO THE LEFT, HAVING A RADIUS
 1052 OF 5829.65 FEET, A CENTRAL ANGLE OF 05°25'05", A CHORD
 1053 BEARING OF N.42°38'07"W., AND A CHORD DISTANCE OF
 1054 551.07 FEET; THENCE RUN NORTHERLY ALONG THE ARC OF
 1055 SAID CURVE A DISTANCE OF 551.27 FEET; THENCE DEPARTING
 1056 SAID EAST RIGHT OF WAY LINE, RUN N.89°01'06"E., A
 1057 DISTANCE OF 1994.48 FEET; THENCE S.00°22'59"E., A
 1058 DISTANCE OF 1331.25 FEET TO THE POINT OF BEGINNING.
 1059 EXCEPTION NO. 10
 1060 A PART OF SECTION 30, TOWNSHIP 19 SOUTH, RANGE 34
 1061 EAST, VOLUSIA COUNTY, FLORIDA, DESCRIBED AS FOLLOWS:
 1062 FROM THE SOUTHEAST CORNER OF SAID SECTION 30,
 1063 RUNS.89°08'28"W., ALONG THE SOUTH LINE OF SAID SECTION
 1064 30, A DISTANCE OF 2390.14 FEET TO THE POINT OF
 1065 BEGINNING; THENCE CONTINUE S.89°08'28"W., A DISTANCE
 1066 OF 258.18 FEET; THENCE N.00°21'04"W., A DISTANCE OF
 1067 314.64 FEET TO THE WEST RIGHT OF WAY LINE OF THE
 1068 FLORIDA EAST CENTRAL REGIONAL RAIL TRAIL AS DESCRIBED
 1069 IN OFFICIAL RECORDS BOOK 6182, PAGE 1994 OF THE PUBLIC
 1070 RECORDS OF VOLUSIA COUNTY, FLORIDA; THENCE
 1071 S.39°55'34"E., ALONG SAID WEST RIGHT OF WAY LINE, A
 1072 DISTANCE OF 405.24 FEET TO THE POINT OF BEGINNING.
 1073 CONTAINING 52,240.415 ACRES, MORE OR LESS.
 1074 LAND IN BREVARD COUNTY, FLORIDA:
 1075 SECTIONS 4, 5, 6, 7, 8, A PART OF SECTION 9, SECTIONS

1076 | 15, 16, 17, 18, 19, 20, 21, AND 42, TOWNSHIP 20 SOUTH,
 1077 | RANGE 34 EAST, BREVARD COUNTY, FLORIDA.
 1078 | TOGETHER WITH
 1079 | SECTION 37, TOWNSHIP 21 SOUTH, RANGE 34 EAST, BREVARD
 1080 | COUNTY, FLORIDA.
 1081 | TOGETHER WITH
 1082 | A PART OF THE WISCONSIN FLORIDA FRUIT LAND COMPANY
 1083 | SUBDIVISION AS RECORDED IN PLAT BOOK 2, PAGE 43, OF
 1084 | THE PUBLIC RECORDS OF BREVARD COUNTY, FLORIDA.
 1085 | TOGETHER WITH
 1086 | A PART OF LOTS 3, 5 AND 6, PABLO FONTAINE GRANT, AS
 1087 | RECORDED IN DEED BOOK D, PAGE 525 OF THE PUBLIC
 1088 | RECORDS OF BREVARD COUNTY, FLORIDA.
 1089 | MORE PARTICULARLY DESCRIBED AS FOLLOWS:
 1090 | FROM THE NORTHWEST CORNER OF SAID SECTION 6, AS THE
 1091 | POINT OF BEGINNING, RUN N.89°01'51"E., ALONG THE NORTH
 1092 | LINE OF SAID SECTION 6, A DISTANCE OF 5623.75 FEET;
 1093 | THENCE N.89°03'20"E., ALONG THE NORTH LINE OF SAID
 1094 | SECTION 5, A DISTANCE OF 5412.49 FEET; THENCE N
 1095 | 89°03'20"E., ALONG THE NORTH LINE OF SAID SECTION 4, A
 1096 | DISTANCE OF 3099.33 FEET; THENCE S.11°54'09"E., ALONG
 1097 | THE EAST LINE OF SAID SECTION 4, A DISTANCE OF 5680.76
 1098 | FEET; THENCE S.89°32'42"W., ALONG THE SOUTH LINE OF
 1099 | SAID SECTION 4, A DISTANCE OF 3172.78 FEET TO THE WEST
 1100 | RIGHT OF WAY LINE OF THE FLORIDA EAST CENTRAL REGIONAL

1101 RAIL TRAIL, AS DESCRIBED IN OFFICIAL RECORDS BOOK
 1102 5838, PAGE 949 OF THE PUBLIC RECORDS OF BREVARD
 1103 COUNTY, FLORIDA; THENCE RUN ALONG SAID WEST RIGHT OF
 1104 WAY LINE THE FOLLOWING COURSES AND DISTANCES:
 1105 S.39°55'34"E., A DISTANCE OF 3846.48 FEET TO THE POINT
 1106 OF CURVATURE OF A CURVE TO THE LEFT, HAVING A RADIUS
 1107 OF 5779.97 FEET, A CENTRAL ANGLE OF 12°13'18", A CHORD
 1108 BEARING OF S.46°02'13"E., AND A CHORD DISTANCE OF
 1109 1230.57 FEET; THENCE RUN SOUTHERLY ALONG THE ARC OF
 1110 SAID CURVE A DISTANCE OF 1232.91 FEET; THENCE
 1111 S.52°08'52"E., A DISTANCE OF 752.99 FEET; THENCE
 1112 S.10°15'13"E., A DISTANCE OF 74.88 FEET; THENCE
 1113 S.52°08'52"E., A DISTANCE OF 768.74 FEET; THENCE
 1114 DEPARTING SAID WEST RIGHT OF WAY LINE, RUN
 1115 N.37°51'08"E., A DISTANCE OF 200.00 FEET TO THE EAST
 1116 RIGHT OF WAY LINE OF SAID FLORIDA EAST CENTRAL
 1117 REGIONAL RAIL TRAIL; THENCE DEPARTING SAID EAST RIGHT
 1118 OF WAY LINE, RUN N.78°47'48"E., A DISTANCE OF 787.00
 1119 FEET; THENCE N.11°13'33"W., A DISTANCE OF 411.40 FEET
 1120 TO THE SOUTH LINE OF TRACT 20, LOT 3, SAID WISCONSIN
 1121 FLORIDA FRUIT LAND COMPANY SUBDIVISION; THENCE
 1122 N.78°47'48"E., ALONG SAID SOUTH LINE, A DISTANCE OF
 1123 7.49 FEET; THENCE DEPARTING SAID SOUTH LINE, RUN
 1124 N.11°13'33"W., A DISTANCE OF 358.60 FEET TO THE NORTH
 1125 LINE OF SAID TRACT 20; THENCE N.78°47'48"E., ALONG

1126 SAID NORTH LINE, A DISTANCE OF 281.51 FEET; THENCE
 1127 DEPARTING SAID NORTH LINE, RUN S.11°13'33"E., A
 1128 DISTANCE OF 358.60 FEET; THENCE N.78°47'48"E., ALONG
 1129 THE SOUTH LINE OF SAID TRACT 20, AND THE EASTERLY
 1130 EXTENSION THEREOF, A DISTANCE OF 593.02 FEET; THENCE
 1131 N.11°13'33"W., ALONG THE WEST LINE OF TRACT 19, LOT 4,
 1132 SAID WISCONSIN FLORIDA FRUIT LAND COMPANY SUBDIVISION
 1133 A DISTANCE OF 358.61 FEET; THENCE N.78°46'27"E., ALONG
 1134 THE NORTH LINE OF SAID TRACT 19 AND THE EASTERLY
 1135 EXTENSION THEREOF A DISTANCE OF 2732.89 FEET TO A
 1136 POINT ON THE ARC OF A NON-TANGENT CURVE TO THE RIGHT,
 1137 HAVING A RADIUS OF 2827.00 FEET, A CENTRAL ANGLE OF
 1138 18°15'36", A CHORD BEARING OF N.55°04'18"E., AND A
 1139 CHORD DISTANCE OF 897.15 FEET; THENCE RUN EASTERLY
 1140 ALONG THE ARC OF SAID CURVE A DISTANCE OF 900.96 FEET;
 1141 THENCE N.13°57'49"W., A DISTANCE OF 622.94 FEET;
 1142 THENCE N.76°02'11"E., A DISTANCE OF 660.00 FEET;
 1143 THENCE N.13°57'49"W., A DISTANCE OF 660.00 FEET;
 1144 THENCE N.76°02'11"E., A DISTANCE OF 1197.71 FEET TO
 1145 THE WEST RIGHT OF WAY LINE OF INTERSTATE NO. 95 (STATE
 1146 ROAD NO. 9) A VARIABLE WIDTH RIGHT OF WAY; THENCE RUN
 1147 ALONG SAID WEST RIGHT OF WAY LINE THE FOLLOWING
 1148 COURSES AND DISTANCES: S.00°56'45"E., A DISTANCE OF
 1149 774.37 FEET; THENCE S.20°13'31"W., A DISTANCE OF
 1150 223.71 FEET; THENCE S.46°46'41"W., A DISTANCE OF 99.90

1151 FEET; THENCE S.43°13'19"E., A DISTANCE OF 200.00 FEET;
 1152 THENCE N.46°46'41"E., A DISTANCE OF 99.90 FEET; THENCE
 1153 S.80°07'53"E., A DISTANCE OF 125.07 FEET; THENCE
 1154 S.27°55'01"E., A DISTANCE OF 470.63 FEET; THENCE
 1155 DEPARTING SAID WEST RIGHT OF WAY LINE, RUN
 1156 S.72°14'16"W., A DISTANCE OF 623.00 FEET TO THE POINT
 1157 OF CURVATURE OF A CURVE TO THE RIGHT, HAVING A RADIUS
 1158 OF 25.00 FEET, A CENTRAL ANGLE OF 90°00'00", A CHORD
 1159 BEARING OF N.62°45'44"W., AND A CHORD DISTANCE OF
 1160 35.36 FEET; THENCE RUN WESTERLY ALONG THE ARC OF SAID
 1161 CURVE A DISTANCE OF 39.27 FEET; THENCE N.17°45'44"W.,
 1162 ALONG THE EAST RIGHT OF WAY LINE OF JABEZ ROAD, AN 80
 1163 FOOT RIGHT OF WAY AS SHOWN ON ROAD PLAT BOOK 1, PAGE
 1164 2, OF THE PUBLIC RECORDS OF BREVARD COUNTY, FLORIDA, A
 1165 DISTANCE OF 280.00 FEET; THENCE S.46°46'41"W., ALONG
 1166 THE SOUTH RIGHT OF WAY LINE OF STUCKWAY ROAD, AS SHOWN
 1167 ON SAID ROAD PLAT BOOK 1, PAGE 2, A DISTANCE OF 88.67
 1168 FEET; THENCE N.43°14'51"W., ALONG THE WEST RIGHT OF
 1169 WAY LINE OF SAID STUCKWAY ROAD, A DISTANCE OF 99.89
 1170 FEET; THENCE DEPARTING SAID WEST RIGHT OF WAY LINE,
 1171 RUN S.46°46'11"W., A DISTANCE OF 225.78 FEET TO A
 1172 POINT ON A NON-TANGENT CURVE TO THE RIGHT, HAVING A
 1173 RADIUS OF 4075.00 FEET, A CENTRAL ANGLE OF 07°32'43",
 1174 A CHORD BEARING OF S.67°23'35"W., AND A CHORD DISTANCE
 1175 OF 536.24 FEET; THENCE RUN WESTERLY ALONG THE ARC OF

1176 SAID CURVE A DISTANCE OF 536.63 FEET TO THE POINT OF
 1177 REVERSE CURVATURE OF A CURVE TO THE LEFT, HAVING A
 1178 RADIUS OF 2552.00 FEET, A CENTRAL ANGLE OF 35°30'01",
 1179 A CHORD BEARING OF S.53°24'56"W., AND A CHORD DISTANCE
 1180 OF 1556.03 FEET; THENCE RUN WESTERLY ALONG THE ARC OF
 1181 SAID CURVE A DISTANCE OF 1581.21 FEET TO THE POINT OF
 1182 REVERSE CURVATURE OF A CURVE TO THE RIGHT, HAVING A
 1183 RADIUS OF 3731.00 FEET, A CENTRAL ANGLE OF 17°34'22",
 1184 A CHORD BEARING OF S.44°27'06"W., AND A CHORD DISTANCE
 1185 OF 1139.83 FEET; THENCE RUN WESTERLY ALONG THE ARC OF
 1186 SAID CURVE A DISTANCE OF 1144.31 FEET; THENCE
 1187 S.78°46'27"W., ALONG THE SOUTH LINE OF TRACT 24, LOT
 1188 4, SAID WISCONSIN FLORIDA FRUIT LAND COMPANY
 1189 SUBDIVISION, A DISTANCE OF 182.60 FEET TO A POINT ON A
 1190 NON-TANGENT CURVE TO THE RIGHT, HAVING A RADIUS OF
 1191 3656.00 FEET, A CENTRAL ANGLE OF 00°48'39", A CHORD
 1192 BEARING OF S.56°13'36"W., AND A CHORD DISTANCE OF
 1193 51.73 FEET; THENCE RUN WESTERLY ALONG THE ARC OF SAID
 1194 CURVE A DISTANCE OF 51.73 FEET; THENCE S.25°12'07"W.,
 1195 A DISTANCE OF 453.84 FEET; THENCE S.78°46'27"W., ALONG
 1196 THE SOUTH LINE OF TRACT 26, LOT 4, SAID WISCONSIN
 1197 FLORIDA FRUIT LAND COMPANY SUBDIVISION, A DISTANCE
 1198 OF 1095.41 FEET; THENCE DEPARTING SAID SOUTH LINE, RUN
 1199 S.78°47'48"W., A DISTANCE OF 289.01 FEET; THENCE
 1200 S.11°13'33"E., A DISTANCE OF 385.00 FEET; THENCE

1201 S.78°47'48"W., A DISTANCE OF 363.42 FEET TO THE EAST
 1202 RIGHT OF WAY LINE OF SAID FLORIDA EAST CENTRAL
 1203 REGIONAL RAIL TRAIL; THENCE DEPARTING SAID EAST RIGHT
 1204 OF WAY LINE, RUN S.37°51'08"W., A DISTANCE OF 200.00
 1205 FEET TO THE WEST RIGHT OF WAY LINE OF SAID FLORIDA
 1206 EAST CENTRAL REGIONAL RAIL TRAIL; THENCE RUN ALONG
 1207 SAID WEST RIGHT OF WAY LINE THE FOLLOWING COURSES AND
 1208 DISTANCE: S.52°08'52"E., A DISTANCE OF 2493.38 FEET TO
 1209 THE POINT OF CURVATURE OF A CURVE TO THE RIGHT, HAVING
 1210 A RADIUS OF 2765.08 FEET, A CENTRAL ANGLE OF
 1211 27°56'49", A CHORD BEARING OF S.38°10'27"E., AND A
 1212 CHORD DISTANCE OF 1335.38 FEET; THENCE RUN SOUTHERLY
 1213 ALONG THE ARC OF SAID CURVE A DISTANCE OF 1348.71
 1214 FEET; THENCE S.24°12'03"E., A DISTANCE OF 1275.04
 1215 FEET; THENCE DEPARTING SAID WEST RIGHT OF WAY LINE,
 1216 RUN S.78°50'28"W., ALONG THE SOUTH LINE OF SAID LOT 5,
 1217 PABLO FONTAINE GRANT AND THE SOUTH LINE OF SAID
 1218 SECTIONS 15, 16 AND 21, A DISTANCE OF 7857.48 FEET;
 1219 THENCE S.17°07'37"E., ALONG THE WEST RIGHT OF WAY LINE
 1220 OF A 40 FOOT UN-NAMED ROAD ADJACENT TO THE WEST LINE
 1221 OF SECTION 5 OF INDIAN RIVER PARK, A SUBDIVISION
 1222 RECORDED IN MAP BOOK 2, PAGE 33, OF THE PUBLIC RECORDS
 1223 OF BREVARD COUNTY, FLORIDA, A DISTANCE OF 4960.58
 1224 FEET; THENCE S.78°54'29"W., ALONG THE NORTH RIGHT OF
 1225 WAY LINE OF A 30 FOOT UN-NAMED ROAD ADJACENT TO THE

1226 NORTH LINE OF LOT 1, BLOCK 1, SECTION 13, SAID INDIAN
 1227 RIVER PARK, A DISTANCE OF 639.82 FEET; THENCE
 1228 S.16°49'23"E., ALONG THE WEST LINE OF SAID LOT 1,
 1229 BLOCK 1, AND THE NORTHERLY EXTENSION THEREOF, A
 1230 DISTANCE OF 681.19 FEET; THENCE N.78°54'29"E., ALONG
 1231 THE SOUTH LINE OF SAID LOT 1, BLOCK 1, A DISTANCE OF
 1232 639.94 FEET; THENCE S.16°49'23"E., ALONG THE WEST
 1233 RIGHT OF WAY LINE OF A 40 FOOT UN-NAMED ROAD ADJACENT
 1234 TO THE WEST LINE OF SECTION 14 OF SAID INDIAN RIVER
 1235 PARK, A DISTANCE OF 646.01 FEET; THENCE S.78°54'29"W.,
 1236 ALONG THE NORTH RIGHT OF WAY LINE OF A 30 FOOT UN-
 1237 NAMED ROAD ADJACENT TO THE NORTH LINE OF LOTS 1 AND 2,
 1238 BLOCK 4, SAID SECTION 13 OF INDIAN RIVER PARK, A
 1239 DISTANCE OF 1299.95 FEET; THENCE S.16°49'27"E., ALONG
 1240 THE WEST LINE OF LOTS 2 AND 7, BLOCK 4, SAID SECTION
 1241 13, AND THE NORTHERLY AND SOUTHERLY EXTENSION THEREOF,
 1242 A DISTANCE OF 1336.73 FEET; THENCE S.17°01'13"E.,
 1243 ALONG THE WEST LINE OF LOTS 2 AND 7, BLOCK 5, SAID
 1244 SECTION 13, AND LOTS 2 AND 7, BLOCK 8, SAID SECTION
 1245 13, AND THE NORTHERLY AND SOUTHERLY EXTENSION THEREOF,
 1246 A DISTANCE OF 2638.61 FEET; THENCE S.16°54'12"E.,
 1247 ALONG THE WEST LINE OF LOTS 2 AND 7, BLOCK 1, SECTION
 1248 24 OF SAID INDIAN RIVER PARK, LOT 2, BLOCK 4, SAID
 1249 SECTION 24, AND THE NORTHERLY AND SOUTHERLY EXTENSION
 1250 THEREOF, A DISTANCE OF 1978.54 FEET; THENCE

1251 N.78°54'29"E., ALONG THE SOUTH LINE OF LOTS 1 AND 2,
 1252 BLOCK 4, SAID SECTION 24, A DISTANCE OF 1299.97 FEET;
 1253 THENCE S. 16°54'12"E., ALONG THE WEST RIGHT OF WAY
 1254 LINE OF A 40 FOOT UN-NAMED ROAD ADJACENT TO THE WEST
 1255 LINE OF LOT 5, BLOCK 3, SECTION 23 OF SAID INDIAN
 1256 RIVER PARK, A DISTANCE OF 647.24 FEET; THENCE
 1257 S.78°54'29"W., ALONG THE NORTH RIGHT OF WAY LINE OF A
 1258 30 FOOT UN-NAMED ROAD ADJACENT TO THE NORTH LINE OF
 1259 LOTS 1 AND 2, BLOCK 5, SAID SECTION 24, A DISTANCE OF
 1260 1299.95 FEET; THENCE S.16°50'34"E., ALONG THE WEST
 1261 LINE OF LOTS 2 AND 7, BLOCK 5, SAID SECTION 24, AND
 1262 THE NORTHERLY EXTENSION THEREOF, A DISTANCE OF 1319.91
 1263 FEET; THENCE S.78°54'23"W., ALONG THE NORTH RIGHT OF
 1264 WAY LINE OF A 30 FOOT UN-NAMED ROAD ADJACENT TO THE
 1265 NORTH LINE OF LOTS 3 AND 4, BLOCK 8, SAID SECTION 24,
 1266 A DISTANCE OF 1319.08 FEET; THENCE S.16°53'42"E.,
 1267 ALONG THE CENTERLINE OF A VACATED 30 FOOT UN-NAMED
 1268 ROAD ADJACENT TO THE WEST LINE OF LOT 4, BLOCK 8, SAID
 1269 SECTION 24, A DISTANCE OF 675.25 FEET; THENCE
 1270 N.78°47'52"E., ALONG THE SOUTH LINE OF LOTS 1, 2, 3,
 1271 AND 4, BLOCK 8, SAID SECTION 24, A DISTANCE OF 2619.74
 1272 FEET; THENCE S.16°53'42"E., ALONG THE WEST RIGHT OF
 1273 WAY LINE OF A 40 FOOT UN-NAMED ROAD ADJACENT TO THE
 1274 WEST LINE OF LOT 5, BLOCK 7, SAID SECTION 23, A
 1275 DISTANCE OF 660.04 FEET; THENCE S.78°54'23"W., ALONG

1276 THE SOUTH LINE OF SAID SECTION 42, TOWNSHIP 20 SOUTH,
 1277 RANGE 34 EAST, A DISTANCE OF 2621.35 FEET; THENCE
 1278 S.78°51'19"W., ALONG THE SOUTH LINE OF SAID SECTION
 1279 42, AND THE SOUTH LINE OF SAID SECTION 37, TOWNSHIP 21
 1280 SOUTH, RANGE 34 EAST, A DISTANCE OF 2644.18 FEET;
 1281 THENCE S.78°54'18"W., ALONG SAID SOUTH LINE, A
 1282 DISTANCE OF 12476.74 FEET; THENCE N.00°44'05"W., ALONG
 1283 THE WEST LINE OF SAID SECTION 37, TOWNSHIP 21 SOUTH,
 1284 RANGE 34 EAST, A DISTANCE OF 2705.45 FEET; THENCE
 1285 N.01°11'54"W., ALONG THE WEST LINE OF SAID SECTION 42,
 1286 A DISTANCE OF 10597.53 FEET; THENCE N.00°53'46"W.,
 1287 ALONG THE WEST LINE OF SAID SECTION 42, A DISTANCE OF
 1288 2407.41 FEET; THENCE N.00°53'46"W., ALONG THE WEST
 1289 LINE OF SAID SECTION 19, A DISTANCE OF 239.56 FEET;
 1290 THENCE N.01°13'54"W., ALONG SAID WEST LINE, A DISTANCE
 1291 OF 2646.95 FEET; THENCE N.01°16'36"W., ALONG THE WEST
 1292 LINE OF SAID SECTION 18, A DISTANCE OF 5294.30 FEET;
 1293 THENCE N.01°03'19"W., ALONG THE WEST LINE OF SAID
 1294 SECTION 7, A DISTANCE OF 5293.89 FEET; THENCE
 1295 N.00°47'08"W., ALONG THE WEST LINE OF SAID SECTION 6,
 1296 A DISTANCE OF 5460.91 FEET TO THE POINT OF BEGINNING.
 1297 CONTAINING 11,894.585 ACRES, MORE OR LESS.
 1298 CONTAINING A TOTAL AREA OF 64,135.00 ACRES, PLUS OR
 1299 MINUS.

1300

1301 Being subject to any rights-of-way, restrictions, and easements
1302 of record.

1303 Section 5. Board of supervisors; members and meetings;
1304 organization; powers; duties; terms of office; related election
1305 requirements.-

1306 (1) The board of the District shall exercise the powers
1307 granted to the District pursuant to this act. The board shall
1308 consist of five members, each of whom shall hold office for a
1309 term of 4 years, as provided in this section, except as
1310 otherwise provided herein for initial board members, and until a
1311 successor is chosen and qualified. The members of the board must
1312 be residents of the state and citizens of the United States.

1313 (2) (a) Within 90 days after the effective date of this
1314 act, there shall be held a meeting of the landowners of the
1315 District for the purpose of electing five supervisors for the
1316 District. Notice of the landowners' meeting shall be published
1317 once a week for 2 consecutive weeks in a newspaper of general
1318 circulation in the District, the last day of such publication to
1319 be not fewer than 14 days nor more than 28 days before the date
1320 of the election. The landowners, when assembled at such meeting,
1321 shall organize by electing a chair, who shall conduct the
1322 meeting. The chair may be any person present at the meeting. If
1323 the chair is a landowner or proxy holder of a landowner, he or
1324 she may nominate candidates and make and second motions. The
1325 landowners present at the meeting, in person or by proxy, shall

1326 constitute a quorum. At any landowners' meeting, 50 percent of
1327 the District acreage shall not be required to constitute a
1328 quorum, and each governing board member elected by landowners
1329 shall be elected by a majority of the acreage represented either
1330 by owner or proxy present and voting at said meeting.

1331 (b) At such meeting, each landowner shall be entitled to
1332 cast one vote per acre of land owned by him or her and located
1333 within the District for each person to be elected. A landowner
1334 may vote in person or by proxy in writing. Each proxy must be
1335 signed by one of the legal owners of the property for which the
1336 vote is cast and must contain the typed or printed name of the
1337 individual who signed the proxy; the street address, legal
1338 description of the property, or tax parcel identification
1339 number; and the number of authorized votes. If the proxy
1340 authorizes more than one vote, each property must be listed and
1341 the number of acres of each property must be included. The
1342 signature on a proxy need not be notarized. A fraction of an
1343 acre shall be treated as 1 acre, entitling the landowner to one
1344 vote with respect thereto. The three candidates receiving the
1345 highest number of votes shall each be elected for terms expiring
1346 November 17, 2024, and the two candidates receiving the next
1347 highest number of votes shall each be elected for terms expiring
1348 November 20, 2022, with the term of office for each successful
1349 candidate commencing upon election. The members of the first
1350 board elected by landowners shall serve their respective terms;

1351 however, the next election of board members shall be held on the
1352 first Tuesday after the first Monday in November 2022.
1353 Thereafter, there shall be an election by landowners for the
1354 District every 2 years on the first Tuesday after the first
1355 Monday in November, which shall be noticed pursuant to paragraph
1356 (a). The second and subsequent landowners' election shall be
1357 announced at a public meeting of the board at least 90 days
1358 before the date of the landowners' meeting and shall also be
1359 noticed pursuant to paragraph (a). Instructions on how all
1360 landowners may participate in the election, along with sample
1361 proxies, shall be provided during the board meeting that
1362 announces the landowners' meeting. Each supervisor elected in or
1363 after November 2020 shall serve a 4-year term.

1364 (3) (a) 1. The board may not exercise the ad valorem taxing
1365 power authorized by this act until such time as all members of
1366 the board are qualified electors who are elected by qualified
1367 electors of the District.

1368 2.a. Regardless of whether the District has proposed to
1369 levy ad valorem taxes, board members shall begin being elected
1370 by qualified electors of the District as the District becomes
1371 populated with qualified electors. The transition shall occur
1372 such that the composition of the board, after the first general
1373 election following a trigger of the qualified elector population
1374 thresholds set forth below, shall be as follows:

1375 (I) Once 15,022 qualified electors reside within the

1376 District, one governing board member shall be a person who is a
1377 qualified elector of the District and who was elected by the
1378 qualified electors, and four governing board members shall be
1379 persons who were elected by the landowners.

1380 (II) Once 30,044 qualified electors reside within the
1381 District, two governing board members shall be persons who are
1382 qualified electors of the District and who were elected by the
1383 qualified electors, and three governing board members shall be
1384 persons who were elected by the landowners.

1385 (III) Once 45,066 qualified electors reside within the
1386 District, three governing board members shall be persons who are
1387 qualified electors of the District and who were elected by the
1388 qualified electors and two governing board members shall be
1389 persons who were elected by the landowners.

1390 (IV) Once 60,088 qualified electors reside within the
1391 District, four governing board members shall be persons who are
1392 qualified electors of the District and who were elected by the
1393 qualified electors and one governing board member shall be a
1394 person who was elected by the landowners.

1395 (V) Once 75,110 qualified electors reside within the
1396 District, all five governing board members shall be persons who
1397 are qualified electors of the District and who were elected by
1398 the qualified electors.

1399
1400 Nothing in this sub-subparagraph is intended to require an

1401 election prior to the expiration of an existing board member's
1402 term.

1403 b. On or before June 1 of each election year, the board
1404 shall determine the number of qualified electors in the District
1405 as of the immediately preceding April 15. The board shall use
1406 and rely upon the official records maintained by the supervisor
1407 of elections and property appraiser or tax collector in Brevard
1408 and Volusia Counties in making this determination. Such
1409 determination shall be made at a properly noticed meeting of the
1410 board and shall become a part of the official minutes of the
1411 District.

1412 c. All governing board members elected by qualified
1413 electors shall be elected at large at an election occurring as
1414 provided in subsection (2) and this subsection.

1415 d. All governing board members elected by qualified
1416 electors shall reside in the District.

1417 e. Once the District qualifies to have any of its board
1418 members elected by the qualified electors of the District, the
1419 initial and all subsequent elections by the qualified electors
1420 of the District shall be held at the general election in
1421 November. The board shall adopt a resolution, if necessary, to
1422 implement this requirement. The transition process described
1423 herein is intended to be in lieu of the process set forth in s.
1424 189.041, Florida Statutes.

1425 (b) Elections of board members by qualified electors held

1426 pursuant to this subsection shall be nonpartisan and shall be
1427 conducted in the manner prescribed by law for holding general
1428 elections. Board members shall assume the office on the second
1429 Tuesday following their election.

1430 (c) Candidates seeking election to office by qualified
1431 electors under this subsection shall conduct their campaigns in
1432 accordance with the provisions of chapter 106, Florida Statutes,
1433 and shall file qualifying papers and qualify for individual
1434 seats in accordance with s. 99.061, Florida Statutes.

1435 (d) The supervisor of elections in the respective counties
1436 shall appoint the inspectors and clerks of elections, prepare
1437 and furnish the ballots, designate polling places, and canvass
1438 the returns of the election of board members by qualified
1439 electors. The county canvassing board shall declare and certify
1440 the results of the election.

1441 (4) Members of the board, regardless of how elected, shall
1442 be public officers, shall be known as supervisors, and, upon
1443 entering into office, shall take and subscribe to the oath of
1444 office as prescribed by s. 876.05, Florida Statutes. Members of
1445 the board shall be subject to ethics and conflict of interest
1446 laws of the state that apply to all local public officers. They
1447 shall hold office for the terms for which they were elected or
1448 appointed and until their successors are chosen and qualified.
1449 If, during the term of office, a vacancy occurs, the remaining
1450 members of the board shall fill each vacancy by an appointment

1451 for the remainder of the unexpired term.

1452 (5) Any elected member of the board of supervisors may be
1453 removed by the Governor for malfeasance, misfeasance,
1454 dishonesty, incompetency, or failure to perform the duties
1455 imposed upon him or her by this act, and any vacancies that may
1456 occur in such office for such reasons shall be filled by the
1457 Governor as soon as practicable.

1458 (6) A majority of the members of the board constitutes a
1459 quorum for the purposes of conducting its business and
1460 exercising its powers and for all other purposes. Action taken
1461 by the District shall be upon a vote of a majority of the
1462 members present unless general law or a rule of the District
1463 requires a greater number.

1464 (7) As soon as practicable after each election or
1465 appointment, the board shall organize by electing one of its
1466 members as chair and by electing a secretary, who need not be a
1467 member of the board, and such other officers as the board may
1468 deem necessary.

1469 (8) The board shall keep a permanent record book entitled
1470 "Record of Proceedings of Deering Park Stewardship District," in
1471 which shall be recorded minutes of all meetings, resolutions,
1472 proceedings, certificates, bonds given by all employees, and any
1473 and all corporate acts. The record book and all other District
1474 records shall at reasonable times be opened to inspection in the
1475 same manner as state, county, and municipal records pursuant to

1476 chapter 119, Florida Statutes. The record book shall be kept at
1477 the office or other regular place of business maintained by the
1478 board in a designated location in either Brevard County, Volusia
1479 County, or the City of Edgewater.

1480 (9) Each supervisor shall receive travel and per diem
1481 expenses as set forth in s. 112.061, Florida Statutes; however,
1482 a supervisor is not entitled to receive compensation for his or
1483 her services in excess of the limits established in s.
1484 190.006(8), Florida Statutes, or any successor statute.

1485 (10) All meetings of the board shall be open to the public
1486 and governed by chapter 286, Florida Statutes.

1487 Section 6. Board of supervisors; general duties.-

1488 (1) DISTRICT MANAGER AND EMPLOYEES.-The board shall employ
1489 and fix the compensation of a District manager, who shall have
1490 charge and supervision of the works of the District and shall be
1491 responsible for preserving and maintaining any improvement or
1492 facility constructed or erected pursuant to the provisions of
1493 this act, for maintaining and operating the equipment owned by
1494 the District, and for performing such other duties as may be
1495 prescribed by the board. It shall not be a conflict of interest
1496 or constitute an abuse of public position under chapter 112,
1497 Florida Statutes, for a board member, the District manager, or
1498 another employee of the District to be a stockholder, officer,
1499 or employee of a landowner. The District manager may hire or
1500 otherwise employ and terminate the employment of such other

1501 persons, including, without limitation, professional,
1502 supervisory, and clerical employees, as may be necessary and
1503 authorized by the board. The compensation and other conditions
1504 of employment of the officers and employees of the District
1505 shall be as provided by the board.

1506 (2) TREASURER.—The board shall designate a person who is a
1507 resident of the state as treasurer of the District, who shall
1508 have charge of the funds of the District. Such funds shall be
1509 disbursed only upon the order of or pursuant to a resolution of
1510 the board by warrant or check countersigned by the treasurer and
1511 by such other person as may be authorized by the board. The
1512 board may give the treasurer such other or additional powers and
1513 duties as the board may deem appropriate and may fix his or her
1514 compensation. The board may require the treasurer to give a bond
1515 in such amount, on such terms, and with such sureties as may be
1516 deemed satisfactory to the board to secure the performance by
1517 the treasurer of his or her powers and duties. The financial
1518 records of the board shall be audited by an independent
1519 certified public accountant in accordance with the requirements
1520 of general law.

1521 (3) PUBLIC DEPOSITORY.—The board is authorized to select
1522 as a depository for its funds any qualified public depository as
1523 defined in s. 280.02, Florida Statutes, which meets all the
1524 requirements of chapter 280, Florida Statutes, and has been
1525 designated by the treasurer as a qualified public depository

1526 upon such terms and conditions as to the payment of interest by
1527 such depository upon the funds so deposited as the board may
1528 deem just and reasonable.

1529 (4) BUDGET; REPORTS AND REVIEWS.—

1530 (a) The District shall provide financial reports in such
1531 form and such manner as prescribed pursuant to this act and
1532 chapter 218, Florida Statutes, as amended from time to time.

1533 (b) On or before July 15 of each year, the District
1534 manager shall prepare a proposed budget for the ensuing fiscal
1535 year to be submitted to the board for board approval. The
1536 proposed budget shall include at the direction of the board an
1537 estimate of all necessary expenditures of the District for the
1538 ensuing fiscal year and an estimate of income to the District
1539 from the taxes and assessments provided in this act. The board
1540 shall consider the proposed budget item by item and may either
1541 approve the budget as proposed by the District manager or modify
1542 the same in part or in whole. The board shall indicate its
1543 approval of the budget by resolution, which resolution shall
1544 provide for a hearing on the budget as approved. Notice of the
1545 hearing on the budget shall be published once a week for 2
1546 consecutive weeks in a newspaper of general circulation in the
1547 District, except that the first publication shall be no fewer
1548 than 15 days prior to the date of the hearing. The notice shall
1549 further contain a designation of the day, time, and place of the
1550 public hearing. At the time and place designated in the notice,

1551 the board shall hear all objections to the budget as proposed
1552 and may make such changes as the board deems necessary. At the
1553 conclusion of the budget hearing, the board shall, by
1554 resolution, adopt the budget as finally approved by the board.
1555 The budget shall be adopted prior to October 1 of each year.

1556 (c) At least 60 days prior to adoption, the board of
1557 supervisors of the District shall submit to the Board of County
1558 Commissioners of Brevard County, to the County Council of
1559 Volusia County, and to the City Council of the City of
1560 Edgewater, for purposes of disclosure and information only, the
1561 proposed annual budget for the ensuing fiscal year, and each
1562 county and the city may submit written comments to the board of
1563 supervisors solely for the assistance and information of the
1564 board of supervisors of the District in adopting its annual
1565 District budget.

1566 (d) The board of supervisors of the District shall submit
1567 annually a public facilities report to the Board of County
1568 Commissioners of Brevard County, to the County Council of
1569 Volusia County, and to the City Council of the City of Edgewater
1570 pursuant to general law. Each county and the city may use and
1571 rely on the District's public facilities report in the
1572 preparation or revision of their comprehensive plans.

1573 (5) DISCLOSURE OF PUBLIC INFORMATION; WEB-BASED PUBLIC
1574 ACCESS.—The District shall take affirmative steps to provide for
1575 the full disclosure of information relating to the public

1576 financing and maintenance of improvements to real property
1577 undertaken by the District. Such information shall be made
1578 available to all existing residents and all prospective
1579 residents of the District. The District shall furnish each
1580 developer of a residential development within the District with
1581 sufficient copies of that information to provide each
1582 prospective initial purchaser of property in that development
1583 with a copy; and any developer of a residential development
1584 within the District, when required by law to provide a public
1585 offering statement, shall include a copy of such information
1586 relating to the public financing and maintenance of improvements
1587 in the public offering statement. The District shall file the
1588 disclosure documents required by this subsection and any
1589 amendments thereto in the property records of each county in
1590 which the District is located. By the end of the first full
1591 fiscal year of the District's creation, the District shall
1592 maintain an official Internet website in accordance with s.
1593 189.069, Florida Statutes.

1594 (6) GENERAL POWERS.—The District shall have, and the board
1595 may exercise, the following general powers:

1596 (a) To sue and be sued in the name of the District; to
1597 adopt and use a seal and authorize the use of a facsimile
1598 thereof; to acquire, by purchase, gift, devise, or otherwise,
1599 and to dispose of, real and personal property, or any estate
1600 therein; and to make and execute contracts and other instruments

1601 necessary or convenient to the exercise of its powers.

1602 (b) To apply for coverage of its employees under the
1603 Florida Retirement System in the same manner as if such
1604 employees were state employees.

1605 (c) To contract for the services of consultants to perform
1606 planning, engineering, legal, or other appropriate services of a
1607 professional nature. Such contracts shall be subject to public
1608 bidding or competitive negotiation requirements as set forth in
1609 general law applicable to independent special districts.

1610 (d) To borrow money and accept gifts; to apply for and use
1611 grants or loans of money or other property from the United
1612 States, the state, a unit of local government, or any person for
1613 any District purposes and enter into agreements required in
1614 connection therewith; and to hold, use, and dispose of such
1615 moneys or property for any District purposes in accordance with
1616 the terms of the gift, grant, loan, or agreement relating
1617 thereto.

1618 (e) To adopt and enforce rules and orders pursuant to the
1619 provisions of chapter 120, Florida Statutes, prescribing the
1620 powers, duties, and functions of the officers of the District;
1621 the conduct of the business of the District; the maintenance of
1622 records; and the form of certificates evidencing tax liens and
1623 all other documents and records of the District. The board may
1624 also adopt and enforce administrative rules with respect to any
1625 of the projects of the District and define the area to be

1626 included therein. The board may also adopt resolutions which may
1627 be necessary for the conduct of District business.

1628 (f) To maintain an office at such place or places as the
1629 board of supervisors designates in Brevard County, Volusia
1630 County, or the City of Edgewater, and within the District when
1631 facilities are available.

1632 (g) To hold, control, and acquire by donation, purchase,
1633 or condemnation, or dispose of, any public easements,
1634 dedications to public use, platted reservations for public
1635 purposes, or any reservations for those purposes authorized by
1636 this act and to make use of such easements, dedications, or
1637 reservations for the purposes authorized by this act.

1638 (h) To lease as lessor or lessee to or from any person,
1639 firm, corporation, association, or body, public or private, any
1640 projects of the type that the District is authorized to
1641 undertake and facilities or property of any nature for the use
1642 of the District to carry out the purposes authorized by this
1643 act.

1644 (i) To borrow money and issue bonds, certificates,
1645 warrants, notes, or other evidence of indebtedness as provided
1646 herein; to levy such taxes and assessments as may be authorized;
1647 and to charge, collect, and enforce fees and other user charges.

1648 (j) To raise, by user charges or fees authorized by
1649 resolution of the board, amounts of money which are necessary
1650 for the conduct of District activities and services and to

1651 enforce their receipt and collection in the manner prescribed by
1652 resolution not inconsistent with law.

1653 (k) To exercise all powers of eminent domain now or
1654 hereafter conferred on counties in this state; provided,
1655 however, that such power of eminent domain may not be exercised
1656 outside the territorial limits of the District unless the
1657 District receives prior approval by vote of a resolution of the
1658 governing body of the county if the taking will occur in an
1659 unincorporated area in that county, or the governing body of the
1660 city if the taking will occur in an incorporated area. The
1661 District shall not have the power to exercise eminent domain
1662 over municipal, county, state, or federal property. The powers
1663 hereinabove granted to the District shall be so construed to
1664 enable the District to fulfill the objects and purposes of the
1665 District as set forth in this act.

1666 (l) To cooperate with, or contract with, other
1667 governmental agencies as may be necessary, convenient,
1668 incidental, or proper in connection with any of the powers,
1669 duties, or purposes authorized by this act.

1670 (m) To assess and to impose upon lands in the District ad
1671 valorem taxes as provided by this act.

1672 (n) If and when authorized by general law, to determine,
1673 order, levy, impose, collect, and enforce maintenance taxes.

1674 (o) To determine, order, levy, impose, collect, and
1675 enforce assessments pursuant to this act and chapter 170,

1676 Florida Statutes, as amended from time to time, pursuant to
 1677 authority granted in s. 197.3631, Florida Statutes, or pursuant
 1678 to other provisions of general law now or hereinafter enacted
 1679 which provide or authorize a supplemental means to order, levy,
 1680 impose, or collect special assessments. Such special
 1681 assessments, at the discretion of the District, may be collected
 1682 and enforced pursuant to the provisions of ss. 197.3632 and
 1683 197.3635, Florida Statutes, and chapters 170 and 173, Florida
 1684 Statutes, as they may be amended from time to time, or as
 1685 provided by this act, or by other means authorized by general
 1686 law now or hereinafter enacted. The District may levy such
 1687 special assessments for the purposes enumerated in this act and
 1688 to pay special assessments imposed by Brevard and Volusia
 1689 Counties and the City of Edgewater on lands within the District.

1690 (p) To exercise such special powers and other express
 1691 powers as may be authorized and granted by this act in the
 1692 charter of the District, including powers as provided in any
 1693 interlocal agreement entered into pursuant to chapter 163,
 1694 Florida Statutes, or which shall be required or permitted to be
 1695 undertaken by the District pursuant to any development order,
 1696 including any detailed specific area plan development order, or
 1697 any interlocal service agreement with Brevard County, Volusia
 1698 County, or the City of Edgewater for fair-share capital
 1699 construction funding for any certain capital facilities or
 1700 systems required of a developer pursuant to any applicable

1701 development order or agreement.

1702 (q) To exercise all of the powers necessary, convenient,
1703 incidental, or proper in connection with any other powers or
1704 duties or the special and limited purpose of the District
1705 authorized by this act.

1706
1707 The provisions of this subsection shall be construed liberally
1708 in order to carry out effectively the special and limited
1709 purpose of this act.

1710 (7) SPECIAL POWERS.—The District shall have, and the board
1711 may exercise, the following special powers to implement its
1712 lawful and special purpose and to provide, pursuant to that
1713 purpose, systems, facilities, services, improvements, projects,
1714 works, and infrastructure, each of which constitutes a lawful
1715 public purpose when exercised pursuant to this charter, subject
1716 to, and not inconsistent with, general law regarding utility
1717 providers' territorial and service agreements, the regulatory
1718 jurisdiction and permitting authority of all other applicable
1719 governmental bodies, agencies, and any special districts having
1720 authority with respect to any area included therein, and to
1721 plan, establish, acquire, construct or reconstruct, enlarge or
1722 extend, equip, operate, finance, fund, and maintain
1723 improvements, systems, facilities, services, works, projects,
1724 and infrastructure. Any or all of the following special powers
1725 are granted by this act in order to implement the special and

1726 limited purpose of the District but do not constitute
1727 obligations to undertake such improvements, systems, facilities,
1728 services, works, projects, or infrastructure:

1729 (a) To provide water management and control for the lands
1730 within the District, including irrigation systems and
1731 facilities, and to connect some or any of such facilities with
1732 roads and bridges. In the event that the board assumes the
1733 responsibility for providing water management and control for
1734 the District which is to be financed by benefit special
1735 assessments, the board shall adopt plans and assessments
1736 pursuant to law or may proceed to adopt water management and
1737 control plans, assess for benefits, and apportion and levy
1738 special assessments, as follows:

1739 1. The board shall cause to be made by the District's
1740 engineer, or such other engineer or engineers as the board may
1741 employ for that purpose, complete and comprehensive water
1742 management and control plans for the lands located within the
1743 District that will be improved in any part or in whole by any
1744 system of facilities that may be outlined and adopted, and the
1745 engineer or engineers shall make a report in writing to the
1746 board with maps and profiles of said surveys and an estimate of
1747 the cost of carrying out and completing the plans.

1748 2. Upon the completion of such plans, the board shall hold
1749 a hearing thereon to hear objections thereto, shall give notice
1750 of the time and place fixed for such hearing by publication once

1751 a week for 2 consecutive weeks in a newspaper of general
1752 circulation in the District, and shall permit the inspection of
1753 the plan at the office of the District by all persons
1754 interested. All objections to the plan shall be filed at or
1755 before the time fixed in the notice for the hearing and shall be
1756 in writing.

1757 3. After the hearing, the board shall consider the
1758 proposed plan and any objections thereto and may modify, reject,
1759 or adopt the plan or continue the hearing until a day certain
1760 for further consideration of the proposed plan or modifications
1761 thereof.

1762 4. When the board approves a plan, a resolution shall be
1763 adopted and a certified copy thereof shall be filed in the
1764 office of the secretary and incorporated by him or her into the
1765 records of the District.

1766 5. The water management and control plan may be altered in
1767 detail from time to time until the engineer's report pursuant to
1768 s. 298.301, Florida Statutes, is filed but not in such manner as
1769 to affect materially the conditions of its adoption. After the
1770 engineer's report has been filed, no alteration of the plan
1771 shall be made, except as provided by this act.

1772 6. Within 20 days after the final adoption of the plan by
1773 the board, the board shall proceed pursuant to s. 298.301,
1774 Florida Statutes.

1775 (b) To provide water supply, sewer, wastewater, and

1776 reclaimed water management, reclamation, and reuse, or any
1777 combination thereof, and any irrigation systems, facilities, and
1778 services and to construct and operate water systems, sewer
1779 systems, irrigation systems, and reclaimed water systems such as
1780 connecting intercepting or outlet sewers and sewer mains and
1781 pipes and water mains, conduits, or pipelines in, along, and
1782 under any street, alley, highway, or other public place or ways,
1783 and to dispose of any water, effluent, residue, or other
1784 byproducts of such water system, sewer system, irrigation
1785 system, or reclaimed water system and to enter into interlocal
1786 agreements and other agreements with public or private entities
1787 for the same; provided, however, that nothing herein shall
1788 impair or alter the provision of water, sewer, and reclaimed
1789 water within the City of Edgewater's utility service areas.

1790 (c) To provide bridges, culverts, wildlife corridors, or
1791 road crossings that may be needed across any drain, ditch,
1792 canal, floodway, holding basin, excavation, public highway,
1793 tract, grade, fill, or cut and roadways over levees and
1794 embankments, and to construct any and all of such works and
1795 improvements across, through, or over any public right-of way,
1796 highway, grade, fill, or cut.

1797 (d) To provide District or other roads equal to or
1798 exceeding the specifications of the county or the City of
1799 Edgewater in which such District or other roads are located, and
1800 to provide street lights. This special power includes, but is

1801 not limited to, roads, parkways, intersections, interchanges,
1802 bridges, landscaping, hardscaping, irrigation, bicycle lanes,
1803 sidewalks, jogging paths, multiuse pathways and trails, street
1804 lighting, traffic signals, regulatory or informational signage,
1805 road striping, underground conduit, underground cable or fiber
1806 or wire installed pursuant to an agreement with or tariff of a
1807 provider of services, and all other customary elements of a
1808 functioning modern road system in general or as tied to the
1809 conditions of development approval for the area within and
1810 without the District, and parking facilities that are
1811 freestanding or that may be related to any innovative strategic
1812 intermodal system of transportation pursuant to applicable
1813 federal, state, and local law and ordinance.

1814 (e) To provide buses, trolleys, autonomous vehicles, rail
1815 access, mass transit facilities, transit shelters, ridesharing
1816 facilities and services, parking improvements, and related
1817 signage.

1818 (f) To provide investigation and remediation costs
1819 associated with the cleanup of actual or perceived environmental
1820 contamination within the District under the supervision or
1821 direction of a competent governmental authority unless the
1822 covered costs benefit any person who is a landowner within the
1823 District and who caused or contributed to the contamination.

1824 (g) To provide observation areas, mitigation areas,
1825 wetland creation areas, and wildlife habitat, including the

1826 maintenance of any plant or animal species, and any related
 1827 interest in real or personal property.

1828 (h) Using its general and special powers as set forth in
 1829 this act, to provide any other project within or without the
 1830 boundaries of the District when the project is the subject of an
 1831 agreement between the District and the Board of County
 1832 Commissioners of Brevard County, the County Council of Volusia
 1833 County, or the City Council of the City of Edgewater or with any
 1834 other applicable public or private entity, and is not
 1835 inconsistent with the effective local comprehensive plans.

1836 (i) To provide parks and facilities for indoor and outdoor
 1837 recreational, cultural, and educational uses.

1838 (j) To provide school buildings and related structures,
 1839 which may be leased, sold, or donated to the school district,
 1840 for use in the educational system when authorized by the
 1841 District school board.

1842 (k) To provide security, including electronic intrusion-
 1843 detection systems and patrol cars, when authorized by proper
 1844 governmental agencies, and may enter into a contract with the
 1845 appropriate general-purpose local government agencies for an
 1846 increased level of such services within the District boundaries.

1847 (l) To provide control and elimination of mosquitoes and
 1848 other arthropods of public health importance.

1849 (m) To enter into impact fee, mobility fee, or other
 1850 similar credit agreements with Brevard County, Volusia County,

1851 or the City of Edgewater or other governmental bodies or a
1852 landowner or developer and to sell or assign such credits, on
1853 such terms as the District deems appropriate.

1854 (n) To provide buildings and structures for District
1855 offices, maintenance facilities, meeting facilities, town
1856 centers, or any other project authorized or granted by this act.

1857 (o) To establish and create, at noticed meetings, such
1858 departments of the board of supervisors of the District, as well
1859 as committees, task forces, boards, or commissions, or other
1860 agencies under the supervision and control of the District, as
1861 from time to time the members of the board may deem necessary or
1862 desirable in the performance of the acts or other things
1863 necessary to exercise the board's general or special powers to
1864 implement an innovative project to carry out the special and
1865 limited purpose of the District as provided in this act and to
1866 delegate the exercise of its powers to such departments, boards,
1867 task forces, committees, or other agencies, and such
1868 administrative duties and other powers as the board may deem
1869 necessary or desirable, but only if there is a set of expressed
1870 limitations for accountability, notice, and periodic written
1871 reporting to the board that shall retain the powers of the
1872 board.

1873 (p) To provide electrical, sustainable, or green
1874 infrastructure improvements, facilities, and services,
1875 including, but not limited to, recycling of natural resources,

1876 reduction of energy demands, development and generation of
1877 alternative or renewable energy sources and technologies,
1878 mitigation of urban heat islands, sequestration, capping or
1879 trading of carbon emissions or carbon emissions credits, United
1880 States Green Building Council LEED for Neighborhood Development
1881 and Energy Star or Florida Green Building Coalition Green
1882 Development Designation certification including other programs
1883 deemed comparable to the University of Florida Program for
1884 Resource Efficient Communities as well as the development of
1885 facilities and improvements for low-impact development or
1886 compact communities, and to enter into joint ventures, public-
1887 private partnerships, and other agreements, and to grant such
1888 easements as may be necessary to accomplish the foregoing.
1889 Nothing herein shall authorize the District to provide electric
1890 service to retail customers or otherwise act to impair electric
1891 utility franchise agreements.

1892 (q) To provide for any facilities or improvements that may
1893 otherwise be provided for by any county or municipality,
1894 including, but not limited to, libraries, annexes, substations,
1895 and other buildings to house public officials, staff, and
1896 employees.

1897 (r) To provide waste collection and disposal; provided,
1898 however, that nothing herein shall impair or alter the City of
1899 Edgewater's provision of solid waste management services within
1900 the city limits.

1901 (s) To provide for the construction and operation of
1902 communications systems and related infrastructure for the
1903 carriage and distribution of communications services, and to
1904 enter into joint ventures, public-private partnerships, and
1905 other agreements and to grant such easements as may be necessary
1906 to accomplish the foregoing. "Communications systems" means all
1907 facilities, buildings, equipment, items, and methods necessary
1908 or desirable in order to provide communications services,
1909 including, without limitation, wires, cables, conduits, fiber,
1910 wireless cell sites, computers, modems, satellite antennae
1911 sites, transmission facilities, network facilities, and
1912 appurtenant devices necessary and appropriate to support the
1913 provision of communications services. "Communications services"
1914 includes, without limitation, Internet, voice telephone or
1915 similar services provided by voice-over-Internet protocol, cable
1916 television, data transmission services, electronic security
1917 monitoring services, and multi-channel video programming
1918 distribution services. Nothing herein shall authorize the
1919 District to provide communications services to retail customers.

1920 (t) To provide health care facilities and to enter into
1921 public-private partnerships and agreements as may be necessary
1922 to accomplish the foregoing.

1923 (u) To coordinate, work with, and, as the board deems
1924 appropriate, enter into interlocal agreements with any public or
1925 private entity for the provision of an institution or

1926 | institutions of higher education.

1927 | (v) To coordinate, work with, and, as the board deems
 1928 | appropriate, enter into public-private partnerships and
 1929 | agreements as may be necessary or useful to effectuate the
 1930 | purposes of this act.

1931 |
 1932 | The enumeration of special powers herein shall not be deemed
 1933 | exclusive or restrictive but shall be deemed to incorporate all
 1934 | powers express or implied necessary or incident to carrying out
 1935 | such enumerated special powers, including also the general
 1936 | powers provided by this special act charter to the District to
 1937 | implement its purposes. Further, the provisions of this
 1938 | subsection shall be construed liberally in order to carry out
 1939 | effectively the special and limited purpose of the District
 1940 | under this act.

1941 | (8) ISSUANCE OF BOND ANTICIPATION NOTES.—In addition to
 1942 | the other powers provided for in this act, and not in limitation
 1943 | thereof, the District shall have the power, at any time and from
 1944 | time to time after the issuance of any bonds of the District are
 1945 | authorized, to borrow money for the purposes for which such
 1946 | bonds are to be issued in anticipation of the receipt of the
 1947 | proceeds of the sale of such bonds and to issue bond
 1948 | anticipation notes in a principal sum not in excess of the
 1949 | authorized maximum amount of such bond issue. Such notes shall
 1950 | be in such denomination or denominations, bear interest at such

1951 rate or rates as the board may determine not to exceed the
1952 maximum rate allowed by general law, mature at such date or
1953 dates not later than 5 years from the date of issuance, and be
1954 in such form and executed in such manner as the board shall
1955 prescribe. Such notes may be sold at either public or private
1956 sale or, if such notes are renewal notes, may be exchanged for
1957 notes then outstanding on such terms as the board shall
1958 determine. Such notes shall be paid from the proceeds of such
1959 bonds when issued. The board may, in its discretion, in lieu of
1960 retiring the notes by means of bonds, retire them by means of
1961 current revenues or from any taxes or assessments levied for the
1962 payment of such bonds, but, in such event, a like amount of the
1963 bonds authorized shall not be issued.

1964 (9) BORROWING.—The District may, at any time, obtain
1965 loans, in such amount and on such terms and conditions as the
1966 board may approve, for the purpose of paying any of the expenses
1967 of the District or any costs incurred or that may be incurred in
1968 connection with any of the projects of the District, which loans
1969 shall bear interest as the board determines, not to exceed the
1970 maximum rate allowed by general law, and may be payable from and
1971 secured by a pledge of such funds, revenues, taxes, and
1972 assessments as the board may determine; subject, however, to the
1973 provisions contained in any proceeding under which bonds were
1974 theretofore issued and are then outstanding. For the purpose of
1975 defraying such costs and expenses, the District may issue

1976 negotiable notes, warrants, or other evidences of debt to be
 1977 payable at such date or dates and to bear such interest as the
 1978 board may determine, not to exceed the maximum rate allowed by
 1979 general law, and to be sold or discounted at such price or
 1980 prices not less than 95 percent of par value and on such terms
 1981 as the board may deem advisable. The board shall have the right
 1982 to provide for the payment thereof by pledging the whole or any
 1983 part of the funds, revenues, taxes, and assessments of the
 1984 District or by covenanting to budget and appropriate from such
 1985 funds. The approval of the electors residing in the District
 1986 shall not be necessary except when required by the State
 1987 Constitution.

1988 (10) BONDS.—

1989 (a) Sale of bonds.—Bonds may be sold in blocks or
 1990 installments at different times, or an entire issue or series
 1991 may be sold at one time. Bonds may be sold at public or private
 1992 sale after such advertisement, if any, as the board may deem
 1993 advisable, but not in any event at less than 90 percent of the
 1994 par value thereof, together with accrued interest thereon. Bonds
 1995 may be sold or exchanged for refunding bonds. Special assessment
 1996 and revenue bonds may be delivered by the District as payment of
 1997 the purchase price of any project or part thereof, or a
 1998 combination of projects or parts thereof, or as the purchase
 1999 price or exchange for any property, real, personal, or mixed,
 2000 including franchises or services rendered by any contractor,

2001 engineer, or other person, all at one time or in blocks from
2002 time to time, in such manner and upon such terms as the board at
2003 its discretion shall determine. The price or prices for any
2004 bonds sold, exchanged, or delivered may be:

2005 1. The money paid for the bonds.

2006 2. The principal amount, plus accrued interest to the date
2007 of redemption or exchange, or outstanding obligations exchanged
2008 for refunding bonds.

2009 3. In the case of special assessment or revenue bonds, the
2010 amount of any indebtedness to contractors or other persons paid
2011 with such bonds, or the fair value of any properties exchanged
2012 for the bonds, as determined by the board.

2013 (b) Authorization and form of bonds.—Any general
2014 obligation bonds, special assessment bonds, or revenue bonds may
2015 be authorized by resolution or resolutions of the board which
2016 shall be adopted by a majority of all the members thereof then
2017 in office. Such resolution or resolutions may be adopted at the
2018 same meeting at which they are introduced and need not be
2019 published or posted. The board may, by resolution, authorize the
2020 issuance of bonds and fix the aggregate amount of bonds to be
2021 issued; the purpose or purposes for which the moneys derived
2022 therefrom shall be expended, including, but not limited to,
2023 payment of costs as defined in paragraph (2)(i) of section 2;
2024 the rate or rates of interest, not to exceed the maximum rate
2025 allowed by general law; the denomination of the bonds; whether

2026 or not the bonds are to be issued in one or more series; the
2027 date or dates of maturity, which shall not exceed 40 years from
2028 their respective dates of issuance; the medium of payment; the
2029 place or places within or without the state at which payment
2030 shall be made; registration privileges; redemption terms and
2031 privileges, whether with or without premium; the manner of
2032 execution; the form of the bonds, including any interest coupons
2033 to be attached thereto; the manner of execution of bonds and
2034 coupons; and any and all other terms, covenants, and conditions
2035 thereof and the establishment of revenue or other funds. Such
2036 authorizing resolution or resolutions may further provide for
2037 the contracts authorized by s. 159.825(1)(f) and (g), Florida
2038 Statutes, regardless of the tax treatment of such bonds being
2039 authorized, subject to the finding by the board of a net saving
2040 to the District resulting by reason thereof. Such authorizing
2041 resolution may further provide that such bonds may be executed
2042 in accordance with the Registered Public Obligations Act, except
2043 that bonds not issued in registered form shall be valid if
2044 manually countersigned by an officer designated by appropriate
2045 resolution of the board. The seal of the District may be
2046 affixed, lithographed, engraved, or otherwise reproduced in
2047 facsimile on such bonds. In case any officer whose signature
2048 shall appear on any bonds or coupons shall cease to be such
2049 officer before the delivery of such bonds, such signature or
2050 facsimile shall nevertheless be valid and sufficient for all

2051 purposes the same as if he or she had remained in office until
2052 such delivery.

2053 (c) Interim certificates; replacement certificates.—
2054 Pending the preparation of definitive bonds, the board may issue
2055 interim certificates or receipts or temporary bonds, in such
2056 form and with such provisions as the board may determine,
2057 exchangeable for definitive bonds when such bonds have been
2058 executed and are available for delivery. The board may also
2059 provide for the replacement of any bonds which become mutilated,
2060 lost, or destroyed.

2061 (d) Negotiability of bonds.—Any bond issued under this act
2062 or any temporary bond, in the absence of an express recital on
2063 the face thereof that it is nonnegotiable, shall be fully
2064 negotiable and shall be and constitute a negotiable instrument
2065 within the meaning and for all purposes of the law merchant and
2066 the laws of the state.

2067 (e) Defeasance.—The board may make such provision with
2068 respect to the defeasance of the right, title, and interest of
2069 the holders of any of the bonds and obligations of the District
2070 in any revenues, funds, or other properties by which such bonds
2071 are secured as the board deems appropriate and, without
2072 limitation on the foregoing, may provide that when such bonds or
2073 obligations become due and payable or shall have been called for
2074 redemption and the whole amount of the principal and interest
2075 and premium, if any, due and payable upon the bonds or

2076 obligations then outstanding shall be held in trust for such
2077 purpose, and provision shall also be made for paying all other
2078 sums payable in connection with such bonds or other obligations,
2079 then and in such event the right, title, and interest of the
2080 holders of the bonds in any revenues, funds, or other properties
2081 by which such bonds are secured shall thereupon cease,
2082 terminate, and become void; and the board may apply any surplus
2083 in any sinking fund established in connection with such bonds or
2084 obligations and all balances remaining in all other funds or
2085 accounts other than moneys held for the redemption or payment of
2086 the bonds or other obligations to any lawful purpose of the
2087 District as the board shall determine.

2088 (f) Issuance of additional bonds.—If the proceeds of any
2089 bonds are less than the cost of completing the project in
2090 connection with which such bonds were issued, the board may
2091 authorize the issuance of additional bonds, upon such terms and
2092 conditions as the board may provide in the resolution
2093 authorizing the issuance thereof, but only in compliance with
2094 the resolution or other proceedings authorizing the issuance of
2095 the original bonds.

2096 (g) Refunding bonds.—The District shall have the power to
2097 issue bonds to provide for the retirement or refunding of any
2098 bonds or obligations of the District that at the time of such
2099 issuance are or subsequent thereto become due and payable, or
2100 that at the time of issuance have been called or are, or will

2101 be, subject to call for redemption within 10 years thereafter,
2102 or the surrender of which can be procured from the holders
2103 thereof at prices satisfactory to the board. Refunding bonds may
2104 be issued at any time that in the judgment of the board such
2105 issuance will be advantageous to the District. No approval of
2106 the qualified electors residing in the District shall be
2107 required for the issuance of refunding bonds except in cases in
2108 which such approval is required by the State Constitution. The
2109 board may by resolution confer upon the holders of such
2110 refunding bonds all rights, powers, and remedies to which the
2111 holders would be entitled if they continued to be the owners and
2112 had possession of the bonds for the refinancing of which such
2113 refunding bonds are issued, including, but not limited to, the
2114 preservation of the lien of such bonds on the revenues of any
2115 project or on pledged funds, without extinguishment, impairment,
2116 or diminution thereof. The provisions of this act pertaining to
2117 bonds of the District shall, unless the context otherwise
2118 requires, govern the issuance of refunding bonds, the form and
2119 other details thereof, the rights of the holders thereof, and
2120 the duties of the board with respect thereto.

2121 (h) Revenue bonds.—

2122 1. The District shall have the power to issue revenue
2123 bonds from time to time without limitation as to amount. Such
2124 revenue bonds may be secured by, or payable from, the gross or
2125 net pledge of the revenues to be derived from any project or

2126 combination of projects; from the rates, fees, or other charges
2127 to be collected from the users of any project or combination of
2128 projects; from any revenue-producing undertaking or activity of
2129 the District; from special assessments; or from benefit special
2130 assessments; or from any other source or pledged security. Such
2131 bonds shall not constitute an indebtedness of the District, and
2132 the approval of the qualified electors shall not be required
2133 unless such bonds are additionally secured by the full faith and
2134 credit and taxing power of the District.

2135 2. Any two or more projects may be combined and
2136 consolidated into a single project and may hereafter be operated
2137 and maintained as a single project. The revenue bonds authorized
2138 herein may be issued to finance any one or more of such
2139 projects, regardless of whether such projects have been combined
2140 and consolidated into a single project. If the board deems it
2141 advisable, the proceedings authorizing such revenue bonds may
2142 provide that the District may thereafter combine the projects
2143 then being financed or theretofore financed with other projects
2144 to be subsequently financed by the District and that revenue
2145 bonds to be thereafter issued by the District shall be on parity
2146 with the revenue bonds then being issued, all on such terms,
2147 conditions, and limitations as shall have been provided in the
2148 proceeding which authorized the original bonds.

2149 (i) General obligation bonds.—

2150 1. Subject to the limitations of this charter, the

2151 District shall have the power from time to time to issue general
2152 obligation bonds to finance or refinance capital projects or to
2153 refund outstanding bonds in an aggregate principal amount of
2154 bonds outstanding at any one time not in excess of 35 percent of
2155 the assessed value of the taxable property within the District
2156 as shown on the pertinent tax records at the time of the
2157 authorization of the general obligation bonds for which the full
2158 faith and credit of the District is pledged. Except for
2159 refunding bonds, no general obligation bonds shall be issued
2160 unless the bonds are issued to finance or refinance a capital
2161 project and the issuance has been approved at an election held
2162 in accordance with the requirements for such election as
2163 prescribed by the State Constitution. Such elections shall be
2164 called to be held in the District by the Board of County
2165 Commissioners of Brevard County and the County Council of
2166 Volusia County upon the request of the board of the District.
2167 The expenses of calling and holding an election shall be at the
2168 expense of the District and the District shall reimburse the
2169 counties for any expenses incurred in calling or holding such
2170 election.

2171 2. The District may pledge its full faith and credit for
2172 the payment of the principal and interest on such general
2173 obligation bonds and for any reserve funds provided therefor and
2174 may unconditionally and irrevocably pledge itself to levy ad
2175 valorem taxes on all taxable property in the District, to the

2176 extent necessary for the payment thereof, without limitation as
2177 to rate or amount.

2178 3. If the board determines to issue general obligation
2179 bonds for more than one capital project, the approval of the
2180 issuance of the bonds for each and all such projects may be
2181 submitted to the electors on one and the same ballot. The
2182 failure of the electors to approve the issuance of bonds for any
2183 one or more capital projects shall not defeat the approval of
2184 bonds for any capital project which has been approved by the
2185 electors.

2186 4. In arriving at the amount of general obligation bonds
2187 permitted to be outstanding at any one time pursuant to
2188 subparagraph 1., there shall not be included any general
2189 obligation bonds that are additionally secured by the pledge of:

2190 a. Any assessments levied in an amount sufficient to pay
2191 the principal and interest on the general obligation bonds so
2192 additionally secured, which assessments have been equalized and
2193 confirmed by resolution of the board pursuant to this act or s.
2194 170.08, Florida Statutes.

2195 b. Water revenues, sewer revenues, or water and sewer
2196 revenues of the District to be derived from user fees in an
2197 amount sufficient to pay the principal and interest on the
2198 general obligation bonds so additionally secured.

2199 c. Any combination of assessments and revenues described
2200 in sub-subparagraphs a. and b.

2201 (j) Bonds as legal investment or security.—
2202 1. Notwithstanding provisions of law to the contrary, all
2203 bonds issued under the provisions of this act shall constitute
2204 legal investments for savings banks, banks, trust companies,
2205 insurance companies, executors, administrators, trustees,
2206 guardians, and other fiduciaries and for any board, body,
2207 agency, instrumentality, county, municipality, or other
2208 political subdivision of the state and shall be and constitute
2209 security which may be deposited by banks or trust companies as
2210 security for deposits of state, county, municipal, or other
2211 public funds or by insurance companies as required or voluntary
2212 statutory deposits.

2213 2. Any bonds issued by the District shall be incontestable
2214 in the hands of bona fide purchasers or holders for value and
2215 shall not be invalid because of any irregularity or defect in
2216 the proceedings for the issue and sale thereof.

2217 (k) Covenants.—Any resolution authorizing the issuance of
2218 bonds may contain such covenants as the board may deem
2219 advisable, and all such covenants shall constitute valid and
2220 legally binding and enforceable contracts between the District
2221 and the bondholders, regardless of the time of issuance thereof.
2222 Such covenants may include, without limitation, covenants
2223 concerning the disposition of the bond proceeds; the use and
2224 disposition of project revenues; the pledging of revenues,
2225 taxes, and assessments; the obligations of the District with

2226 respect to the operation of the project and the maintenance of
2227 adequate project revenues; the issuance of additional bonds; the
2228 appointment, powers, and duties of trustees and receivers; the
2229 acquisition of outstanding bonds and obligations; restrictions
2230 on the establishing of competing projects or facilities;
2231 restrictions on the sale or disposal of the assets and property
2232 of the District; the priority of assessment liens; the priority
2233 of claims by bondholders on the taxing power of the District;
2234 the maintenance of deposits to ensure the payment of revenues by
2235 users of District facilities and services; the discontinuance of
2236 District services by reason of delinquent payments; acceleration
2237 upon default; the execution of necessary instruments; the
2238 procedure for amending or abrogating covenants with the
2239 bondholders; and such other covenants as may be deemed necessary
2240 or desirable for the security of the bondholders.

2241 (l) Validation proceedings.—The power of the District to
2242 issue bonds under the provisions of this act may be determined,
2243 and any of the bonds of the District maturing over a period of
2244 more than 5 years shall be validated and confirmed, by court
2245 decree, under the provisions of chapter 75, Florida Statutes,
2246 and laws amendatory thereof or supplementary thereto.

2247 (m) Tax exemption.—To the extent allowed by general law,
2248 all bonds issued hereunder and interest paid thereon and all
2249 fees, charges, and other revenues derived by the District from
2250 the projects provided by this act are exempt from all taxes by

2251 the state or by any political subdivision, agency, or
 2252 instrumentality thereof; however, any interest, income, or
 2253 profits on debt obligations issued hereunder are not exempt from
 2254 the tax imposed by chapter 220, Florida Statutes. Further, the
 2255 District is not exempt from the provisions of chapter 212,
 2256 Florida Statutes.

2257 (n) Application.—Bonds issued by the District shall meet
 2258 the criteria set forth in s. 189.051, Florida Statutes.

2259 (o) Act furnishes full authority for issuance of bonds.—
 2260 This act constitutes full and complete authority for the
 2261 issuance of bonds and the exercise of the powers of the District
 2262 provided herein. No procedures or proceedings, publications,
 2263 notices, consents, approvals, orders, acts, or things by the
 2264 board, or any board, officer, commission, department, agency, or
 2265 instrumentality of the District, other than those required by
 2266 this act, shall be required to perform anything under this act,
 2267 except that the issuance or sale of bonds pursuant to the
 2268 provisions of this act shall comply with the general law
 2269 requirements applicable to the issuance or sale of bonds by the
 2270 District. Nothing in this act shall be construed to authorize
 2271 the District to utilize bond proceeds to fund the ongoing
 2272 operations of the District.

2273 (p) Pledge by the state to the bondholders of the
 2274 District.—The state pledges to the holders of any bonds issued
 2275 under this act that it will not limit or alter the rights of the

2276 District to own, acquire, construct, reconstruct, improve,
 2277 maintain, operate, or furnish the projects or to levy and
 2278 collect the taxes, assessments, rentals, rates, fees, and other
 2279 charges provided for herein and to fulfill the terms of any
 2280 agreement made with the holders of such bonds or other
 2281 obligations and that it will not in any way impair the rights or
 2282 remedies of such holders.

2283 (q) Default.—A default on the bonds or obligations of a
 2284 District shall not constitute a debt or obligation of the state
 2285 or any general-purpose local government or the state. In the
 2286 event of a default or dissolution of the District, no general-
 2287 purpose local government shall be required to assume the
 2288 property of the District, the debts of the District, or the
 2289 District's obligations to complete any infrastructure
 2290 improvements or provide any services to the District. The
 2291 provisions of s. 189.076(2), Florida Statutes, shall not apply
 2292 to the District.

2293 (11) TRUST AGREEMENTS.—Any issue of bonds shall be secured
 2294 by a trust agreement or resolution by and between the District
 2295 and a corporate trustee or trustees, which may be any trust
 2296 company or bank having the powers of a trust company within or
 2297 without the state. The resolution authorizing the issuance of
 2298 the bonds or such trust agreement may pledge the revenues to be
 2299 received from any projects of the District and may contain such
 2300 provisions for protecting and enforcing the rights and remedies

2301 of the bondholders as the board may approve, including, without
2302 limitation, covenants setting forth the duties of the District
2303 in relation to: the acquisition, construction, reconstruction,
2304 improvement, maintenance, repair, operation, and insurance of
2305 any projects; the fixing and revising of the rates, fees, and
2306 charges; and the custody, safeguarding, and application of all
2307 moneys and for the employment of consulting engineers in
2308 connection with such acquisition, construction, reconstruction,
2309 improvement, maintenance, repair, or operation. It shall be
2310 lawful for any bank or trust company within or without the state
2311 which may act as a depository of the proceeds of bonds or of
2312 revenues to furnish such indemnifying bonds or to pledge such
2313 securities as may be required by the District. Such resolution
2314 or trust agreement may set forth the rights and remedies of the
2315 bondholders and of the trustee, if any, and may restrict the
2316 individual right of action by bondholders. The board may provide
2317 for the payment of proceeds of the sale of the bonds and the
2318 revenues of any project to such officer, board, or depository as
2319 it may designate for the custody thereof and may provide for the
2320 method of disbursement thereof with such safeguards and
2321 restrictions as it may determine. All expenses incurred in
2322 carrying out the provisions of such resolution or trust
2323 agreement may be treated as part of the cost of operation of the
2324 project to which such trust agreement pertains.

2325 (12) AD VALOREM TAXES; ASSESSMENTS, BENEFIT SPECIAL

2326 ASSESSMENTS, MAINTENANCE SPECIAL ASSESSMENTS, AND SPECIAL
 2327 ASSESSMENTS; MAINTENANCE TAXES.—

2328 (a) Ad valorem taxes.—At such time as all members of the
 2329 board are qualified electors who are elected by qualified
 2330 electors of the District, the board shall have the power to levy
 2331 and assess an ad valorem tax on all the taxable property in the
 2332 District to construct, operate, and maintain assessable
 2333 improvements; to pay the principal of, and interest on, any
 2334 general obligation bonds of the District; and to provide for any
 2335 sinking or other funds established in connection with any such
 2336 bonds. An ad valorem tax levied by the board for operating
 2337 purposes, exclusive of debt service on bonds, shall not exceed 3
 2338 mills. The ad valorem tax provided for herein shall be in
 2339 addition to county and all other ad valorem taxes provided for
 2340 by law. Such tax shall be assessed, levied, and collected in the
 2341 same manner and at the same time as county taxes. The levy of ad
 2342 valorem taxes must be approved by referendum as required by s.
 2343 9, Art. VII of the State Constitution.

2344 (b) Benefit special assessments.—The board annually shall
 2345 determine, order, and levy the annual installment of the total
 2346 benefit special assessments for bonds issued and related
 2347 expenses to finance assessable improvements. These assessments
 2348 may be due and collected during each year county taxes are due
 2349 and collected, in which case such annual installment and levy
 2350 shall be evidenced to and certified to the property appraiser by

2351 the board not later than August 31 of each year. Such assessment
2352 shall be entered by the property appraiser on the county tax
2353 rolls and shall be collected and enforced by the tax collector
2354 in the same manner and at the same time as county taxes, and the
2355 proceeds thereof shall be paid to the District. However, this
2356 subsection shall not prohibit the District in its discretion
2357 from using the method prescribed in either s. 197.3632, Florida
2358 Statutes, or chapter 173, Florida Statutes, as each may be
2359 amended from time to time, for collecting and enforcing these
2360 assessments. Each annual installment of benefit special
2361 assessments shall be a lien on the property against which
2362 assessed until paid and shall be enforceable in like manner as
2363 county taxes. The amount of the assessment for the exercise of
2364 the District's powers under subsections (6) and (7) shall be
2365 determined by the board based upon a report of the District's
2366 engineer and assessed by the board upon such lands, which may be
2367 part or all of the lands within the District benefited by the
2368 improvement, apportioned between benefited lands in proportion
2369 to the benefits received by each tract of land. The board may,
2370 if it determines it is in the best interests of the District,
2371 set forth in the proceedings initially levying such benefit
2372 special assessments or in subsequent proceedings a formula for
2373 the determination of an amount, which when paid by a taxpayer
2374 with respect to any tax parcel shall constitute a prepayment of
2375 all future annual installments of such benefit special

2376 assessments and that the payment of which amount with respect to
2377 such tax parcel shall relieve and discharge such tax parcel of
2378 the lien of such benefit special assessments and any subsequent
2379 annual installment thereof. The board may provide further that
2380 upon delinquency in the payment of any annual installment of
2381 benefit special assessments, the prepayment amount of all future
2382 annual installments of benefit special assessments shall be and
2383 become immediately due and payable together with such delinquent
2384 annual installment.

2385 (c) Non-ad valorem maintenance taxes.—If and when
2386 authorized by general law, to maintain and to preserve the
2387 physical facilities and services constituting the works,
2388 improvements, or infrastructure owned by the District pursuant
2389 to this act, to repair and restore any one or more of them, when
2390 needed, and to defray the current expenses of the District,
2391 including any sum which may be required to pay state and county
2392 ad valorem taxes on any lands which may have been purchased and
2393 which are held by the District under the provisions of this act,
2394 the board of supervisors may, upon the completion of said
2395 systems, facilities, services, works, improvements, or
2396 infrastructure, in whole or in part, as may be certified to the
2397 board by the engineer of the board, levy annually a non-ad
2398 valorem and non-millage tax upon each tract or parcel of land
2399 within the District, to be known as a "maintenance tax." This
2400 non-ad valorem maintenance tax shall be apportioned upon the

2401 basis of the net assessments of benefits assessed as accruing
2402 from the original construction and shall be evidenced to and
2403 certified by the board of supervisors of the District not later
2404 than June 1 of each year to the tax collectors for Brevard and
2405 Volusia Counties and shall be extended on the tax rolls and
2406 collected by the tax collector on the merged collection roll of
2407 the tax collector in the same manner and at the same time as
2408 county ad valorem taxes, and the proceeds therefrom shall be
2409 paid to the District. This non-ad valorem maintenance tax shall
2410 be a lien until paid on the property against which assessed and
2411 enforceable in like manner and of the same dignity as county ad
2412 valorem taxes.

2413 (d) Maintenance special assessments.—To maintain and
2414 preserve the facilities and projects of the District, the board
2415 may levy a maintenance special assessment. This assessment may
2416 be evidenced to and certified to the tax collector by the board
2417 of supervisors not later than August 31 of each year and shall
2418 be entered by the property appraiser on the county tax rolls and
2419 shall be collected and enforced by the tax collector in the same
2420 manner and at the same time as county taxes, and the proceeds
2421 therefrom shall be paid to the District. However, this
2422 subsection shall not prohibit the District in its discretion
2423 from using the method prescribed in s. 197.363, s. 197.3631, or
2424 s. 197.3632, Florida Statutes, for collecting and enforcing
2425 these assessments. These maintenance special assessments shall

2426 be a lien on the property against which assessed until paid and
2427 shall be enforceable in like manner as county taxes. The amount
2428 of the maintenance special assessment for the exercise of the
2429 District's powers under this section shall be determined by the
2430 board based upon a report of the District's engineer and
2431 assessed by the board upon such lands, which may be all of the
2432 lands within the District benefited by the maintenance thereof,
2433 apportioned between the benefited lands in proportion to the
2434 benefits received by each tract of land.

2435 (e) Special assessments.—The board may levy and impose any
2436 special assessments pursuant to this subsection.

2437 (f) Enforcement of taxes.—The collection and enforcement
2438 of all taxes levied by the District shall be at the same time
2439 and in like manner as county taxes, and the provisions of the
2440 Laws of Florida relating to the sale of lands for unpaid and
2441 delinquent county taxes; the issuance, sale, and delivery of tax
2442 certificates for such unpaid and delinquent county taxes; the
2443 redemption thereof; the issuance to individuals of tax deeds
2444 based thereon; and all other procedures in connection therewith
2445 shall be applicable to the District to the same extent as if
2446 such statutory provisions were expressly set forth herein. All
2447 taxes shall be subject to the same discounts as county taxes.

2448 (g) When unpaid tax is delinquent; penalty.—All taxes
2449 provided for in this act shall become delinquent and bear
2450 penalties on the amount of such taxes in the same manner as

2451 county taxes.

2452 (h) Status of assessments.—Benefit special assessments,
2453 maintenance special assessments, and special assessments are
2454 hereby found and determined to be non-ad valorem assessments as
2455 defined by s. 197.3632, Florida Statutes. Maintenance taxes are
2456 non-ad valorem taxes and are not special assessments.

2457 (i) Assessments constitute liens; collection.—Any and all
2458 assessments, including special assessments, benefit special
2459 assessments, and maintenance special assessments authorized by
2460 this section, and including special assessments as defined in
2461 paragraph (2) (z) of section 2 and granted and authorized by this
2462 subsection, and including maintenance taxes if authorized by
2463 general law, shall constitute a lien on the property against
2464 which assessed from the date of levy and imposition thereof
2465 until paid, coequal with the lien of state, county, municipal,
2466 and school board taxes. These assessments may be collected, at
2467 the District's discretion, under authority of s. 197.3631,
2468 Florida Statutes, as amended from time to time, by the tax
2469 collector pursuant to the provisions of ss. 197.3632 and
2470 197.3635, Florida Statutes, as amended from time to time, or in
2471 accordance with other collection measures provided by law. In
2472 addition to, and not in limitation of, any powers otherwise set
2473 forth herein or in general law, these assessments may also be
2474 enforced pursuant to the provisions of chapter 173, Florida
2475 Statutes, as amended from time to time.

2476 (j) Land owned by governmental entity.—Except as otherwise
2477 provided by law, no levy of ad valorem taxes or non-ad valorem
2478 assessments under this act or chapter 170, Florida Statutes, or
2479 chapter 197, Florida Statutes, as each may be amended from time
2480 to time, or otherwise, by a board of the District on property of
2481 a governmental entity that is subject to a ground lease as
2482 described in s. 190.003(14), Florida Statutes, shall constitute
2483 a lien or encumbrance on the underlying fee interest of such
2484 governmental entity.

2485 (13) SPECIAL ASSESSMENTS.—

2486 (a) As an alternative method to the levy and imposition of
2487 special assessments pursuant to chapter 170, Florida Statutes,
2488 pursuant to the authority of s. 197.3631, Florida Statutes, or
2489 pursuant to other provisions of general law, now or hereafter
2490 enacted, which provide a supplemental means or authority to
2491 impose, levy, and collect special assessments as otherwise
2492 authorized under this act, the board may levy and impose special
2493 assessments to finance the exercise of any of its powers
2494 permitted under this act using the following uniform procedures:

2495 1. At a noticed meeting, the board of supervisors of the
2496 District may consider and review an engineer's report on the
2497 costs of the systems, facilities, and services to be provided, a
2498 preliminary special assessment methodology, and a preliminary
2499 roll based on acreage or platted lands, depending upon whether
2500 platting has occurred.

2501 a. The special assessment methodology shall address and
2502 discuss and the board shall consider whether the systems,
2503 facilities, and services being contemplated will result in
2504 special benefits peculiar to the property, different in kind and
2505 degree than general benefits, as a logical connection between
2506 the systems, facilities, and services themselves and the
2507 property, and whether the duty to pay the special assessments by
2508 the property owners is apportioned in a manner that is fair and
2509 equitable and not in excess of the special benefit received. It
2510 shall be fair and equitable to designate a fixed proportion of
2511 the annual debt service, together with interest thereon, on the
2512 aggregate principal amount of bonds issued to finance such
2513 systems, facilities, and services which give rise to unique,
2514 special, and peculiar benefits to property of the same or
2515 similar characteristics under the special assessment methodology
2516 so long as such fixed proportion does not exceed the unique,
2517 special, and peculiar benefits enjoyed by such property from
2518 such systems, facilities, and services.

2519 b. The engineer's cost report shall identify the nature of
2520 the proposed systems, facilities, and services, their location,
2521 a cost breakdown plus a total estimated cost, including cost of
2522 construction or reconstruction, labor, and materials, lands,
2523 property, rights, easements, franchises, or systems, facilities,
2524 and services to be acquired, cost of plans and specifications,
2525 surveys of estimates of costs and revenues, costs of

2526 engineering, legal, and other professional consultation
2527 services, and other expenses or costs necessary or incident to
2528 determining the feasibility or practicability of such
2529 construction, reconstruction, or acquisition, administrative
2530 expenses, relationship to the authority and power of the
2531 District in its charter, and such other expenses or costs as may
2532 be necessary or incident to the financing to be authorized by
2533 the board of supervisors.

2534 c. The preliminary special assessment roll shall be in
2535 accordance with the assessment methodology as may be adopted by
2536 the board of supervisors; the special assessment roll shall be
2537 completed as promptly as possible and shall show the acreage,
2538 lots, lands, or plats assessed and the amount of the fairly and
2539 reasonably apportioned assessment based on special and peculiar
2540 benefit to the property, lot, parcel, or acreage of land; and,
2541 if the special assessment against such lot, parcel, acreage, or
2542 portion of land is to be paid in installments, the number of
2543 annual installments in which the special assessment is divided
2544 shall be entered into and shown upon the special assessment
2545 roll.

2546 2. The board of supervisors of the District may determine
2547 and declare by an initial special assessment resolution to levy
2548 and assess the special assessments with respect to assessable
2549 improvements stating the nature of the systems, facilities, and
2550 services, improvements, projects, or infrastructure constituting

2551 such assessable improvements, the information in the engineer's
2552 cost report, the information in the special assessment
2553 methodology as determined by the board at the noticed meeting
2554 and referencing and incorporating as part of the resolution the
2555 engineer's cost report, the preliminary special assessment
2556 methodology, and the preliminary special assessment roll as
2557 referenced exhibits to the resolution by reference. If the board
2558 determines to declare and levy the special assessments by the
2559 initial special assessment resolution, the board shall also
2560 adopt and declare a notice resolution which shall provide and
2561 cause the initial special assessment resolution to be published
2562 once a week for 2 consecutive weeks in newspapers of general
2563 circulation in Brevard and Volusia Counties, and said board
2564 shall by the same resolution fix a time and place at which the
2565 owner or owners of the property to be assessed or any other
2566 persons interested therein may appear before said board and be
2567 heard as to the propriety and advisability of making such
2568 improvements, as to the costs thereof, as to the manner of
2569 payment therefor, and as to the amount thereof to be assessed
2570 against each property so improved. Thirty days' notice in
2571 writing of such time and place shall be given to such property
2572 owners. The notice shall include the amount of the special
2573 assessment and shall be served by mailing a copy to each
2574 assessed property owner at his or her last known address, the
2575 names and addresses of such property owners to be obtained from

2576 the record of the property appraiser of the county political
2577 subdivision in which the land is located or from such other
2578 sources as the District manager or engineer deems reliable, and
2579 proof of such mailing shall be made by the affidavit of the
2580 manager of the District or by the engineer, said proof to be
2581 filed with the District manager, provided that failure to mail
2582 said notice or notices shall not invalidate any of the
2583 proceedings hereunder. It is provided further that the last
2584 publication shall be at least 1 week prior to the date of the
2585 hearing on the final special assessment resolution. Said notice
2586 shall describe the general areas to be improved and advise all
2587 persons interested that the description of each property to be
2588 assessed and the amount to be assessed to each piece, parcel,
2589 lot, or acre of property may be ascertained at the office of the
2590 manager of the District. Such service by publication shall be
2591 verified by the affidavit of the publisher and filed with the
2592 manager of the District. Moreover, the initial special
2593 assessment resolution with its attached, referenced, and
2594 incorporated engineer's cost report, preliminary special
2595 assessment methodology, and preliminary special assessment roll,
2596 along with the notice resolution, shall be available for public
2597 inspection at the office of the manager and the office of the
2598 engineer or any other office designated by the board of
2599 supervisors in the notice resolution. Notwithstanding the
2600 foregoing, the landowners of all of the property which is

2601 proposed to be assessed may give the District written notice of
2602 waiver of any notice and publication provided for in this
2603 subparagraph and such notice and publication shall not be
2604 required; provided, however, that any meeting of the board of
2605 supervisors to consider such resolution shall be a publicly
2606 noticed meeting.

2607 3. At the time and place named in the noticed resolution
2608 as provided for in subparagraph 2., the board of supervisors of
2609 the District shall meet and hear testimony from affected
2610 property owners as to the propriety and advisability of making
2611 the systems, facilities, services, projects, works,
2612 improvements, or infrastructure and funding them with
2613 assessments referenced in the initial special assessment
2614 resolution on the property. Following the testimony and
2615 questions from the members of the board or any professional
2616 advisors to the District of the preparers of the engineer's cost
2617 report, the special assessment methodology, and the special
2618 assessment roll, the board of supervisors shall make a final
2619 decision on whether to levy and assess the particular special
2620 assessments. Thereafter, the board of supervisors shall meet as
2621 an equalizing board to hear and to consider any and all
2622 complaints as to the particular special assessments and shall
2623 adjust and equalize the special assessments to ensure proper
2624 assessment based on the benefit conferred on the property.

2625 4. When so equalized and approved by resolution or

2626 ordinance by the board of supervisors, to be called the final
2627 special assessment resolution, a final special assessment roll
2628 shall be filed with the clerk of the board and such special
2629 assessment shall stand confirmed and remain legal, valid, and
2630 binding first liens on the property against which such special
2631 assessments are made until paid, equal in dignity to the first
2632 liens of ad valorem taxation of county and municipal governments
2633 and school boards. However, upon completion of the systems,
2634 facilities, service, project, improvement, works, or
2635 infrastructure, the District shall credit to each of the
2636 assessments the difference in the special assessment as
2637 originally made, approved, levied, assessed, and confirmed and
2638 the proportionate part of the actual cost of the improvement to
2639 be paid by the particular special assessments as finally
2640 determined upon the completion of the improvement, but in no
2641 event shall the final special assessment exceed the amount of
2642 the special and peculiar benefits as apportioned fairly and
2643 reasonably to the property from the system, facility, or service
2644 being provided as originally assessed. Promptly after such
2645 confirmation, the special assessment shall be recorded by the
2646 clerk of the District in the minutes of the proceedings of the
2647 District, and the record of the lien in this set of minutes
2648 shall constitute prima facie evidence of its validity. The board
2649 of supervisors, in its sole discretion, may, by resolution,
2650 grant a discount equal to all or a part of the payee's

2651 proportionate share of the cost of the project consisting of
2652 bond financing cost, such as capitalized interest, funded
2653 reserves, and bond discounts included in the estimated cost of
2654 the project, upon payment in full of any special assessments
2655 during such period prior to the time such financing costs are
2656 incurred as may be specified by the board of supervisors in such
2657 resolution.

2658 5. District special assessments may be made payable in
2659 installments over no more than 40 years from the date of the
2660 payment of the first installment thereof and may bear interest
2661 at fixed or variable rates.

2662 (b) Notwithstanding any provision of this act or chapter
2663 170, Florida Statutes, that portion of s. 170.09, Florida
2664 Statutes, that provides that special assessments may be paid
2665 without interest at any time within 30 days after the
2666 improvement is completed and a resolution accepting the same has
2667 been adopted by the governing authority shall not be applicable
2668 to any District special assessments, whether imposed, levied,
2669 and collected pursuant to the provisions of this act or general
2670 law, including, but not limited to, chapter 170, Florida
2671 Statutes.

2672 (c) In addition, the District is authorized expressly in
2673 the exercise of its rulemaking power to adopt a rule or rules
2674 which provides or provide for notice, levy, imposition,
2675 equalization, and collection of assessments.

2676 (14) ISSUANCE OF CERTIFICATES OF INDEBTEDNESS BASED ON
2677 ASSESSMENTS FOR ASSESSABLE IMPROVEMENTS; ASSESSMENT BONDS.—

2678 (a) The board may, after any special assessments or
2679 benefit special assessments for assessable improvements are
2680 made, determined, and confirmed as provided in this act, issue
2681 certificates of indebtedness for the amount so assessed against
2682 the abutting property or property otherwise benefited, as the
2683 case may be, and separate certificates shall be issued against
2684 each part or parcel of land or property assessed, which
2685 certificates shall state the general nature of the improvement
2686 for which the assessment is made. The certificates shall be
2687 payable in annual installments in accordance with the
2688 installments of the special assessment for which they are
2689 issued. The board may determine the interest to be borne by such
2690 certificates, not to exceed the maximum rate allowed by general
2691 law, and may sell such certificates at either private or public
2692 sale and determine the form, manner of execution, and other
2693 details of such certificates. The certificates shall recite that
2694 they are payable only from the special assessments levied and
2695 collected from the part or parcel of land or property against
2696 which they are issued. The proceeds of such certificates may be
2697 pledged for the payment of principal of and interest on any
2698 revenue bonds or general obligation bonds issued to finance in
2699 whole or in part such assessable improvement, or, if not so
2700 pledged, may be used to pay the cost or part of the cost of such

2701 assessable improvements.

2702 (b) The District may also issue assessment bonds, revenue
2703 bonds, or other obligations payable from a special fund into
2704 which such certificates of indebtedness referred to in paragraph
2705 (a) may be deposited or, if such certificates of indebtedness
2706 have not been issued, the District may assign to such special
2707 fund for the benefit of the holders of such assessment bonds or
2708 other obligations, or to a trustee for such bondholders, the
2709 assessment liens provided for in this act unless such
2710 certificates of indebtedness or assessment liens have been
2711 theretofore pledged for any bonds or other obligations
2712 authorized hereunder. In the event of the creation of such
2713 special fund and the issuance of such assessment bonds or other
2714 obligations, the proceeds of such certificates of indebtedness
2715 or assessment liens deposited therein shall be used only for the
2716 payment of the assessment bonds or other obligations issued as
2717 provided in this section. The District is authorized to covenant
2718 with the holders of such assessment bonds, revenue bonds, or
2719 other obligations that it will diligently and faithfully enforce
2720 and collect all the special assessments, and interest and
2721 penalties thereon, for which such certificates of indebtedness
2722 or assessment liens have been deposited in or assigned to such
2723 fund; to foreclose such assessment liens so assigned to such
2724 special fund or represented by the certificates of indebtedness
2725 deposited in the special fund, after such assessment liens have

2726 become delinquent, and deposit the proceeds derived from such
2727 foreclosure, including interest and penalties, in such special
2728 fund; and to make any other covenants deemed necessary or
2729 advisable in order to properly secure the holders of such
2730 assessment bonds or other obligations.

2731 (c) The assessment bonds, revenue bonds, or other
2732 obligations issued pursuant to this section shall have such
2733 dates of issue and maturity as shall be deemed advisable by the
2734 board; however, the maturities of such assessment bonds or other
2735 obligations shall not be more than 2 years after the due date of
2736 the last installment which will be payable on any of the special
2737 assessments for which such assessment liens, or the certificates
2738 of indebtedness representing such assessment liens, are assigned
2739 to or deposited in such special fund.

2740 (d) Such assessment bonds, revenue bonds, or other
2741 obligations issued under this section shall bear such interest
2742 as the board may determine, not to exceed the maximum rate
2743 allowed by general law, and shall be executed, shall have such
2744 provisions for redemption prior to maturity, shall be sold in
2745 the manner, and shall be subject to all of the applicable
2746 provisions contained in this act for revenue bonds, except as
2747 the same may be inconsistent with the provisions of this
2748 section.

2749 (e) All assessment bonds, revenue bonds, or other
2750 obligations issued under the provisions of this section shall

2751 be, shall constitute, and shall have all the qualities and
2752 incidents of negotiable instruments under the law merchant and
2753 the laws of the state.

2754 (15) TAX LIENS.—All taxes of the District provided for in
2755 this act, together with all penalties for default in the payment
2756 of the same and all costs in collecting the same, including a
2757 reasonable attorney fee fixed by the court and taxed as a cost
2758 in the action brought to enforce payment, shall, from January 1
2759 for each year the property is liable to assessment and until
2760 paid, constitute a lien of equal dignity with the liens for
2761 state and county taxes and other taxes of equal dignity with
2762 state and county taxes upon all the lands against which such
2763 taxes shall be levied. A sale of any of the real property within
2764 the District for state and county or other taxes shall not
2765 operate to relieve or release the property so sold from the lien
2766 for subsequent District taxes or installments of District taxes,
2767 which lien may be enforced against such property as though no
2768 such sale thereof had been made. For purposes of s. 197.552,
2769 Florida Statutes, in addition to and not in limitation of such
2770 sale, the lien of all special assessments levied by the District
2771 shall constitute a lien of record held by a municipal or county
2772 governmental unit. The provisions of ss. 194.171, 197.122,
2773 197.333, and 197.432, Florida Statutes, shall be applicable to
2774 District taxes with the same force and effect as if such
2775 provisions were expressly set forth in this act.

2776 (16) PAYMENT OF TAXES AND REDEMPTION OF TAX LIENS BY THE
 2777 DISTRICT; SHARING IN PROCEEDS OF TAX SALE.-

2778 (a) The District shall have the power and right to:

2779 1. Pay any delinquent state, county, district, municipal,
 2780 or other tax or assessment upon lands located wholly or
 2781 partially within the boundaries of the District.

2782 2. Redeem or purchase any tax sales certificates issued or
 2783 sold on account of any state, county, district, municipal, or
 2784 other taxes or assessments upon lands located wholly or
 2785 partially within the boundaries of the District.

2786 (b) Delinquent taxes paid, or tax sales certificates
 2787 redeemed or purchased, by the District, together with all
 2788 penalties for the default in payment of the same and all costs
 2789 in collecting the same and a reasonable attorney fee, shall
 2790 constitute a lien in favor of the District of equal dignity with
 2791 the liens of state and county taxes and other taxes of equal
 2792 dignity with state and county taxes upon all the real property
 2793 against which the taxes were levied. The lien of the District
 2794 may be foreclosed in the manner provided in this act.

2795 (c) In any sale of land pursuant to s. 197.542, Florida
 2796 Statutes, as may be amended from time to time, the District may
 2797 certify to the clerk of the circuit court of the county holding
 2798 such sale the amount of taxes due to the District upon the lands
 2799 sought to be sold, and the District shall share in the
 2800 disbursement of the sales proceeds in accordance with the

2801 provisions of this act and under the laws of the state.
 2802 (17) FORECLOSURE OF LIENS.—Any lien in favor of the
 2803 District arising under this act may be foreclosed by the
 2804 District by foreclosure proceedings in the name of the District
 2805 in a court of competent jurisdiction as provided by general law
 2806 in like manner as is provided in chapter 170, Florida Statutes,
 2807 or chapter 173, Florida Statutes, and amendments thereto and the
 2808 provisions of those chapters shall be applicable to such
 2809 proceedings with the same force and effect as if those
 2810 provisions were expressly set forth in this act. Any act
 2811 required or authorized to be done by or on behalf of a
 2812 municipality in foreclosure proceedings under chapter 170,
 2813 Florida Statutes, or chapter 173, Florida Statutes, may be
 2814 performed by such officer or agent of the District as the board
 2815 of supervisors may designate. Such foreclosure proceedings may
 2816 be brought at any time after the expiration of 1 year from the
 2817 date any tax, or installment thereof, becomes delinquent;
 2818 however, no lien shall be foreclosed against any political
 2819 subdivision or agency of the state. Other legal remedies shall
 2820 remain available.
 2821 (18) MANDATORY USE OF CERTAIN DISTRICT SYSTEMS,
 2822 FACILITIES, AND SERVICES.—To the full extent permitted by law,
 2823 the District shall require all lands, buildings, premises,
 2824 persons, firms, and corporations within the District to use the
 2825 facilities of the District.

2826 (19) COMPETITIVE PROCUREMENT; BIDS; NEGOTIATIONS; RELATED
2827 PROVISIONS REQUIRED.—

2828 (a) No contract shall be let by the board for any goods,
2829 supplies, or materials to be purchased when the amount thereof
2830 to be paid by the District shall exceed the amount provided in
2831 s. 287.017, Florida Statutes, as amended from time to time, for
2832 category four, unless notice of bids shall be advertised once in
2833 newspapers of general circulation in Brevard and Volusia
2834 Counties. Any board seeking to construct or improve a public
2835 building, structure, or other public works shall comply with the
2836 bidding procedures of s. 255.20, Florida Statutes, as amended
2837 from time to time, and other applicable general law. In each
2838 case, the bid of the lowest responsive and responsible bidder
2839 shall be accepted unless all bids are rejected because the bids
2840 are too high or the board determines it is in the best interests
2841 of the District to reject all bids. The board may require the
2842 bidders to furnish bond with a responsible surety to be approved
2843 by the board. Nothing in this subsection shall prevent the board
2844 from undertaking and performing the construction, operation, and
2845 maintenance of any project or facility authorized by this act by
2846 the employment of labor, material, and machinery.

2847 (b) The provisions of the Consultants' Competitive
2848 Negotiation Act, s. 287.055, Florida Statutes, apply to
2849 contracts for engineering, architecture, landscape architecture,
2850 or registered surveying and mapping services let by the board.

2851 (c) Contracts for maintenance services for any District
 2852 facility or project shall be subject to competitive bidding
 2853 requirements when the amount thereof to be paid by the District
 2854 exceeds the amount provided in s. 287.017, Florida Statutes, as
 2855 amended from time to time, for category four. The District shall
 2856 adopt rules, policies, or procedures establishing competitive
 2857 bidding procedures for maintenance services. Contracts for other
 2858 services shall not be subject to competitive bidding unless the
 2859 District adopts a rule, policy, or procedure applying
 2860 competitive bidding procedures to said contracts. Nothing herein
 2861 shall preclude the use of requests for proposal instead of
 2862 invitations to bid as determined by the District to be in its
 2863 best interest.

2864 (20) FEES, RENTALS, AND CHARGES; PROCEDURE FOR ADOPTION
 2865 AND MODIFICATIONS; MINIMUM REVENUE REQUIREMENTS.—

2866 (a) The District is authorized to prescribe, fix,
 2867 establish, and collect rates, fees, rentals, or other charges,
 2868 hereinafter sometimes referred to as "revenues," and to revise
 2869 the same from time to time, for the systems, facilities, and
 2870 services furnished by the District, within the limits of the
 2871 District, including, but not limited to, recreational
 2872 facilities, water management and control facilities, and water
 2873 and sewer systems; to recover the costs of making connection
 2874 with any District service, facility, or system; and to provide
 2875 for reasonable penalties against any user or property for any

2876 such rates, fees, rentals, or other charges that are delinquent.
2877 (b) No such rates, fees, rentals, or other charges for any
2878 of the facilities or services of the District shall be fixed
2879 until after a public hearing at which all the users of the
2880 proposed facility or services or owners, tenants, or occupants
2881 served or to be served thereby and all other interested persons
2882 shall have an opportunity to be heard concerning the proposed
2883 rates, fees, rentals, or other charges. Rates, fees, rentals,
2884 and other charges shall be adopted under the administrative
2885 rulemaking authority of the District, but shall not apply to
2886 District leases. Notice of such public hearing setting forth the
2887 proposed schedule or schedules of rates, fees, rentals, and
2888 other charges shall have been published at least once and at
2889 least 10 days prior to such public hearing in newspapers of
2890 general circulation in Brevard and Volusia Counties. The
2891 rulemaking hearing may be adjourned from time to time. After
2892 such hearing, such schedule or schedules, either as initially
2893 proposed or as modified or amended, may be finally adopted. A
2894 copy of the schedule or schedules of such rates, fees, rentals,
2895 or charges as finally adopted shall be kept on file in an office
2896 designated by the board and shall be open at all reasonable
2897 times to public inspection. The rates, fees, rentals, or charges
2898 so fixed for any class of users or property served shall be
2899 extended to cover any additional users or properties thereafter
2900 served which shall fall in the same class, without the necessity

2901 of any notice or hearing.

2902 (c) Such rates, fees, rentals, and charges shall be just
 2903 and equitable and uniform for users of the same class, and when
 2904 appropriate may be based or computed either upon the amount of
 2905 service furnished, upon the average number of persons residing
 2906 or working in or otherwise occupying the premises served, or
 2907 upon any other factor affecting the use of the facilities
 2908 furnished, or upon any combination of the foregoing factors, as
 2909 may be determined by the board on an equitable basis.

2910 (d) The rates, fees, rentals, or other charges prescribed
 2911 shall be such as will produce revenues, together with any other
 2912 assessments, taxes, revenues, or funds available or pledged for
 2913 such purpose, at least sufficient to provide for the items
 2914 hereinafter listed, but not necessarily in the order stated:

2915 1. To provide for all expenses of operation and
 2916 maintenance of such facility or service.

2917 2. To pay when due all bonds and interest thereon for the
 2918 payment of which such revenues are, or shall have been, pledged
 2919 or encumbered, including reserves for such purpose.

2920 3. To provide for any other funds which may be required
 2921 under the resolution or resolutions authorizing the issuance of
 2922 bonds pursuant to this act.

2923 (e) The board shall have the power to enter into contracts
 2924 for the use of the projects of the District and with respect to
 2925 the services, systems, and facilities furnished or to be

2926 furnished by the District.

2927 (21) RECOVERY OF DELINQUENT CHARGES.—In the event that any
2928 rates, fees, rentals, charges, or delinquent penalties are not
2929 paid as and when due and are in default for 60 days or more, the
2930 unpaid balance thereof and all interest accrued thereon,
2931 together with reasonable attorney fees and costs, may be
2932 recovered by the District in a civil action.

2933 (22) DISCONTINUANCE OF SERVICE.—If any rentals, fees, or
2934 other charges for District services or facilities are not paid
2935 when due, the board shall have the power, under such reasonable
2936 rules and regulations as the board may adopt, to discontinue and
2937 shut off such services or facilities until such rentals, fees,
2938 or other charges, including interest, penalties, and other
2939 charges for the shutting off and discontinuance and the
2940 restoration of such services or facilities, are fully paid; and,
2941 for such purposes, the board may enter on any lands, waters, or
2942 premises of any person, firm, corporation, or body, public or
2943 private, within the District limits. Such delinquent rentals,
2944 fees, or other charges, including interest, penalties, and other
2945 charges for the shutting off and discontinuance and the
2946 restoration of such services or facilities and reasonable
2947 attorney fees and other expenses, may be recovered by the
2948 District, which may also enforce payment of such delinquent
2949 rentals, fees, or other charges by any other lawful method of
2950 enforcement.

2951 (23) ENFORCEMENT AND PENALTIES.—The board or any aggrieved
2952 person may have recourse to such remedies in law and at equity
2953 as may be necessary to ensure compliance with the provisions of
2954 this act, including injunctive relief to enjoin or restrain any
2955 person violating the provisions of this act or any bylaws,
2956 resolutions, regulations, rules, codes, or orders adopted under
2957 this act. In case any building or structure is erected,
2958 constructed, reconstructed, altered, repaired, converted, or
2959 maintained, or any building, structure, land, or water is used,
2960 in violation of this act or of any code, order, resolution, or
2961 other regulation made under authority conferred by this act or
2962 under law, the board or any citizen residing in the District may
2963 institute any appropriate action or proceeding to prevent such
2964 unlawful erection, construction, reconstruction, alteration,
2965 repair, conversion, maintenance, or use; to restrain, correct,
2966 or avoid such violation; to prevent the occupancy of such
2967 building, structure, land, or water; and to prevent any illegal
2968 act, conduct, business, or use in or about such premises, land,
2969 or water.

2970 (24) SUITS AGAINST THE DISTRICT.—Any suit or action
2971 brought or maintained against the District for damages arising
2972 out of tort, including, without limitation, any claim arising
2973 upon account of an act causing an injury or loss of property,
2974 personal injury, or death, shall be subject to the limitations
2975 provided in s. 768.28, Florida Statutes.

2976 (25) EXEMPTION OF DISTRICT PROPERTY FROM EXECUTION.—All
 2977 District property shall be exempt from levy and sale by virtue
 2978 of an execution, and no execution or other judicial process
 2979 shall issue against such property, nor shall any judgment
 2980 against the District be a charge or lien on its property or
 2981 revenues; however, nothing contained herein shall apply to or
 2982 limit the rights of bondholders to pursue any remedy for the
 2983 enforcement of any lien or pledge given by the District in
 2984 connection with any of the bonds or obligations of the District.

2985 (26) TERMINATION, CONTRACTION, OR EXPANSION OF DISTRICT.—

2986 (a) The board of supervisors of the District shall not ask
 2987 the Legislature to repeal or amend this act to expand or to
 2988 contract the boundaries of the District or otherwise cause the
 2989 merger or termination of the District without first obtaining a
 2990 resolution or official statement from Brevard and Volusia
 2991 Counties and the City of Edgewater as required by s.
 2992 189.031(2)(e)4., Florida Statutes, for creation of an
 2993 independent special district. The District's consent may be
 2994 evidenced by a resolution or other official written statement of
 2995 the District.

2996 (b) The District shall remain in existence until:

2997 1. The District is terminated and dissolved pursuant to
 2998 amendment to this act by the Legislature.

2999 2. The District has become inactive pursuant to s.
 3000 189.062, Florida Statutes.

3001 (27) MERGER WITH COMMUNITY DEVELOPMENT DISTRICTS.—
3002 (a) The District may merge with one or more community
3003 development districts situated wholly within its boundaries. The
3004 District shall be the surviving entity of the merger. Any
3005 mergers shall commence upon each such community development
3006 district filing a written request for merger with the District.
3007 A copy of the written request shall also be filed with Brevard
3008 and Volusia Counties and the City of Edgewater. The District,
3009 subject to the direction of its board, shall enter into a merger
3010 agreement which shall provide for:

- 3011 1. The proper allocation of debt;
- 3012 2. The manner in which such debt shall be retired;
- 3013 3. The transition of the community development district
3014 board; and
- 3015 4. The transfer of all financial obligations and operating
3016 and maintenance responsibilities to the District.

3017 (b) The execution of the merger agreement by the District
3018 and each community development district constitutes consent of
3019 the landowners within each District. The District and each
3020 community development district requesting merger shall hold a
3021 public hearing within its boundaries to provide information
3022 about and take public comment on the proposed merger in the
3023 merger agreement. The public hearing shall be held within 45
3024 days after the execution of the merger agreement by all parties
3025 thereto. Notice of the public hearing shall be published at

3026 least 14 days before the hearing in newspapers of general
3027 circulation in Brevard and Volusia Counties. At the conclusion
3028 of the public hearing each District shall consider a resolution
3029 either approving or disapproving of the proposed merger. If the
3030 District and each community development district which is a
3031 party to the merger agreement adopt a resolution approving the
3032 proposed merger, the resolutions and the merger shall be filed
3033 with Brevard and Volusia Counties and the City of Edgewater.
3034 Upon receipt of the resolutions approving the merger and the
3035 merger agreement, the county or city which originally
3036 established the community development district shall adopt a
3037 nonemergency ordinance dissolving such community development
3038 district pursuant to s. 190.046(10), Florida Statutes.

3039 (28) INCLUSION OF TERRITORY.—The inclusion of any or all
3040 territory of the District within a municipality does not change,
3041 alter, or affect the boundary, territory, existence, or
3042 jurisdiction of the District.

3043 (29) SALE OF REAL ESTATE WITHIN THE DISTRICT; REQUIRED
3044 DISCLOSURE TO PURCHASER.—Subsequent to the creation of the
3045 District under this act, each contract for the initial sale of a
3046 parcel of real property and each contract for the initial sale
3047 of a residential unit within the District shall include,
3048 immediately prior to the space reserved in the contract for the
3049 signature of the purchaser, the following disclosure statement
3050 in boldfaced and conspicuous type which is larger than the type

3051 in the remaining text of the contract: "THE DEERING PARK
 3052 STEWARDSHIP DISTRICT MAY IMPOSE AND LEVY TAXES OR ASSESSMENTS,
 3053 OR BOTH TAXES AND ASSESSMENTS, ON THIS PROPERTY. THESE TAXES AND
 3054 ASSESSMENTS PAY FOR THE CONSTRUCTION, OPERATION, AND MAINTENANCE
 3055 COSTS OF CERTAIN PUBLIC SYSTEMS, FACILITIES, AND SERVICES OF THE
 3056 DISTRICT AND ARE SET ANNUALLY BY THE GOVERNING BOARD OF THE
 3057 DISTRICT. THESE TAXES AND ASSESSMENTS ARE IN ADDITION TO COUNTY
 3058 AND OTHER LOCAL GOVERNMENTAL TAXES AND ASSESSMENTS AND ALL OTHER
 3059 TAXES AND ASSESSMENTS PROVIDED FOR BY LAW."

3060 (30) NOTICE OF CREATION AND ESTABLISHMENT.—Within 30 days
 3061 after the election of the first board of supervisors creating
 3062 the District, the District shall cause to be recorded in the
 3063 grantor-grantee index of the property records in Brevard and
 3064 Volusia Counties and the City of Edgewater a "Notice of Creation
 3065 and Establishment of the Deering Park Stewardship District." The
 3066 notice shall, at a minimum, include the legal description of the
 3067 property covered by this act.

3068 (31) DISTRICT PROPERTY PUBLIC; FEES.—Any system, facility,
 3069 service, works, improvement, project, or other infrastructure
 3070 owned by the District, or funded by federal tax-exempt bonding
 3071 issued by the District, is public; and the District may by rule
 3072 regulate, and may impose reasonable charges or fees for, the use
 3073 thereof, but not to the extent that such regulation or
 3074 imposition of such charges or fees constitutes denial of
 3075 reasonable access.

3076 Section 7. If any provision of this act is determined
3077 unconstitutional or otherwise determined invalid by a court of
3078 law, all the rest and remainder of the act shall remain in full
3079 force and effect as the law of this state.

3080 Section 8. This act shall take effect upon becoming a law,
3081 except that the provisions of this act which authorize the levy
3082 of ad valorem taxation shall take effect only upon approval by a
3083 majority vote of those qualified electors of the Deering Park
3084 Stewardship District voting in a referendum election held at
3085 such time as all members of the board are qualified electors who
3086 are elected by qualified electors of the District as provided in
3087 this act.