

1                   A bill to be entitled  
2           An act relating to City of Bartow, Polk County;  
3           creating the Clear Springs 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 for  
8           creation of an independent special district; providing  
9           for creation and establishment of the district;  
10          establishing the legal boundaries of the district;  
11          providing for the jurisdiction and charter of the  
12          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 transition of the board from landowner control to  
18          control by the resident electors of the district;  
19          providing for a district manager and district  
20          personnel; providing for a district treasurer,  
21          selection of a public depository, and district budgets  
22          and financial reports; providing for the general  
23          powers of the district; providing for the special  
24          powers of the district to plan, finance, and provide  
25          community infrastructure and services within the

26 district; providing for bonds; providing for  
 27 borrowing; providing for future ad valorem taxation;  
 28 providing for special assessments; providing for  
 29 issuance of certificates of indebtedness; providing  
 30 for tax liens; providing for competitive procurement;  
 31 providing for fees and charges; providing for  
 32 amendment to charter; providing for required notices  
 33 to purchasers of residential units within the  
 34 district; defining district public property; providing  
 35 for merger; providing severability; providing for a  
 36 referendum; providing effective dates.

37

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

39

40 Section 1. This act may be cited as the "Clear Springs  
 41 Stewardship District Act."

42 Section 2. Legislative findings and intent; definitions;  
 43 policy.-

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

45 (a) The extensive lands located wholly within the City of  
 46 Bartow and covered by this act contain many opportunities for  
 47 thoughtful, comprehensive, responsible, and consistent  
 48 development over a long period.

49 (b) There is a need to use a single special and limited  
 50 purpose independent special district unit of local government

51 for the Clear Springs Stewardship District lands located within  
52 the City of Bartow and covered by this act to provide for a more  
53 comprehensive community development approach, which will  
54 facilitate an integral relationship between regional  
55 transportation, land use, and urban design to provide for a  
56 diverse mix of housing and regional employment and economic  
57 development opportunities, rather than fragmented development  
58 with underutilized infrastructure generally associated with  
59 urban sprawl.

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

68 (d) While chapter 190, Florida Statutes, provides an  
69 opportunity for previous community development services and  
70 facilities to be provided by the continued use of community  
71 development districts in a manner that furthers the public  
72 interest, given the size of the Clear Springs Stewardship  
73 District lands and the duration of development continuing to  
74 utilize multiple community development districts over these  
75 lands would result in an inefficient, duplicative, and needless

76 proliferation of local special purpose governments, contrary to  
77 the public interest and the Legislature's findings in chapter  
78 190, Florida Statutes. Instead, it is in the public interest  
79 that the long-range provision for, and management, financing,  
80 and long-term maintenance, upkeep, and operation of, services  
81 and facilities to be provided for ultimate development and  
82 conservation of the lands covered by this act be under one  
83 coordinated entity. The creation of a single district will  
84 assist in integrating the management of state resources and  
85 allow for greater and more coordinated stewardship of natural  
86 resources.

87 (e) Longer involvement of the initial landowner with  
88 regard to the provision of systems, facilities, and services for  
89 the Clear Springs Stewardship District lands, coupled with the  
90 special and limited purpose of the district, is in the public  
91 interest.

92 (f) The existence and use of such a special and limited  
93 purpose local government for the Clear Springs Stewardship  
94 District lands, subject to the City of Bartow comprehensive  
95 plan, will provide for a comprehensive and complete community  
96 development approach to promote a sustainable and efficient land  
97 use pattern for the Clear Springs Stewardship District lands  
98 with long-term planning for conservation and development,  
99 provide opportunities for the mitigation of impacts and  
100 development of infrastructure in an orderly and timely manner,

101 prevent the overburdening of the local general purpose  
102 government and the taxpayers; and provide an enhanced tax base  
103 and regional employment and economic development opportunities.

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

112 (h) The creation and establishment of the special district  
113 is a legitimate supplemental and alternative method available to  
114 manage, own, operate, construct, and finance capital  
115 infrastructure systems, facilities, and services.

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

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126        (j) The special district created and established by this  
127 act shall not have or exercise any comprehensive planning,  
128 zoning, or development permitting power; the establishment of  
129 the special district shall not be considered a development order  
130 within the meaning of chapter 380, Florida Statutes; and all  
131 applicable planning and permitting laws, rules, regulations, and  
132 policies of the City of Bartow control the development of the  
133 land to be serviced by the special district.

134        (k) The creation by this act of the Clear Springs  
135 Stewardship District is not inconsistent with the City of Bartow  
136 comprehensive plan.

137        (l) It is the legislative intent and purpose that no debt  
138 or obligation of the special district constitute a burden on the  
139 City of Bartow.

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

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

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

149        (c) "Assessment bonds" means special obligations of the  
150 district which are payable solely from proceeds of the special

151 assessments or benefit special assessments levied for assessable  
152 improvements, provided that, in lieu of issuing assessment bonds  
153 to fund the costs of assessable improvements, the district may  
154 issue revenue bonds for such purposes payable from assessments.

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

160 (e) "Clear Springs Stewardship District" means the unit of  
161 special and limited purpose local government and political  
162 subdivision created and chartered by this act, and limited to  
163 the performance of those general and special powers authorized  
164 by its charter under this act, the boundaries of which are set  
165 forth by the act, the governing board of which is created and  
166 authorized to operate with legal existence by this act, and the  
167 purpose of which is as set forth in this act.

168 (f) "Benefit special assessments" are district assessments  
169 imposed, levied, and collected pursuant to the provisions of  
170 section 6(12)(b).

171 (g) "Board of supervisors" or "board" means the governing  
172 body of the district or, if such board has been abolished, the  
173 board, body, or commission assuming the principal functions  
174 thereof or to whom the powers given to the board by this act  
175 have been given by law.

176        (h) "Bond" includes "certificate," and the provisions that  
177 are applicable to bonds are equally applicable to certificates.  
178 The term also includes any general obligation bond, assessment  
179 bond, refunding bond, revenue bond, bond anticipation note, and  
180 other such obligation in the nature of a bond as is provided for  
181 in this act.

182        (i) "Cost" or "costs," when used with reference to any  
183 project, includes, but is not limited to:

184            1. The expenses of determining the feasibility or  
185 practicability of acquisition, construction, or reconstruction.

186            2. The cost of surveys, estimates, plans, and  
187 specifications.

188            3. The cost of improvements.

189            4. Engineering, architectural, fiscal, and legal expenses  
190 and charges.

191            5. The cost of all labor, materials, machinery, and  
192 equipment.

193            6. The cost of all lands, properties, rights, easements,  
194 and franchises acquired.

195            7. Financing charges.

196            8. The creation of initial reserve and debt service funds.

197            9. Working capital.

198            10. Interest charges incurred or estimated to be incurred  
199 on money borrowed prior to and during construction and  
200 acquisition and for such reasonable period of time after



201 completion of construction or acquisition as the board may  
 202 determine.

203 11. The cost of issuance of bonds pursuant to this act,  
 204 including advertisements and printing.

205 12. The cost of any bond or tax referendum held pursuant  
 206 to this act and all other expenses of issuance of bonds.

207 13. The discount, if any, on the sale or exchange of  
 208 bonds.

209 14. Administrative expenses.

210 15. Such other expenses as may be necessary or incidental  
 211 to the acquisition, construction, or reconstruction of any  
 212 project, or to the financing thereof, or to the development of  
 213 any lands within the district.

214 16. Payments, contributions, dedications, and any other  
 215 exactions required as a condition of receiving any governmental  
 216 approval or permit necessary to accomplish any district purpose.

217 17. Any other expense or payment permitted by this act or  
 218 allowable by law.

219 (j) "District" means the Clear Springs Stewardship  
 220 District.

221 (k) "District manager" means the manager of the district.

222 (l) "District roads" means highways, streets, roads,  
 223 alleys, intersection improvements, sidewalks, crossings,  
 224 landscaping, irrigation, signage, signalization, storm drains,

225 bridges, multi-use trails, lighting, and thoroughfares of all  
 226 kinds.

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

230 (n) "Governing board member" means any member of the board  
 231 of supervisors.

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

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

250 the owner of a ground lease from a governmental entity, which  
 251 leasehold interest has a remaining term, excluding all renewal  
 252 options, in excess of 50 years.

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

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

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

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

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

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

274 3. Any other powers, authority, or functions set forth in  
275 this act.

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

280 (v) "Qualified elector" means any person at least 18 years  
281 of age who is a citizen of the United States and a legal  
282 resident of the state and of the district and who registers to  
283 vote with the Supervisor of Elections in Polk County and resides  
284 in the City of Bartow.

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

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

298 any such system and necessary or convenient for the operation  
299 thereof including for the district's own use or resale.

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

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

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

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

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

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

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

343 2. If and when authorized by general law, non-ad valorem  
 344 maintenance taxes not based on millage that are used to maintain  
 345 district systems, facilities, and services.

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

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

357 (3) POLICY.—Based upon its findings, ascertainments,  
 358 determinations, intent, purpose, and definitions, the  
 359 Legislature states its policy expressly:

360 (a) The district and the district charter, with its  
 361 general and special powers, as created in this act, are  
 362 essential and the best alternative for the residential,  
 363 commercial, industrial, office, hotel, healthcare, and other  
 364 similar community uses, projects, or functions in the included  
 365 portion of the City of Bartow consistent with the effective  
 366 comprehensive plan, and designed to serve a lawful public  
 367 purpose.

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

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

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

385 (d) The district shall operate and function subject to,  
386 and not inconsistent with, the applicable comprehensive plan of  
387 the City of Bartow and any applicable development orders (e.g.  
388 detailed site plan development orders), zoning regulations, and  
389 other land development regulations.

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

395 (f) This act may be amended, in whole or in part, only by  
396 special act of the Legislature. The board of supervisors of the  
397 district shall not ask the Legislature to amend this act without



398 first obtaining a resolution or official statement from the  
399 district and the City of Bartow as may be required by s.  
400 189.031(2)(e)4., Florida Statutes, for creation of an  
401 independent special district.

402 Section 3. Minimum charter requirements; creation and  
403 establishment; jurisdiction; construction; charter.-

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

408 (a) The purpose of the district is stated in the act in  
409 subsection (4) and in sections 2 and 3.

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

416 (c) The provisions for methods for establishing the  
417 district are in this section.

418 (d) The methods for amending the charter of the district  
419 are set forth in section 2.

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

423  
424       (f) The provisions regarding the administrative duties of  
425 the governing body are found in sections 5 and 6.

426       (g) The provisions applicable to financial disclosure,  
427 noticing, and reporting requirements generally are set forth in  
428 sections 5 and 6.

429       (h) The provisions regarding procedures and requirements  
430 for issuing bonds are set forth in section 6.

431       (i) The provisions regarding elections or referenda and  
432 the qualifications of an elector of the district are in sections  
433 2 and 5.

434       (j) The provisions regarding methods for financing the  
435 district are generally in section 6.

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

441       (l) The provisions for the method or methods of collecting  
442 non-ad valorem assessments, fees, or service charges are in  
443 section 6.

444       (m) The provisions for planning requirements are in this  
445 section and section 6.

446       (n) The provisions for geographic boundary limitations of  
447 the district are set forth in sections 4 and 6.

448       (2) The Clear Springs Stewardship District is created and  
449 incorporated as a public body corporate and politic, an  
450 independent special and limited purpose local government, an  
451 independent special district, under s. 189.031, Florida  
452 Statutes, as amended from time to time, and as defined in this  
453 act and in s. 189.012(3), Florida Statutes, as amended from time  
454 to time, in and for portions of the City of Bartow. Any  
455 amendments to chapter 190, Florida Statutes, after January 1,  
456 2022, granting additional general powers, special powers,  
457 authorities, or projects to a community development district by  
458 amendment to its uniform charter, ss. 190.006-190.041, Florida  
459 Statutes, which are not inconsistent with the provisions of this  
460 act, shall constitute a general power, special power, authority,  
461 or function of the Clear Springs Stewardship District. All  
462 notices for the enactment by the Legislature of this special act  
463 have been provided pursuant to the State Constitution, the Laws  
464 of Florida, and the Rules of the Florida House of  
465 Representatives and of the Florida Senate. No referendum  
466 subsequent to the effective date of this act is required as a  
467 condition of establishing the district. Therefore, the district,  
468 as created by this act, is established on the property described  
469 in this act.

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

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

498 development order or as part of other land development  
 499 regulations issued by the City of Bartow.

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

504 Section 4. Legal description of the Clear Springs  
 505 Stewardship District.—The metes and bounds legal description of  
 506 the district, within which there are no parcels of property  
 507 owned by those who do not wish their property to be included  
 508 within the district, is as follows:

509  
 510 In Township 29 South, Range 25 East, Polk County,  
 511 Florida:

512  
 513 Section 25: All LESS the W-1/2 of NW-1/4 and LESS the  
 514 E-1/2 of NE-1/4.

515  
 516 Section 26: The SW-1/4 of SW-1/4 LESS the east 330  
 517 feet of the north 684 feet thereof, and LESS the south  
 518 210 feet of the north 474 feet of the west 165 feet of  
 519 the east 660 feet thereof, and LESS a parcel described  
 520 as: beginning at a point on the north boundary of the  
 521 SW-1/4 of SW-1/4, 1,154.87 feet west of the northeast  
 522 corner of the SW-1/4 of SW-1/4; thence south 264 feet;

523 thence west 183.11 feet, more or less, to the west  
 524 boundary of the SW-1/4 of SW-1/4; thence northerly  
 525 along the west boundary a distance of 264 feet to the  
 526 northwest corner of the SW-1/4 of SW-1/4; thence east  
 527 185.61 feet, more or less, to the point of beginning;  
 528 and

529  
 530 The SE-1/4 of SE-1/4.

531 And Less:

532  
 533 Warranty Deed to Novasol Energy Farms, LLC as recorded  
 534 in O.R. Book 10232, Page 295, Public records of Polk  
 535 County, Florida.

536  
 537 And Less:

538  
 539 Quit Claim Deed to Anthony Terio, Jr, as recorded in  
 540 O.R. Book 8225, Page 1101 and corrected deed O.R. Book  
 541 8303, Page 776, Public records of Polk County,  
 542 Florida.

543  
 544 Section 27: All LESS those parts described as:

545 (a) The N-1/2 of NE-1/4; and LESS

546 (b) That part of the N-3/4 lying east of 91 Mine Road  
 547 (as such road existed on September 30, 1980); and LESS

548  
 549 (c) A parcel described as: begin at the southwest  
 550 corner of the NW-1/4 of NE-1/4, run thence north along  
 551 the west boundary of Gordon Heights Subdivision Phase  
 552 Two (Plat Book 52, page 1) a distance of 544.50 feet,  
 553 thence north 89°47'02" west 400 feet, thence south  
 554 544.50 feet, thence south 89°47'02" east 400 feet to  
 555 the point of beginning; and LESS

556  
 557 (d) A parcel described as: begin at the southwest  
 558 corner of NW-1/4 of NE-1/4, run thence south 89°03'46"  
 559 west a distance of 400 feet, thence south 0°56'14"  
 560 east a distance of 800 feet, thence north 89°03'46"  
 561 east a distance of 2,837.83 feet to the centerline of  
 562 91 Mine Road (as such centerline existed on September  
 563 30, 1980), thence northwesterly along the centerline  
 564 of 91 Mine Road a distance of 1,233 feet, more or  
 565 less, to its intersection with the north boundary of  
 566 the S-1/2 of NE-1/4, thence south 89°03'46" west along  
 567 said north boundary a distance of 1,517.53 feet to the  
 568 point of beginning.

569  
 570 and SUBJECT TO: a drainage easement and right-of-way  
 571 as described in instrument dated January 7, 1998 to

572 POLK COUNTY from IMC-Agrico Company, recorded in  
 573 Official Records Book 3979, page 785.

574  
 575 And Less:

576  
 577 Warranty Deed to Polk County as recorded in O.R. Book  
 578 9486, Page 1620, Public records of Polk County,  
 579 Florida.

580  
 581 Section 28: That part of the E-1/2 lying south and  
 582 east of U.S. Highway 17.

583  
 584 Less:

585  
 586 Warranty Deed to Polk County as recorded in O.R. Book  
 587 9486, Page 1620, Public records of Polk County,  
 588 Florida.

589  
 590 Section 34: The North 702 feet of the SE-1/4 of SE-1/4  
 591 lying east of 91 Mine Road.

592  
 593 and,

594  
 595 That portion of Section 34 described as: commence at  
 596 the northwest corner of Section 34, run thence north



597 89°29'57" east, along the north boundary of Section 34  
598 a distance of 1,625.00 feet; thence south 01°22'29"  
599 east, parallel with the west boundary of said Section  
600 34 a distance of 187 feet, more or less, to the POINT  
601 OF BEGINNING on the centerline of Peace Creek (as such  
602 centerline existed on February 1, 1982), thence  
603 meandering northeasterly following said centerline of  
604 said creek a distance of 560 feet, more or less, to a  
605 point on the north boundary of Section 34, thence  
606 north 89°29'57" east along said north boundary 800  
607 feet, more or less, to said centerline of Peace Creek;  
608 thence meandering southeasterly along said centerline  
609 to a point on the east boundary of the W-1/2 of NW-1/4  
610 of NE-1/4; thence south 1,232.00 feet, more or less,  
611 to the southeast corner of said W-1/2 of NW-1/4 of NE-  
612 1/4; thence west to the southwest corner of said W-1/2  
613 of NW-1/4 of NE-1/4; thence south along the east  
614 boundary of the SE-1/4 of NW-1/4 to the southeast  
615 corner thereof, thence east along the north boundary  
616 of the W-1/2 of NW-1/4 of SE-1/4 to the northeast  
617 corner thereof; thence south along the east boundary  
618 of said W-1/2 of NW-1/4 of SE-1/4 to the southeast  
619 corner thereof; thence east along the north boundary  
620 of the SW-1/4 of SE-1/4 to the northeast corner  
621 thereof; thence continue east along the north boundary

622 of the SE-1/4 of SE-1/4 a distance of 518.73 feet;  
 623 thence south 1°42'28" east 1,324.58 feet, more or  
 624 less, to a point on the south boundary of Section 34  
 625 lying 550.93 feet east of the southwest corner of the  
 626 SE-1/4 of SE-1/4, said south boundary also being the  
 627 north boundary of Section 3, Township 30 South, Range  
 628 25 East; thence south 88°57'43" west along said south  
 629 boundary approximately 1,460 feet to a point lying  
 630 350.00 feet west of the northwest corner of the NE-1/4  
 631 of NE-1/4 of Section 3, Township 30 South, Range 25  
 632 East; thence north 50°40'17" west 1,204.88 feet,  
 633 thence north 01°22'29" west 3,248.13 feet to a point  
 634 on the south boundary of the NE-1/4 of NW-1/4 of  
 635 Section 34, thence south 89°20'54" west along said  
 636 south boundary 500.00 feet to a point lying 1,625.00  
 637 feet east of the west boundary of Section 34, thence  
 638 north 01°22'29" west, parallel with said west boundary  
 639 of Section 34 a distance of 1,157.9 feet, more or  
 640 less, to the point of beginning.

641  
 642 Less:

643  
 644 Warranty Deed to 91 Mine Road, LLC, as recorded in  
 645 O.R. Book 9546, Page 1096, Public records of Polk  
 646 County, Florida.

647

648       Section 35:     The N-1/2 of NE-1/4 of NE-1/4 LESS that

649       part of the west 400 feet thereof lying south of the

650       mid-channel of Peace Creek (River) (as such mid-

651       channel existed on June 30, 1978); and

652

653       That part of the west 365 feet of the SW-1/4 of SW-1/4

654       lying north of the right-of-way for State Road 60 (as

655       such right-of-way existed on December 16, 1977); and

656

657       Part of the SW-1/4 of SW-1/4 described as: commencing

658       at the northwest corner of the SW-1/4 of SW-1/4, run

659       thence north 89°52'41" east 365.0 feet to the POINT OF

660       BEGINNING, thence continue north 89°52'41" east 528.45

661       feet, thence south 00°40'45" east 1267.68 feet, to the

662       north right-of-way line of State Road 60 (as such

663       right-of-way line existed on January 4, 1980), thence

664       west along said north right-of-way line of State Road

665       60 to a point south of the point of beginning and 365

666       feet east of the west boundary of the SW-1/4 of SW-

667       1/4, thence north 00°40'45" west 1,266.80 feet, more

668       or less, to the point of beginning; and

669

670       Begin 25 feet North of the Southeast corner of NE¼ of

671       NE¼ of Section 35, Township 29 South, Range 25 East,

672 thence run North 635 feet, West 510 feet, South 485  
673 feet, East 400 feet, South 150 feet, and East 110 feet  
674 to point of beginning.

675  
676 Section 36: All LESS that part of the SE-1/4 of SE-  
677 1/4 described as: commence at the northeast corner of  
678 Section 1, Township 30 South, Range 25 East (said  
679 corner being on the south boundary of Section 36,  
680 Township 29 South, Range 25 East, at a point 736.80  
681 feet west of the southeast corner of Section 36), run  
682 thence south along the east section line of Section 1  
683 a distance of 2.35 feet, thence south 89°31'30" west  
684 115.20 feet, thence running from Section 1 into  
685 Section 36, north 0°28'30" west 400 feet to a POINT OF  
686 BEGINNING, continue thence north 0°28'30" west 400  
687 feet, thence north 89°31'30" east 500 feet, thence  
688 south 0°28'30" east 400 feet, thence south 89°31'30"  
689 west 500 feet to point of beginning.

690  
691 And Less,

692  
693 A 2.0 acre, more or less, parcel of land lying in the  
694 SE-1/4 of Section 36, Township 29 South, Range 25  
695 East, Polk County, Florida, all lying north of State  
696 Road No. 60, south of State Borrow Pit No. 4 and east

697 of the Haul Route to said Borrow Pit No. 4, said  
 698 parcel explicitly described as follows:  
 699  
 700 Commence at the northeast corner of Section 1,  
 701 Township 30 South, Range 25 East, thence on the  
 702 township line thereof south 89°32'40" west a distance  
 703 of 75.21 feet; thence departing said township line  
 704 north 00°28'30" west a distance of 129.62 feet to a  
 705 point on the north right-of-way line of State Road No.  
 706 60 and the POINT OF BEGINNING; thence north 00°28'30"  
 707 west a distance of 268.00 feet; thence north 89°31'30"  
 708 east a distance of 325.07 feet; thence south 00°28'30"  
 709 east a distance of 268.00 feet to a point on the north  
 710 right-of-way line of said State Road No. 60; thence on  
 711 said right-of-way line south 89°31'30" west a distance  
 712 of 325.07 feet to the POINT OF BEGINNING.

713  
 714 And Less:  
 715 Less and Except Right-of-Way dedicated to City of  
 716 Bartow as described in City of Bartow Ordinance No.  
 717 2012-01 Polk County O.R. Book 08570 Page 0661, Public  
 718 records of Polk County, Florida.

719 And Less:  
 720

721 Warranty Deed to Florida Department of Transportation  
 722 as recorded in O.R. Book 8203, Page 823, Public  
 723 records of Polk County, Florida.

724  
 725 And Less:

726  
 727 Special Warranty Deed to Polk State College  
 728 Foundation, Inc, as recorded in O.R. Book 8221, Page  
 729 204, Public records of Polk County, Florida.

730  
 731 In Township 30 South, Range 25 East, Polk County,  
 732 Florida:

733  
 734 Section 1:That part of the E-1/2 lying south of the  
 735 Connersville-Garfield Road; and the S 1/4 of the SW  
 736 1/4.

737  
 738 And

739  
 740 That part of the NW-1/4 lying North of Connersville-  
 741 Garfield Road as described in Official Records Book  
 742 2848, Page 1328 of the public records of Polk County,  
 743 Florida, LESS that part included in a parcel described  
 744 as: Begin at the Northeast corner of the W-1/2 of NW-  
 745 1/4 of NW-1/4 of Section 1, run thence West to the

746 Northwest corner of the E-1/2 of NE-1/4 of NE-1/4 of  
 747 Section 2, Township 30 South, Range 25 East, thence  
 748 South 660 feet, thence Northeast to a point lying 120  
 749 feet South of the Point of Beginning, thence North 120  
 750 feet to the Point of Beginning:

751  
 752 That part of the S-1/2 of SE-1/4 of NE-1/4 and that  
 753 part of the SW-1/4 of NE-1/4 lying North of  
 754 Connersville-Garfield Road;

755  
 756 The West 560 feet of the NW-1/4 of NE-1/4; AND

757  
 758 That part of the NW-1/4 of NE-1/4 described as: Begin  
 759 560 feet East of the Southwest corner of the NW-1/4 of  
 760 NE-1/4 (said corner also being the Southwest corner of  
 761 U.S. Government Lot 2 of the NE-1/4 of Section 1), run  
 762 thence North 873 feet, thence East 760 feet, thence  
 763 South 873 feet, thence West 760 feet to the Point of  
 764 Beginning.

765  
 766 LESS AND EXCEPT right-of-way for State Road 60.

767  
 768 LESS AND EXCEPT Parcels 'A', 'B' and 'C'.

769  
 770 PARCEL 'A':

771  
772 That part of the NW1/4 of the NE1/4 of Section 1  
773 described as follows: Commence at the Northeast corner  
774 of Section 1; thence N89°58'05"W, along the North  
775 boundary of Section 1, a distance of 1309.80 feet to  
776 the Northeast corner of the NW1/4 of the NE1/4 of said  
777 Section 1 and to the Point of Beginning; thence  
778 continue N89°58'05"W, along the North boundary of  
779 Section 1, a distance of 822.53 feet to a point being  
780 2132.33 feet West of the Northeast corner of said  
781 Section 1; thence S00°53'05"E, 773.10 feet to a point  
782 on a line lying 773 feet South of and parallel to the  
783 North boundary of said Section 1; thence S89°58'05"E,  
784 along said line, 810.15 feet, more or less, to the  
785 East boundary of the NW1/4 of the NE1/4; thence  
786 N00°02'03"E, along said East boundary, 773.00 feet to  
787 the Point of Beginning.

788  
789 PARCEL 'B':

790  
791 That part of the N1/2 of the NE1/4 of Section 1  
792 described as follows: Commence at the Northeast corner  
793 of Section 1; thence N89°58'05"W, along the North  
794 boundary of Section 1, a distance of 1309.80 feet to  
795 the Northeast corner of the NW1/4 of the NE1/4 of



796 Section 1; thence S00°02'03"W, along the East boundary  
 797 of said NW1/4 of NE1/4, a distance of 768.45 feet to  
 798 the North boundary of the South 873 feet of the N1/2  
 799 of the NE1/4 and to the Point of Beginning; thence  
 800 continue S00°02'03"W, along the East boundary of said  
 801 NW1/4 of NE1/4, a distance of 245.04 feet; thence  
 802 N89°57'57"W, 5.98 feet; thence S00°11'25"W, 98.53  
 803 feet; thence S89°57'57"E, 6.24 feet to the East  
 804 boundary of said NW1/4 of the NE1/4; thence  
 805 S00°02'03"W, 529.44 feet to the Southeast corner of  
 806 said NW1/4 of NE1/4; thence S89°40'57"E, along the  
 807 South boundary of N1/2 of NE1/4, a distance of 7.26  
 808 feet to the East boundary of the West 1320 feet of  
 809 said N1/2 of NE1/4; thence N00°08'12"E, along said  
 810 East boundary, 873.00 feet to the North boundary of  
 811 the South 873 feet of said N1/2 of NE1/4; thence  
 812 N89°40'57"W, along said North boundary, 8.83 feet to  
 813 the Point of Beginning.

814  
 815 PARCEL 'C':

816  
 817 That part of the NE1/4 of Section 1 described as  
 818 follows: Commence at the Northeast corner of Section  
 819 1; thence N89°58'05"W, along the North boundary of  
 820 said Section 1, a distance of 1309.80 feet to the

821 Northeast corner of the NW1/4 of the NE1/4 of said  
 822 Section 1; thence S00°02'03"W, along the East boundary  
 823 of said NW1/4 of NE1/4, a distance of 1634.32 feet to  
 824 the Point of Beginning; thence N89°40'57"W, 18.57  
 825 feet; thence S00°52'02"E, 667.51 feet; thence  
 826 S89°41'20"E, 8.07 feet to the Northwest corner of the  
 827 S1/2 of SE1/4 of NE1/4; thence N00°02'03"E, along the  
 828 West boundary of said SE1/4 of NE1/4, 667.38 feet to  
 829 the Point of Beginning.

830  
 831 And Less and except that portion of the NW-1/4 of  
 832 Section 1, Township 30 South, Range 25 East described  
 833 on attached Exhibit A-1.

834  
 835 Exhibit A-1

836  
 837 COMMENCE AT THE NORTHEAST CORNER OF SAID SECTION 1,  
 838 AND RUN ALONG THE NORTH BOUNDARY THEREOF OF N-  
 839 89°58'05"-W, 2059.58 FEET; THENCE S-00°08'12"-W, 58.40  
 840 FEET TO A POINT ON THE SOUTH BOUNDARY OF STATE ROAD  
 841 60; THENCE ALONG SAID SOUTH BOUNDARY S-89°51'44"-W,  
 842 880.00 FEET TO THE POINT OF BEGINNING; THENCE  
 843 CONTINUING ALONG SAID SOUTH BOUNDARY THE FOLLOWING TWO  
 844 (2) COURSES: CONTINUING S-89°51'44"-W, 299.02 FEET TO  
 845 A POINT OF CURVE TO THE RIGHT; THENCE NORTHWESTERLY

846 ALONG SAID CURVE HAVING A RADIUS OF 5779.58 FEET, A  
 847 CENTRAL ANGLE/DELTA OF 03°32'32", A CHORD DISTANCE OF  
 848 357.26 FEET; A CHORD BEARING OF N-88°22'00"-W, FOR AN  
 849 ARC DISTANCE OF 357.31 FEET; THENCE ALONG A NON-RADIAL  
 850 LINE S-00°00'00"-E , 310.18 FEET; THENCE ALONG A NON-  
 851 RADIAL LINE N-90°00'00"-E, 769.00 FEET TO A POINT ON  
 852 CURVE THE RADIUS POINT FOR WHICH BEARS N-62°02'52"-E;  
 853 THENCE NORTHWESTERLY ALONG SAID CURVE HAVING A RADIUS  
 854 OF 537.90 FEET, A CENTRAL ANGLE/DELTA OF 27°48'52", A  
 855 CHORD DISTANCE OF 258.57 FEET, A CHORD BEARING OF N-  
 856 14°02'42"-W, FOR AN ARC DISTANCE OF 261.13 FEET TO A  
 857 POINT OF TANGENT REVERSE CURVE TO THE LEFT; THENCE  
 858 NORTHWESTERLY ALONG SAID CURVE HAVING A RADIUS OF  
 859 50.00 FEET, A CENTRAL ANGLE/DELTA OF 90°00'00", A  
 860 CHORD DISTANCE OF 70.71 FEET, A CHORD BERING OF N-  
 861 45°08'16"-W, FOR AN ARC DISTANCE OF 78.54 FEET TO THE  
 862 POINT OF BEGINNING.

863  
 864 Section 2:That part of the W-1/2 lying south of the  
 865 Connersville-Garfield Road; and that part of the W-1/4  
 866 of E-1/2 lying south of the Connersville-Garfield  
 867 Road; and the S-1/4 of E-3/4 of SE-1/4; and that part  
 868 of the N-3/4 of E-3/4 of SE-1/4 lying west of the  
 869 following described line: Begin at the northwest  
 870 corner of said N-3/4 of E-3/4 of SE-1/4, thence

871 southeasterly to the Point of Termination at the  
872 southwest corner of the NE-1/4 of SE-1/4 of SE-1/4;  
873 and that part of the NW-1/4 of NW-1/4 lying north of  
874 the Connersville-Garfield and south of State Road 60  
875 and west of the following described line:  
876  
877 Commence at the northeast corner of the NW-1/4 of  
878 Section 2 and run thence north 0°31'31" east 11.37  
879 feet to the centerline of State Road 60, thence south  
880 88°54'14" west along said centerline 669.01 feet to  
881 the point of intersection with the north boundary of  
882 the NW-1/4 of Section 2, thence continue south  
883 89°55'42" west along the road centerline 996.51 feet,  
884 thence south 00°04'18" east 33 feet to the south  
885 right-of-way line of State Road 60 and the northeast  
886 corner of property described in a deed recorded in  
887 Official Records Book 343, Page 468, public records of  
888 Polk County, Florida, thence south 89°55'42" west  
889 along the south right-of-way line of State Road 60 and  
890 the north boundary of the property described in  
891 Official Records Book 343, page 468, a distance of  
892 386.42 feet to the Point of Beginning at the northwest  
893 corner of the property described in Official Records  
894 Book 343, page 468, thence south 00°22'22" west,  
895 parallel with the west boundary of Section 2 a

896 distance of 756.53 feet to the Point of Termination on  
 897 the north right-of-way line of Connersville-Garfield  
 898 Road.

900 And

901  
 902 That part of the E-1/2 of NE-1/4 of NE-1/4 lying North  
 903 of Connersville-Garfield Road (Official Records Book  
 904 2848, page 1328, and Official Records Book 2888, page  
 905 808) and East of the canal (as such canal existed on  
 906 December 15, 1980), LESS that part of the following  
 907 described lands within Section 2: Begin at the  
 908 Northeast corner of the W-1/2 of NW-1/4 of NW-1/4 of  
 909 Section 1, Township 30 South, Range 25 East, run  
 910 thence West to the Northwest corner of the E-1/2 of  
 911 NE-1/4 of NE-1/4 of Section 2, Township 30 South,  
 912 Range 25 East, thence South 660 feet, thence Northeast  
 913 to a point lying 120 feet South of the Point of  
 914 Beginning

915  
 916  
 917 Section 3: The NE-1/4 of NE-1/4; LESS right-of-way of  
 918 State Road 60 and LESS right-of-way of Connersville-  
 919 Garfield Road.

920

921 and,

922

923 That part of the east 350 feet of the NW-1/4 of NE-1/4  
 924 lying north of the right-of-way of State Road 60 (as  
 925 such right-of-way existed on February 1, 1982);

926

927 and,

928

929 The S-1/2 of SE-1/4;

930

931 and,

932

933 The SE-1/4 of NE-1/4, the NE-1/4 of SE-1/4, and the  
 934 NW-1/4 of SE-1/4, all LESS that part of the SE-1/4 of  
 935 NE-1/4 and of the NE-1/4 of SE-1/4 described as: begin  
 936 140.49 feet south of the northwest corner of the SE-  
 937 1/4 of NE-1/4, run thence south 26°27' east 1,104.12  
 938 feet, thence south 48°31'22" west 656.41 feet to a  
 939 point on the west boundary line of the NE-1/4 of SE-  
 940 1/4, thence north along said west boundary line and  
 941 along the west boundary line of the SE-1/4 of NE-1/4 a  
 942 distance of 1,423.11 feet to the point of beginning,  
 943 and LESS that part of the NW-1/4 of SE-1/4 described  
 944 as: begin at the northeast corner of the NW-1/4 of SE-  
 945 1/4, run thence south 243.60 feet, thence south

946 48°31'22" west 457.91 feet to a point on the north  
 947 right-of-way line of the Seaboard Coast Line Railroad  
 948 Company (formerly Seaboard Air Line Railroad Company  
 949 and now CSX Transportation, Inc.) (as such right-of-  
 950 way line existed on April 15, 1969), thence  
 951 northwesterly along said north right-of-way line to  
 952 the west boundary line of the NW-1/4 of SE-1/4, thence  
 953 north to the northwest corner of the NW-1/4 of SE-1/4,  
 954 thence east to the point of beginning.

955  
 956 and,

957  
 958 That part of the SW-1/4 lying south of the right-of-  
 959 way of the Seaboard Cost Line Railroad Company  
 960 (formerly Seaboard Air Line Railroad Company and now  
 961 CSX Transportation, Inc.) (as such right-of-way  
 962 existed on April 15, 1969), LESS that part of the W-  
 963 1/2 of SW-1/4 described as follows:

964  
 965 BEGIN at the southwest corner of Section 3, being  
 966 Point No. 800; thence N 00°09'23" W 2532.23 feet along  
 967 the west boundary of Section 3 to Point No. 2258,  
 968 continuing thence from point to point as follows:

969  
 970

971	<u>FROM</u>	<u>BEARING</u>	<u>DISTANCE</u>	<u>TO</u>
972	<u>(Point)</u>	<u>(°, ', &amp; ")</u>	<u>(feet)</u>	<u>(Point)</u>
973				
974	<u>2258</u>	<u>S 88 59 58 E</u>	<u>1084.29</u>	<u>2259</u>
975	<u>2259</u>	<u>S 00 05 26 E</u>	<u>645.86</u>	<u>2260</u>
976	<u>2260</u>	<u>S 45 01 45 W</u>	<u>709.40</u>	<u>2261</u>
977	<u>2261</u>	<u>S 18 28 48 E</u>	<u>168.49</u>	<u>2262</u>
978	<u>2262</u>	<u>S 47 44 50 E</u>	<u>452.64</u>	<u>2263</u>
979	<u>2263</u>	<u>S 12 48 05 E</u>	<u>856.43</u>	<u>2264</u>

980

981

982 Point No. 2264 being on the south boundary of Section

983 3; thence S86°41'25W 1156.49 feet to the POINT OF

984 BEGINNING, being Point No. 800.

985

986 Section 9:The E-1/2 of NE-1/4 of SE-1/4, and the NE-

987 1/4 of SE-1/4 of SE-1/4.

988

989 Section 10:11 LESS that part of the S-1/4 of SW-1/4

990 described as: begin at the southwest corner of said

991 Section 10, then run north 1°10'20" east along the

992 west boundary thereof 629.13 feet, then south

993 89°44'14" east 1,219.43 feet, then south 32°00'00"

994 west 745.95 feet to the south boundary of said

995 section, then north 89°18'42" west along said south



996 boundary 836.52 feet to the point of beginning; and  
 997 LESS that part of the W-3/4 described as follows:  
 998  
 999 BEGIN at the northwest corner of Section 10, being  
 1000 Point No. 800; thence N 86°41'25E 1156.49 feet along  
 1001 the north boundary of Section 10 to Point No. 2264;  
 1002 continuing thence from point to point as follows:  
 1003  
 1004 FROM BEARING DISTANCE TO  
 1005 (Point) (°, ', & ") (feet) (Point)  
 1006  
 1007 2264 S 14 03 53 E 2494.34 6003  
 1008 6003 S 15 01 28 E 162.80 4606  
 1009 4606 N 85 38 50 E 777.34 4607  
 1010 4607 S 30 01 46 W 1256.69 4608  
 1011 4608 S 63 29 37 E 87.39 4609  
 1012 4609 N 31 49 55 E 735.64 4610  
 1013 4610 N 77 55 52 E 186.52 4611  
 1014 4611 S 30 38 15 E 2304.72 4612  
 1015 4612 S 00 52 29 W 144.08 1820  
 1016  
 1017  
 1018 Point No. 1820 being on the south boundary of Section  
 1019 10; thence N 89°50'00" W 1353.15 feet along the south

1020 boundary of Section 10 to Point No. 1821; continuing  
 1021 thence from point to point as follows:

1023	<u>FROM</u>	<u>BEARING</u>	<u>DISTANCE</u>	<u>TO</u>
1024	<u>(Point)</u>	<u>(°, ', &amp; ")</u>	<u>(feet)</u>	<u>(Point)</u>
1026	<u>1821</u>	<u>N 02 50 45 E</u>	<u>572.84</u>	<u>4709</u>
1027	<u>4709</u>	<u>N 14 54 42 W</u>	<u>187.31</u>	<u>4708</u>
1028	<u>4708</u>	<u>N 46 06 03 W</u>	<u>353.34</u>	<u>4707</u>
1029	<u>4707</u>	<u>N 69 34 12 W</u>	<u>335.18</u>	<u>4706</u>
1030	<u>4706</u>	<u>N 27 32 34 E</u>	<u>267.29</u>	<u>4705</u>
1031	<u>4705</u>	<u>N 61 08 56 W</u>	<u>68.39</u>	<u>4704</u>
1032	<u>4704</u>	<u>S 29 59 46 W</u>	<u>370.64</u>	<u>4703</u>
1033	<u>4703</u>	<u>N 86 37 45 W</u>	<u>1632.62</u>	<u>4702</u>
1034	<u>4702</u>	<u>N 01 53 38 W</u>	<u>1122.61</u>	<u>4701</u>
1035	<u>4701</u>	<u>N 29 28 56 W</u>	<u>131.48</u>	<u>6024</u>

1036  
 1037 Point No. 6024 being on the west boundary of Section  
 1038 10; thence N00°32'15" E 2640.70 feet along the west  
 1039 boundary of Section 10 to the POINT OF BEGINNING,  
 1040 being Point No. 800.

1041  
 1042 Section 11:All.

1043  
 1044 Section 12:All LESS the SE-1/4.

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Section 14:(a) The W-3/4;

(b) The N-1/2 of NE-1/4 of NE-1/4; and

(c) That part of the S-3/4 of E-1/2 of SE-1/4 described as: begin at the northwest corner of the S-3/4 of E-1/2 of SE-1/4, run thence east along the north boundary of said S-3/4 of E-1/2 of SE-1/4 a distance of 41.80 feet, thence southeasterly to a point on the south boundary of the SE-1/4 of SE-1/4 located 500 feet east of the southwest corner of the SE-1/4 of SE-1/4, thence west 500 feet to the southwest corner of the SE-1/4 of SE-1/4, thence north 1,989.77 feet to the point of beginning.

Section 15:All LESS that part of the NW-1/4 of NW-1/4 of Section 15 described as follows: begin at the northwest corner of Section 15 and run south 89°18'42" east, along the north boundary of said section, 836.52 feet to a point which lies 200.00 feet northwesterly of an existing mine road; thence south 32°00'00" west, parallel with and 200.00 feet distant from said mine road, 1,287.52 feet, to a point which lies 1,100.00 feet south of the north boundary of said section;

1070 thence north 89°18'42" west, parallel with the north  
 1071 boundary of said section 166.34 feet to the west  
 1072 boundary of said section; thence north 0°37'58" east,  
 1073 1,100.00 feet along said boundary to the point of  
 1074 beginning.

1075  
 1076 and LESS that part described as follows:

1077  
 1078 From point No. 125 at the northwest corner of Section  
 1079 15, run S 89°50'00" E 2464.09 feet along the north  
 1080 boundary of Section 15 to the POINT OF BEGINNING,  
 1081 being Point No. 1821, not monumented; continuing  
 1082 thence from point to point as follows:

<u>FROM</u>	<u>BEARING</u>	<u>DISTANCE</u>	<u>TO</u>
<u>(Point)</u>	<u>(°, ', &amp; ")</u>	<u>(feet)</u>	<u>(Point)</u>
<u>1821</u>	<u>S 02 50 45 W</u>	<u>992.09</u>	<u>4710</u>
<u>4710</u>	<u>S 39 11 59 W</u>	<u>1218.15</u>	<u>4711</u>
<u>4711</u>	<u>S 47 13 16 W</u>	<u>1350.17</u>	<u>4712</u>
<u>4712</u>	<u>S 01 38 03 E</u>	<u>2598.55</u>	<u>4713</u>

1091  
 1092 Point No. 4713 being on the south boundary of Section  
 1093 15; thence N 88°30'26" E 1616.60 feet along the south

1094 boundary of Section 15 to Point No. 1825; continuing  
 1095 thence from point to point as follows:

1097	<u>FROM</u>	<u>BEARING</u>	<u>DISTANCE</u>	<u>TO</u>
1098	<u>(Point)</u>	<u>(°, ', &amp; ")</u>	<u>(feet)</u>	<u>(Point)</u>
1100	<u>1825</u>	<u>N 01 09 07 W</u>	<u>62.39</u>	<u>4617</u>
1101	<u>4617</u>	<u>N 88 41 05 W</u>	<u>784.21</u>	<u>4616</u>
1102	<u>4616</u>	<u>N 04 24 14 W</u>	<u>87.26</u>	<u>4615</u>
1103	<u>4615</u>	<u>N 86 14 45 E</u>	<u>565.11</u>	<u>4614</u>
1104	<u>4614</u>	<u>N 20 50 17 E</u>	<u>4749.68</u>	<u>4613</u>
1105	<u>4613</u>	<u>N 00 52 28 E</u>	<u>760.02</u>	<u>1820</u>

1106  
 1107 Point No. 1820 being on the north boundary of Section  
 1108 15; thence N 89°50'00" W 1353.15 feet along the north  
 1109 boundary of Section 15 to the POINT OF BEGINNING,  
 1110 being Point No. 1821.

1111  
 1112 Section 16:(a) The east 1,150 feet of the NE-1/4 LESS  
 1113 the north 1,100 feet thereof;

1114  
 1115 (b) That part of the S-1/2 of NE-1/4 described as  
 1116 follows: begin at the southwest corner of said NE-1/4,  
 1117 and run north 0°19'15" east, along the west boundary  
 1118 thereof, 200.06 feet; thence north 88°56'33" east,

1119 parallel with the south boundary of said NE-1/4,  
 1120 943.01 feet, to a point which lies 1,700.00 feet from  
 1121 the east boundary of said NE-1/4, thence north  
 1122 69°08'19" east, 590.31 feet to a point which lies  
 1123 1,150.00 feet from the east boundary of said NE-1/4;  
 1124 thence south 0°37'58" west, parallel with said east  
 1125 boundary, 400.17 feet to the south boundary of said  
 1126 NE-1/4; thence south 88°56'33" west, along said south  
 1127 boundary, 1,491.42 feet to the point of beginning;

1128  
 1129 (c) The south 200 feet of the E-1/4 of NW-1/4; and

1130  
 1131 (d) The S-1/2, including HIGH PINES SUBDIVISION, Plat  
 1132 Book 10, page 24 (now vacated by Resolution of the  
 1133 Board of County Commissioners of Polk County, Florida  
 1134 dated February 16, 1965, Official Records Book 902,  
 1135 page 545).

1136  
 1137 LESS that part described in deed to Orange  
 1138 Cogeneration Limited Partnership from IMC-Agrico  
 1139 Company dated October 12, 1993 recorded in Official  
 1140 Records Book 3297, page 1303 and LESS that part  
 1141 described in deed to Orange-Co of Florida, Inc. from  
 1142 IMC-Agrico Company dated June 3, 1996 recorded in  
 1143 Official Records Book 3694, page 822.

1144  
1145  
1146 Section 20:(a) That part of the NE-1/4 of NE-1/4 of  
1147 NE-1/4 described as: begin at the northeast corner of  
1148 Section 20, run thence south 00°56'25" east along the  
1149 east line of Section 20 a distance of 142 feet, more  
1150 or less, to the centerline of the channel of Six Mile  
1151 Creek, thence westerly following the centerline 241  
1152 feet, more or less, to a point on the easterly right-  
1153 of-way line of Six Mile Creek, thence north 00°43'00"  
1154 west 45 feet, more or less, to the northerly right-of-  
1155 way line of Six Mile Creek, thence south 89°17'00"  
1156 west 335 feet to the easterly right-of-way line of  
1157 State Road 35 (U.S. 17 and U.S. 98), thence north  
1158 00°43'00" west along said right-of-way line 28.07  
1159 feet, thence northeasterly 177.89 feet to a point on  
1160 the north line of Section 20 lying 431.66 feet west of  
1161 the northeast corner of Section 20, thence north  
1162 89°21'35" east along the north line 431.66 feet to the  
1163 point of beginning (all as such creek and road existed  
1164 on October 21, 1980);  
1165  
1166 (b) That part of the NE-1/4 of NE-1/4 of NE-1/4  
1167 described as: begin at the southeast corner of the NE-  
1168 1/4 of NE-1/4 of NE-1/4, run south 89°21'35" west

1169 along the south boundary of the NE-1/4 of NE-1/4 of  
1170 NE-1/4 a distance of 575.60 feet to the east right-of-  
1171 way line of State Road 35 (U.S. 17 and U.S. 98) (as  
1172 such right-of-way existed on December 5, 1978), thence  
1173 north 0°43'00" west along the east right-of-way line  
1174 421.90 feet, thence north 89°17'00" east along the  
1175 south right-of-way line of Six Mile Creek 335 feet,  
1176 thence north 0°43'00" west 90 feet, more or less, to  
1177 the centerline of the channel of Six Mile Creek (as  
1178 the same existed on January 9, 1969, and as portrayed  
1179 on a survey of that date prepared by L.R. Isbell and  
1180 Associates, Inc., a copy of which is recorded in the  
1181 public records of Polk County, Florida), thence  
1182 easterly following the centerline 241 feet, more or  
1183 less, to a point on the east boundary of the NE-1/4 of  
1184 NE-1/4 of NE-1/4, thence south 0°56'25" east along the  
1185 east boundary 518 feet, more or less, to the point of  
1186 beginning;

1187  
1188 (c) That part of the north 200 feet of the SE-1/4 of  
1189 NE-1/4 of NE-1/4 lying east of U.S. Highway 17 (as  
1190 such highway existed on April 15, 1969);

1191  
1192 Section 21:(a) The N-1/2 LESS the west 198 feet of  
1193 the N-1/2 of SW-1/4 of NW-1/4;



1194  
 1195       (b) That part of the west 198 feet of the N-1/2 of  
 1196       SW-1/4 of NW-1/4 described as: begin 107.5 feet east  
 1197       of the northwest corner of the N-1/2 of SW-1/4 of NW-  
 1198       1/4, run thence east 90.5 feet, thence south 660 feet,  
 1199       more or less, to the south boundary of the N-1/2 of  
 1200       SW-1/4 of NW-1/4, thence west 18 feet, more or less,  
 1201       to the easterly right-of-way line of the Seaboard  
 1202       Coast Line Railroad Company's (formerly Seaboard Air  
 1203       Line Railroad Company and now CSX Transportation,  
 1204       Inc.) Clear Springs spur track (as such track existed  
 1205       on April 15, 1969), thence northwesterly along the  
 1206       right-of-way of said spur track 335 feet, more or  
 1207       less, to a point 35 feet east, at a right angle, of  
 1208       the centerline of the Seaboard Coast Line Railroad  
 1209       Company (now CSX Transportation, Inc.) main track (as  
 1210       such track existed on April 15, 1969), thence north  
 1211       and parallel to said main track to the point of  
 1212       beginning;

1213  
 1214       (c) That part of the S-1/2 lying east of U.S. Highway  
 1215       17 (as such road existed on April 15, 1969) LESS those  
 1216       parts of the E-1/2 of SE-1/4 described as follows:  
 1217

1218 From Point No. 126 at the northeast corner of Section  
 1219 21, run S 00°12'06" E 2695.41 feet along the east  
 1220 boundary of Section 21 to the POINT OF BEGINNING,  
 1221 being Point No. 1830; continuing thence from point to  
 1222 point as follows:

<u>FROM</u>	<u>BEARING</u>	<u>DISTANCE</u>	<u>TO</u>
<u>(Point)</u>	<u>(°, ', &amp; ")</u>	<u>(feet)</u>	<u>(Point)</u>
1227 <u>1830</u>	<u>S 83 07 29 W</u>	<u>190.07</u>	<u>4722</u>
1228 <u>4722</u>	<u>S 45 28 20 W</u>	<u>961.13</u>	<u>4723</u>
1229 <u>4723</u>	<u>S 10 47 43 E</u>	<u>316.60</u>	<u>4724</u>
1230 <u>4724</u>	<u>S 84 48 36 E</u>	<u>607.99</u>	<u>4725</u>
1231 <u>4725</u>	<u>S 62 22 16 E</u>	<u>240.68</u>	<u>4726</u>

1232  
 1233 Point No. 4726 being on the east boundary of Section  
 1234 21; thence N 00°12'06W 1174.38 feet along the east  
 1235 boundary of Section 21 to the POINT OF BEGINNING,  
 1236 being Point No. 1830.

1237  
 1238 AND

1239  
 1240 From Point No. 126 at the northeast corner of Section  
 1241 21, run S 00°12'06E 4055.29 feet along the east  
 1242 boundary of Section 21 to the POINT OF BEGINNING,

1243 being Point No. 4727; continuing thence from point to  
 1244 point as follows:

1245

<u>FROM</u>	<u>BEARING</u>	<u>DISTANCE</u>	<u>TO</u>
<u>(Point)</u>	<u>(°, ', &amp; ")</u>	<u>(feet)</u>	<u>(Point)</u>

1248

<u>4727</u>	<u>S 78 24 04 W</u>	<u>466.93</u>	<u>4728</u>
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<u>4728</u>	<u>S 15 05 22 E</u>	<u>818.21</u>	<u>4729</u>
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<u>4729</u>	<u>S 00 30 05 W</u>	<u>345.26</u>	<u>2123</u>
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1252

1253 Point No. 2123 being on the south boundary of Section  
 1254 21; thence N 89°36'16" E 251.74 feet along the south  
 1255 boundary of Section 21 to the southeast corner  
 1256 thereof, being Point No. 36; thence N 00°12'06" W  
 1257 1227.40 feet along the east boundary of Section 21 to  
 1258 the POINT OF BEGINNING, being Point No. 4727.

1259

1260 Section 22: All LESS that part of the W-1/2 described  
 1261 as follows:

1262

1263 From Point No. 126 at the northwest corner of Section  
 1264 22, run N 88°30'26"E 932.21 feet along the north  
 1265 boundary of Section 22 to the POINT OF BEGINNING,  
 1266 being Point No. 1824, not monumented; continuing  
 1267 thence from point to point as follows:

1268				
1269		<u>FROM BEARING</u>	<u>DISTANCE</u>	<u>TO</u>
1270		<u>FROM BEARING</u>	<u>DISTANCE</u>	<u>TO</u>
1271		<u>(Point)</u>	<u>(°, ', &amp; ")</u>	<u>(feet)</u> <u>(Point)</u>
1272				
1273		<u>1824 S 29 36 27 E</u>	<u>65.19</u>	<u>4715</u>
1274		<u>4715 S 74 15 43 W</u>	<u>264.54</u>	<u>4716</u>
1275		<u>4716 S 48 41 46 W</u>	<u>242.41</u>	<u>4717</u>
1276		<u>4717 S 02 47 29 W</u>	<u>201.24</u>	<u>4718</u>
1277		<u>4718 S 15 39 19 E</u>	<u>1198.46</u>	<u>4719</u>
1278		<u>4719 S 06 00 01 W</u>	<u>413.26</u>	<u>4720</u>
1279		<u>4720 S 36 55 10 W</u>	<u>784.26</u>	<u>4721</u>
1280		<u>4721 S 83 07 29 W</u>	<u>319.49</u>	<u>1830</u>

1281

1282      Point No. 1830 being on the west boundary of Section

1283      22; thence S 00°12'06"E 2587.28 feet along the west

1284      boundary of Section 22 to the southwest corner

1285      thereof, being Point No. 36, thence N 88°53'27"E

1286      1689.67 feet along the south boundary of Section 22 to

1287      Point No. 4624; continuing thence from point to point

1288      as follows:

1289				
1290		<u>FROM BEARING</u>	<u>DISTANCE</u>	<u>TO</u>
1291		<u>(Point)</u>	<u>(°, ', &amp; ")</u>	<u>(feet)</u> <u>(Point)</u>
1292				

1293	<u>4624 N 20 31 17 W</u>	<u>1369.72</u>	<u>4623</u>
1294	<u>4623 N 02 38 45 W</u>	<u>277.30</u>	<u>4622</u>
1295	<u>4622 N 22 19 49 E</u>	<u>492.97</u>	<u>4621</u>
1296	<u>4621 N 90 00 00 E</u>	<u>194.20</u>	<u>4620</u>
1297	<u>4620 N 15 28 00 E</u>	<u>2213.15</u>	<u>4619</u>
1298	<u>4619 N 64 50 09 E</u>	<u>214.01</u>	<u>4618</u>
1299	<u>4618 N 01 09 07 W</u>	<u>1071.84</u>	<u>1825</u>

1300

1301 Point No. 1825 being on the north boundary of Section  
 1302 22; thence S 88°30'26"W 1427.42 feet along the north  
 1303 boundary of Section 22 to the POINT OF BEGINNING,  
 1304 being Point No. 1824.

1305

1306 And Less

1307

1308 That part of the SW-1/4 of Section 22 lying within the  
 1309 following described parcel:

1310

1311 From Point No. 462 at the southeast corner of Section  
 1312 27, Township 30 South, Range 25 East, run S 89°39'22"  
 1313 W 1832.00 feet along the south boundary of Section 27  
 1314 to the POINT OF BEGINNING, being Point No. 4805;  
 1315 continuing thence from point to point as follows:

1316

1317 FROM BEARING DISTANCE TO

	<u>(Point)</u>	<u>(°, ', &amp; ")</u>	<u>(feet)</u>	<u>(Point)</u>
1318				
1319				
1320	<u>4805</u>	<u>N 00 33 34 W</u>	<u>2057.55</u>	<u>4804</u>
1321	<u>4804</u>	<u>N 87 53 12 W</u>	<u>595.54</u>	<u>4803</u>
1322	<u>4803</u>	<u>N 22 46 02 W</u>	<u>1290.50</u>	<u>2514</u>
1323	<u>2514</u>	<u>N 29 21 06 E</u>	<u>279.28</u>	<u>4801</u>
1324	<u>4801</u>	<u>N 00 53 22 W</u>	<u>3696.80</u>	<u>2532</u>
1325	<u>2532</u>	<u>N 86 33 54 W</u>	<u>918.49</u>	<u>4620</u>

1326

1327 Point No. 4620 being on the easterly line of the

1328 conservation easement conveyed by IMC Fertilizer,

1329 Inc., to the Board of Trustees of the Internal

1330 Improvement Fund of the State of Florida under

1331 instrument dated January 10, 1989; continuing thence

1332 along the easterly line of the conservation easement

1333 from point to point as follows:

	<u>FROM</u>	<u>BEARING</u>	<u>DISTANCE</u>	<u>TO</u>
	<u>(Point)</u>	<u>(°, ', &amp; ")</u>	<u>(feet)</u>	<u>(Point)</u>
1334				
1335				
1336				
1337				
1338	<u>4620</u>	<u>S 90 00 00 W</u>	<u>194.20</u>	<u>4621</u>
1339	<u>4621</u>	<u>S 22 19 49 W</u>	<u>492.97</u>	<u>4622</u>
1340	<u>4622</u>	<u>S 02 38 45 E</u>	<u>277.30</u>	<u>4623</u>
1341	<u>4623</u>	<u>S 20 31 17 E</u>	<u>1369.72</u>	<u>4624</u>
1342	<u>4624</u>	<u>N 88 53 27 E</u>	<u>520.00</u>	<u>4625</u>

1343 | 4625 S 05 05 06 E 227.16 4626  
 1344 | 4626 S 14 38 52 W 377.26 4627  
 1345 | 4627 S 35 45 27 W 257.55 4628  
 1346 | 4628 S 12 17 35 W 411.43 4629  
 1347 | 4629 S 12 25 31 E 503.80 4630  
 1348 | 4630 S 01 17 37 W 279.07 4631  
 1349 | 4631 S 32 12 11 E 1026.99 4632  
 1350 | 4632 S 63 06 06 E 176.83 4633  
 1351 | 4633 S 13 38 08 E 215.06 4634  
 1352 | 4634 S 38 46 29 W 116.72 4635  
 1353 | 4635 N 75 15 05 W 294.61 4636  
 1354 | 4636 S 19 39 23 E 295.20 4637  
 1355 | 4637 S 52 09 41 E 595.01 4638  
 1356 | 4638 S 01 55 43 W 98.06 4639  
 1357 | 4639 N 69 29 50 W 365.45 4640  
 1358 | 4640 S 82 16 04 W 914.21 4641  
 1359 | 4641 S 00 42 51 E 730.06 4642  
 1360 | 4642 S 61 58 08 E 342.59 4943  
 1361 | 4643 S 01 03 32 E 509.48 2510

1362 |  
 1363 | Point No. 2510 being on the south boundary of Section  
 1364 | 27; thence N 88°17'14" E 679.22 feet along the south  
 1365 | boundary of Section 27 to Point No. 461 at the  
 1366 | southeast corner of the SW-1/4 of Section 27; thence N  
 1367 | 89°39'22" E 816.66 feet along the south boundary of

1368 Section 27 to the POINT OF BEGINNING, being Point No.  
 1369 4805.  
 1370  
 1371 Section 23:(a) The W-3/4 LESS one acre in the  
 1372 northeast corner of the SE-1/4 of SW-1/4;  
 1373  
 1374 (b) The SE-1/4 of SE-1/4;  
 1375  
 1376 (c) The S-3/4 of NE-1/4 of SE-1/4; and  
 1377  
 1378 (d) The west 500 feet of the E-1/2 of NE-1/4, and the  
 1379 west 500 feet of the N-1/4 of NE-1/4 of SE-1/4; all  
 1380 LESS that part thereof described as: begin at the  
 1381 northeast corner of the west 500 feet of the E-1/4 of  
 1382 said Section 23, and run south 0°02'13" west, parallel  
 1383 with the west boundary of the E-1/4, 2,985.73 feet to  
 1384 the south boundary of the N-1/4 of NE-1/4 of SE-1/4 to  
 1385 a concrete monument; thence run south 89°49'17" west,  
 1386 along said boundary, 178.80 feet to a concrete  
 1387 monument; thence northerly, following the east rim of  
 1388 an existing ditch, the following courses and  
 1389 distances: north 1°37'10" west, 190.63 feet; north  
 1390 5°08'09" east, 80.39 feet; north 2°26'12" east, 126.67  
 1391 feet; north 9°00'59" west, 178.83 feet to the east  
 1392 boundary of the west 300 feet of said E-1/4 of said



1393 section; thence north 0°02'13" east, along said  
 1394 boundary 102.36 feet; north 9°19'06" east, 580.91  
 1395 feet; north 1°52'49" east, 395.88 feet; north 2°22'21"  
 1396 west 1,342.24 feet to a concrete monument on the north  
 1397 boundary of Section 23; thence run north 89°57'16"  
 1398 east, along said boundary, 150.00 feet to the point of  
 1399 beginning.

1400  
 1401 Section 24: The SW-1/4.

1402  
 1403 Section 25: The W-1/4.

1404  
 1405 Section 26: All.

1406  
 1407 Section 27: All LESS those parts of the W-1/2 of SE-  
 1408 1/4 and the W-1/2 described as follows:

1409  
 1410 BEGIN at the northwest corner of Section 27, being  
 1411 Point No. 36; thence N 88°53'27"E 2209.67 feet along  
 1412 the north boundary of Section 27 to Point No. 4625;  
 1413 continuing thence form point to point as follows:

1414  
 1415 FROM BEARING DISTANCE TO  
 1416 (Point) (°, ', & ") (feet) (Point)

1417

1418	<u>4625 S 05 05 06 E</u>	<u>227.16</u>	<u>4626</u>
1419	<u>4626 S 14 38 52 W</u>	<u>377.26</u>	<u>4627</u>
1420	<u>4627 S 35 45 27 W</u>	<u>257.55</u>	<u>4628</u>
1421	<u>4628 S 12 17 35 W</u>	<u>411.43</u>	<u>4629</u>
1422	<u>4629 S 12 25 31 E</u>	<u>503.80</u>	<u>4630</u>
1423	<u>4630 S 01 17 37 W</u>	<u>279.07</u>	<u>4631</u>
1424	<u>4631 S 32 12 11 E</u>	<u>1026.99</u>	<u>4632</u>
1425	<u>4632 S 63 06 06 E</u>	<u>176.83</u>	<u>4633</u>
1426	<u>4633 S 13 38 08 E</u>	<u>215.06</u>	<u>4634</u>
1427	<u>4634 S 38 46 29 W</u>	<u>116.72</u>	<u>4635</u>
1428	<u>4635 N 75 15 05 W</u>	<u>294.61</u>	<u>4636</u>
1429	<u>4636 S 19 39 23 E</u>	<u>295.20</u>	<u>4637</u>
1430	<u>4637 S 52 09 41 E</u>	<u>595.01</u>	<u>5638</u>
1431	<u>4638 S 01 55 43 W</u>	<u>98.06</u>	<u>4639</u>
1432	<u>4639 N 69 29 50 W</u>	<u>365.45</u>	<u>4640</u>
1433	<u>4640 S 82 16 04 W</u>	<u>914.21</u>	<u>4641</u>
1434	<u>4641 S 00 42 51 E</u>	<u>730.06</u>	<u>4642</u>
1435	<u>4642 S 61 58 08 E</u>	<u>342.59</u>	<u>4643</u>
1436	<u>4643 S 01 03 32 E</u>	<u>509.48</u>	<u>1831</u>

1437

1438 Point No. 1831 being on the south boundary of Section

1439 27; thence S 88°17'14"W 1968.00 feet along the south

1440 boundary of Section 27 to the southwest corner

1441 thereof, being Point No. 38; thence N 00°43'35"W

1442 5300.13 feet along the west boundary of Section 27 to

1443 | the POINT OF BEGINNING, being the northwest corner of  
 1444 | Section 27 and Point No. 36.

1445 |  
 1446 | And LESS

1447 |  
 1448 | That part of Section 27 lying within the following  
 1449 | described parcel:

1450 |  
 1451 | From Point No. 462 at the southeast corner of Section  
 1452 | 27, run S 89°39'22" W 1832.00 feet along the south  
 1453 | boundary of Section 27 to the POINT OF BEGINNING,  
 1454 | being Point No. 4805; continuing thence from point to  
 1455 | point as follows:

<u>FROM</u>	<u>BEARING</u>	<u>DISTANCE</u>	<u>TO</u>
<u>(Point)</u>	<u>(°, ', &amp; ")</u>	<u>(feet)</u>	<u>(Point)</u>
<u>4805</u>	<u>N 00 33 34 W</u>	<u>2057.55</u>	<u>4804</u>
<u>4804</u>	<u>N 87 53 12 W</u>	<u>595.54</u>	<u>4803</u>
<u>4803</u>	<u>N 22 46 02 W</u>	<u>1290.50</u>	<u>2514</u>
<u>2514</u>	<u>N 29 21 06 E</u>	<u>279.28</u>	<u>4801</u>
<u>4801</u>	<u>N 00 53 22 W</u>	<u>3696.80</u>	<u>2532</u>
<u>2532</u>	<u>N 86 33 54 W</u>	<u>918.49</u>	<u>4620</u>

1466 |

1467 Point No. 4620 being on the easterly line of the  
 1468 conservation easement conveyed by IMC Fertilizer,  
 1469 Inc., to the Board of Trustees of the Internal  
 1470 Improvement Fund of the State of Florida under  
 1471 instrument dated January 10, 1989; continuing thence  
 1472 along the easterly line of the conservation easement  
 1473 from point to point as follows:

1475	<u>FROM BEARING DISTANCE TO</u>			
1476	<u>FROM BEARING</u>	<u>DISTANCE</u>	<u>TO</u>	
1477	<u>(Point)</u>	<u>(°, ', &amp; ")</u>	<u>(feet)</u>	<u>(Point)</u>
1479	<u>4620 S 90 00 00 W</u>		<u>194.20</u>	<u>4621</u>
1480	<u>4621 S 22 19 49 W</u>		<u>492.97</u>	<u>4622</u>
1481	<u>4622 S 02 38 45 E</u>		<u>277.30</u>	<u>4623</u>
1482	<u>4623 S 20 31 17 E</u>		<u>1369.72</u>	<u>4624</u>
1483	<u>4624 N 88 53 27 E</u>		<u>520.00</u>	<u>4625</u>
1484	<u>4625 S 05 05 06 E</u>		<u>227.16</u>	<u>4626</u>
1485	<u>4626 S 14 38 52 W</u>		<u>377.26</u>	<u>4627</u>
1486	<u>4627 S 35 45 27 W</u>		<u>257.55</u>	<u>4628</u>
1487	<u>4628 S 12 17 35 W</u>		<u>411.43</u>	<u>4629</u>
1488	<u>4629 S 12 25 31 E</u>		<u>503.80</u>	<u>4630</u>
1489	<u>4630 S 01 17 37 W</u>		<u>279.07</u>	<u>4631</u>
1490	<u>4631 S 32 12 11 E</u>		<u>1026.99</u>	<u>4632</u>
1491	<u>4632 S 63 06 06 E</u>		<u>176.83</u>	<u>4633</u>

1492      4633 S 13 38 08 E      215.06      4634  
 1493      4634 S 38 46 29 W      116.72      4635  
 1494      4635 N 75 15 05 W      294.61      4636  
 1495      4636 S 19 39 23 E      295.20      4637  
 1496      4637 S 52 09 41 E      595.01      4638  
 1497      4638 S 01 55 43 W      98.06      4639  
 1498      4639 N 69 29 50 W      365.45      4640  
 1499      4640 S 82 16 04 W      914.21      4641  
 1500      4641 S 00 42 51 E      730.06      4642  
 1501      4642 S 61 58 08 E      342.59      4643  
 1502      4643 S 01 03 32 E      509.48      2510

1503  
 1504      Point No. 2510 being on the south boundary of Section  
 1505      27; thence N 88°17'14" E 679.22 feet along the south  
 1506      boundary of Section 27 to Point No. 461 at the  
 1507      southeast corner of the SW-1/4 of Section 27; thence N  
 1508      89°39'22" E 816.66 feet along the south boundary of  
 1509      Section 27 to the POINT OF BEGINNING, being Point No.  
 1510      4805.

1511  
 1512      Section 28: (a) The E-3/4 LESS those parts of the E-  
 1513      1/4 described as follows:

1514  
 1515      BEGIN at the northeast corner of Section 28, being  
 1516      Point No. 36; thence S 89° 36' 16" W 251.74 feet along

1517 the north boundary of Section 28 to Point. No 2123;  
 1518 continuing thence from point to point as follows:

1519

<u>FROM</u>	<u>BEARING</u>	<u>DISTANCE</u>	<u>TO</u>
<u>(Point)</u>	<u>(°, ', &amp; ")</u>	<u>(feet)</u>	<u>(Point)</u>
<u>2123</u>	<u>S 00 30 05 W</u>	<u>111.76</u>	<u>4730</u>
<u>4730</u>	<u>S 18 32 18 E</u>	<u>262.63</u>	<u>4731</u>
<u>4731</u>	<u>S 87 54 36 E</u>	<u>174.00</u>	<u>4732</u>

1522

1523 Point No. 4732 being on the east boundary of Section  
 1524 28; thence N 00°43'35" W 368.87 feet along the east  
 1525 boundary of Section 28 to the POINT OF BEGINNING,  
 1526 being Point. No. 36.

1527

1528 AND

1529

1530 From Point No. 36 at the northeast corner of Section  
 1531 28, run S 00°43'35" E 2005.63 feet along the east  
 1532 boundary of Section 28 to the POINT OF BEGINNING,  
 1533 being Point No. 4733; continuing thence from point to  
 1534 point as follows:

1535

<u>FROM</u>	<u>BEARING</u>	<u>DISTANCE</u>	<u>TO</u>
<u>(Point)</u>	<u>(°, ', &amp; ")</u>	<u>(feet)</u>	<u>(Point)</u>

1542  
1543  
1544  
1545  
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1548  
1549  
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1551  
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1563  
1564  
1565  
1566

4733 S 47 38 32 W 1098.36 4734  
4734 S 00 32 09 E 631.03 4735  
4735 S 28 52 26 E 1744.69 4736

Point No. 4736 being on the east boundary of Section 28; thence N 00°43'35" W 2899.05 feet to the POINT OF BEGINNING, being Point No. 4733.

(b) All that part of the W-1/4 lying east of the right-of-way of CSX Transportation, Inc. (formerly Seaboard Air Line Railroad Company) (as such right-of-way existed on April 15, 1969) LESS the south 300 feet of the W-1/2 of NW-1/4 of NW-1/4 and LESS the NE-1/4 of SW-1/4 of NW-1/4;

(c) The NE-1/4 of SW-1/4 of NW-1/4 LESS that part lying west of U.S. Highway 17 (as such road existed on June 29, 1972);

Section 33: The north 200 feet of that part of Section 33 lying east of the CSX Transportation, Inc. right-of-way, and the south 700 feet of the north 900 feet of the east 1,700 feet of Section 33.

1567 Section 34: All LESS the W-1/2 of NW-1/4 and LESS  
 1568 that part of the S-1/2 lying west of the west bank  
 1569 of the Peace River (as such west bank existed on  
 1570 October 10, 1984) and LESS that part (Peace River  
 1571 Bottom) conveyed to the Board of Trustees of the  
 1572 Internal Improvement Trust Fund of the State of  
 1573 Florida by IMC Fertilizer, Inc., by special warranty  
 1574 deed dated January 10, 1989, Official Records Book  
 1575 2748, page 2172; and LESS that part lying north of  
 1576 County Road 640 described as follows:

1577  
 1578 From Point No. 38 at the northwest corner of Section  
 1579 34, run N 88°17'14" E 1323.61 feet along the north  
 1580 boundary of Section 34 to the northeast corner of  
 1581 the W-1/2 of NW-1/4 and the POINT OF BEGINNING, being  
 1582 Point No. 1897; thence S 00°01'37" W 2648.18 feet  
 1583 along the east boundary of the W-1/2 of NW-1/4 to  
 1584 Point No. 1974 (being at the intersection of the  
 1585 east boundary of the W-1/2 of NW-1/4 and the east  
 1586 boundary of the bottom of the Peace River previously  
 1587 conveyed in 1989 under a special warranty deed by IMC  
 1588 Fertilizer, Inc., to the Trustees of the Internal  
 1589 Improvement Trust Fund of the State of Florida);  
 1590 continuing thence from point to point along said east  
 1591 Peace River bottom boundary the following courses and



1592 distances (to the north right-of-way line of County  
 1593 Road 640);

1594  
 1595 FROM BEARING DISTANCE TO  
 1596 FROM BEARING DISTANCE TO  
 1597 (Point) (°, ', & ") (feet) (Point)

1599	<u>1974</u>	<u>S 45 54 50 E</u>	<u>267.17</u>	<u>1324</u>
1600	<u>1324</u>	<u>S 39 49 57 E</u>	<u>79.46</u>	<u>1325</u>
1601	<u>1325</u>	<u>S 16 01 47 E</u>	<u>100.70</u>	<u>1326</u>
1602	<u>1326</u>	<u>S 60 14 21 E</u>	<u>116.54</u>	<u>1327</u>
1603	<u>1327</u>	<u>S 77 02 14 E</u>	<u>106.18</u>	<u>1328</u>
1604	<u>1328</u>	<u>N 86 11 29 E</u>	<u>49.07</u>	<u>1329</u>
1605	<u>1329</u>	<u>N 29 21 10 E</u>	<u>110.98</u>	<u>1330</u>
1606	<u>1330</u>	<u>N 85 27 25 E</u>	<u>107.65</u>	<u>1331</u>
1607	<u>1331</u>	<u>S 57 58 04 E</u>	<u>264.60</u>	<u>1332</u>
1608	<u>1332</u>	<u>S 56 15 01 E</u>	<u>300.34</u>	<u>1333</u>
1609	<u>1333</u>	<u>N 77 27 38 E</u>	<u>74.29</u>	<u>1334</u>
1610	<u>1334</u>	<u>N 34 07 03 E</u>	<u>46.99</u>	<u>1335</u>
1611	<u>1335</u>	<u>N 82 00 06 E</u>	<u>42.25</u>	<u>1336</u>
1612	<u>1336</u>	<u>S 47 57 04 E</u>	<u>111.18</u>	<u>1337</u>
1613	<u>1337</u>	<u>S 25 23 54 E</u>	<u>126.63</u>	<u>1338</u>
1614	<u>1338</u>	<u>S 04 10 28 E</u>	<u>188.96</u>	<u>1339</u>
1615	<u>1339</u>	<u>S 00 24 46 E</u>	<u>236.80</u>	<u>1340</u>
1616	<u>1340</u>	<u>S 48 07 27 W</u>	<u>184.53</u>	<u>1341</u>

1617	<u>1341 S 05 26 44 W</u>	<u>134.56</u>	<u>1342</u>
1618	<u>1342 S 26 33 52 E</u>	<u>222.91</u>	<u>1343</u>
1619	<u>1343 S 42 47 17 E</u>	<u>230.45</u>	<u>1344</u>
1620	<u>1344 S 34 22 24 E</u>	<u>167.35</u>	<u>1345</u>
1621	<u>1345 S 00 44 57 E</u>	<u>182.00</u>	<u>1346</u>
1622	<u>1346 S 32 10 45 E</u>	<u>85.87</u>	<u>1347</u>
1623	<u>1347 S 58 02 27 E</u>	<u>181.64</u>	<u>1348</u>
1624	<u>1348 S 41 34 58 E</u>	<u>213.09</u>	<u>1349</u>
1625	<u>1349 S 65 35 57 E</u>	<u>29.71</u>	<u>1840</u>

1626

1627 Point No. 1840 being on the north right-of-way line of

1628 County Road 640; thence along said right-of-way N

1629 84°51'16" E 384.92 feet to Point No. 1839 and a right-

1630 of-way jog; thence continue along said right-of-way S

1631 05°08'45" E 10.00 feet to Point No. 1838; thence

1632 continue along said right-of-way N 84°51'16" E 189.60

1633 feet to Point No. 1837 and the P.C. of a curve concave

1634 to the south having a radius of 2914.79 feet; thence

1635 easterly along said curve through a central angle of

1636 05° 59' 00" an arc distance of 304.39 feet to Point

1637 No. 1841 and the P.T. of said curve; thence continue

1638 along said right-of-way S 89° 09' 45" E 718.61 feet to

1639 Point No. 4664; continuing thence from point to point

1640 as follows:

1641

1642	<u>FROM BEARING DISTANCE TO</u>			
1643	<u>FROM</u>	<u>BEARING</u>	<u>DISTANCE</u>	<u>TO</u>
1644	<u>(Point)</u>	<u>(°, ', &amp; ")</u>	<u>(feet)</u>	<u>(Point)</u>
1645				
1646	<u>4664</u>	<u>N 06 00 58 W</u>	<u>282.36</u>	<u>4663</u>
1647	<u>4663</u>	<u>N 40 14 15 W</u>	<u>1219.59</u>	<u>4662</u>
1648	<u>4662</u>	<u>N 04 38 21 W</u>	<u>244.80</u>	<u>4661</u>
1649	<u>4661</u>	<u>N 42 16 34 W</u>	<u>162.18</u>	<u>4660</u>
1650	<u>4660</u>	<u>N 67 10 26 W</u>	<u>299.02</u>	<u>4659</u>
1651	<u>4659</u>	<u>N 40 13 44 W</u>	<u>225.29</u>	<u>4658</u>
1652	<u>4658</u>	<u>N 27 33 47 E</u>	<u>344.05</u>	<u>4657</u>
1653	<u>4657</u>	<u>N 00 01 19 E</u>	<u>262.00</u>	<u>4656</u>
1654	<u>4656</u>	<u>N 87 29 29 W</u>	<u>662.53</u>	<u>4655</u>
1655	<u>4655</u>	<u>N 41 03 51 W</u>	<u>530.52</u>	<u>4654</u>
1656	<u>4654</u>	<u>N 24 24 54 W</u>	<u>195.48</u>	<u>4653</u>
1657	<u>4653</u>	<u>N 33 52 01 E</u>	<u>413.09</u>	<u>4652</u>
1658	<u>4652</u>	<u>N 13 10 26 W</u>	<u>280.38</u>	<u>4651</u>
1659	<u>4651</u>	<u>N 50 39 41 W</u>	<u>392.80</u>	<u>4650</u>
1660	<u>4650</u>	<u>N 35 05 54 W</u>	<u>353.23</u>	<u>4649</u>
1661	<u>4649</u>	<u>N 47 34 21 W</u>	<u>475.80</u>	<u>4648</u>
1662	<u>4648</u>	<u>N 29 07 53 W</u>	<u>195.76</u>	<u>4647</u>
1663	<u>4647</u>	<u>N 75 53 10 E</u>	<u>340.37</u>	<u>4646</u>
1664	<u>4646</u>	<u>N 14 14 14 W</u>	<u>138.25</u>	<u>4645</u>
1665	<u>4645</u>	<u>N 63 29 52 W</u>	<u>203.93</u>	<u>4644</u>
1666	<u>4644</u>	<u>N 01 03 32 W</u>	<u>96.63</u>	<u>1831</u>

1667  
1668 Point No. 1831 being on the north boundary of Section  
1669 34; thence S 88° 17' 14" W 644.39 feet along the north  
1670 boundary of Section 34 to the POINT OF BEGINNING,  
1671 being Point No. 1897.  
1672  
1673 and LESS that part of the SE-1/4 lying south of County  
1674 Road 640, described as follows:  
1675  
1676 From Point No. 111 at the southeast corner of Section  
1677 34, run S 89° 26' 39" W 583.69 feet along the south  
1678 boundary of Section 34 to the POINT OF BEGINNING,  
1679 being Point No. 4668; thence continue S 89° 26' 39" W  
1680 1200.68 feet along the south boundary of Section 34 to  
1681 Point No. 2116 (being at the intersection of the east  
1682 boundary of the bottom of the Peace River previously  
1683 conveyed in 1989 under a special warranty deed by IMC  
1684 Fertilizer, Inc., to the Trustees of the Internal  
1685 Improvement Trust Fund of the State of Florida);  
1686 continuing thence from point to point along said east  
1687 Peace River bottom boundary N 05° 20' 09" W 40.35 feet  
1688 to Point No. 1352 and N 31° 24' 51"W 30.33 feet to  
1689 Point No. 1836 on the south right-of-way line of  
1690 County Road 640; thence along said south right-of-way  
1691 line the following courses and distances (to Point No.

1692 2181): N 84° 51' 16" E 258.95 feet to Point No. 1835,  
 1693 N 05° 08' 45" W 15.00 feet to Point No. 1834, N 84°  
 1694 51' 16" E 189.60 feet to Point No. 1833 and the P.C.  
 1695 of a curve concave to the south having a radius of  
 1696 2814.79 feet, thence easterly along said curve through  
 1697 a central angle of 05°59'00" an arc distance of  
 1698 293.95 feet to Point No. 1832, and the P.T. of said  
 1699 curve, and S 89° 09' 45" E 608.24 feet to point No.  
 1700 2181; thence S 48° 39' 28" W 169.15 feet to the POINT  
 1701 OF BEGINNING, being Point No. 4668.

1702  
 1703 And LESS

1704  
 1705 That part of Section 34 lying within the following  
 1706 described parcel:

1707  
 1708 From Point No. 111 at the southeast corner of Section  
 1709 34, run S 89° 26' 42" W 323.00 feet along the south  
 1710 boundary of Section 34 to Point No. 2452; thence N 06°  
 1711 00' 58" W 491.09 feet to the POINT OF BEGINNING, being  
 1712 Point No. 4663 (not monumented); continuing thence  
 1713 from point to point as follows:

1714  
 1715 FROM BEARING DISTANCE TO  
 1716 FROM BEARING DISTANCE TO

	<u>(Point)</u>	<u>(°, ', &amp; ")</u>	<u>(feet)</u>	<u>(Point)</u>
1717				
1718				
1719	<u>4663</u>	<u>N 04 20 23 E</u>	<u>421.47</u>	<u>4815</u>
1720	<u>4815</u>	<u>S 89 54 47 E</u>	<u>533.94</u>	<u>4814</u>
1721	<u>4814</u>	<u>N 00 05 13 E</u>	<u>616.37</u>	<u>4813</u>
1722	<u>4813</u>	<u>N 46 56 16 W</u>	<u>560.38</u>	<u>4812</u>
1723	<u>4812</u>	<u>N 00 05 13 E</u>	<u>288.33</u>	<u>4811</u>
1724	<u>4811</u>	<u>N 64 09 46 W</u>	<u>471.29</u>	<u>4810</u>
1725	<u>4810</u>	<u>N 00 47 21 W</u>	<u>1301.71</u>	<u>4809</u>
1726	<u>4809</u>	<u>N 88 47 30 W</u>	<u>619.72</u>	<u>2533</u>
1727	<u>2533</u>	<u>N 00 05 13 E</u>	<u>988.94</u>	<u>2534</u>
1728	<u>2534</u>	<u>N 89 54 47 W</u>	<u>541.01</u>	<u>4806</u>
1729	<u>4806</u>	<u>N 00 33 34 W</u>	<u>616.27</u>	<u>4805</u>

1730

1731 Point No. 4805 being on the north boundary of Section

1732 34 (and lying S 89° 39' 22" W 1832.00 feet from the

1733 northeast corner of Section 34); thence S 89° 39' 22"

1734 W 816.66 feet along the north boundary of Section 34

1735 to Point No. 461 at the northwest corner of the NE-1/4

1736 of Section 34; thence S 88° 17' 14" W 679.22 feet

1737 along the north boundary of Section 34 to Point No.

1738 2510 on the easterly line of a conservation easement

1739 conveyed by IMC Fertilizer, inc., to the Board of

1740 Trustees of the Internal Improvement Fund of the State

1741 of Florida under instrument dated January 10, 1989;

1742 continuing thence along the easterly line of the  
 1743 conversation easement from point to point as follows:  
 1744

1745	<u>FROM</u>	<u>BEARING</u>	<u>DISTANCE</u>	<u>TO</u>
1746	<u>(Point)</u>	<u>(°, ', &amp; ")</u>	<u>(feet)</u>	<u>(Point)</u>
1747				
1748	<u>2510</u>	<u>S 01 03 32 E</u>	<u>96.63</u>	<u>4644</u>
1749	<u>4644</u>	<u>S 63 29 52 E</u>	<u>203.93</u>	<u>4645</u>
1750	<u>4645</u>	<u>S 14 14 14 E</u>	<u>138.25</u>	<u>4646</u>
1751	<u>4646</u>	<u>S 75 53 10 W</u>	<u>340.37</u>	<u>4647</u>
1752	<u>4647</u>	<u>S 29 07 53 E</u>	<u>195.76</u>	<u>4648</u>
1753	<u>4648</u>	<u>S 47 34 21 E</u>	<u>475.80</u>	<u>4649</u>
1754	<u>4649</u>	<u>S 35 05 54 E</u>	<u>353.23</u>	<u>4650</u>
1755	<u>4650</u>	<u>S 50 39 41 E</u>	<u>392.80</u>	<u>4651</u>
1756	<u>4651</u>	<u>S 13 10 26 E</u>	<u>280.38</u>	<u>4652</u>
1757	<u>4652</u>	<u>S 33 52 01 W</u>	<u>413.09</u>	<u>4653</u>
1758	<u>4653</u>	<u>S 24 24 54 E</u>	<u>195.48</u>	<u>4654</u>
1759	<u>4654</u>	<u>S 41 03 51 E</u>	<u>530.52</u>	<u>4655</u>
1760	<u>4655</u>	<u>S 87 29 29 E</u>	<u>662.53</u>	<u>4656</u>
1761	<u>4656</u>	<u>S 00 01 19 W</u>	<u>262.00</u>	<u>4657</u>
1762	<u>4657</u>	<u>S 27 33 47 W</u>	<u>344.05</u>	<u>4658</u>
1763	<u>4658</u>	<u>S 40 13 44 E</u>	<u>225.29</u>	<u>4659</u>
1764	<u>4659</u>	<u>S 67 10 26 E</u>	<u>299.02</u>	<u>4660</u>
1765	<u>4660</u>	<u>S 42 16 34 E</u>	<u>162.18</u>	<u>4661</u>
1766	<u>4661</u>	<u>S 04 38 21 E</u>	<u>244.80</u>	<u>4662</u>

1767 4662 S 40 14 15 E 1219.59 4663

1768

1769 Point no. 4663 being the POINT OF BEGINNING

1770

1771 Section 35: All LESS that part, if any, of the S-1/2  
 1772 of SW-1/4 lying south of State Road S-640 (as such  
 1773 road existed on April 15, 1969) and LESS.

1774

1775 That part of Section 35 lying within the following  
 1776 described parcel:

1777

1778 From point No. 111 at the southeast corner of Section  
 1779 34, Township 30 south, Range 25 East run S 89° 26' 42"  
 1780 W 323.00 feet along the south boundary of Section 34  
 1781 to Point No. 2452; thence N 06° 00' 58" W 491.09  
 1782 feet to the POINT OF BEGINNING, being Point No. 4663  
 1783 (not monumented); continued thence from point to point  
 1784 as follows:

1785

1786 FROM BEARING DISTANCE TO  
 1787 (Point) (°, ', & ") (feet) (Point)

1788

1789 4663 N 04 20 23 E 421.47 4815

1790 4815 S 89 54 47 E 533.94 4814

1791 4814 N 00 05 13 E 616.37 4813



1792        4813 N 46 56 16 W    560.38    4812  
 1793        4812 N 00 05 13 E    288.33    4811  
 1794        4811 N 64 09 46 W    471.29    4810  
 1795        4810 N 00 47 21 W    1301.71    4809  
 1796        4809 N 88 47 30 W    619.72    2533  
 1797        2533 N 00 05 13 E    988.94    2534  
 1798        2534 N 89 54 47 W    541.01    4806  
 1799        4806 N 00 33 34 W    616.27    4805

1800  
 1801        Point No. 4805 being on the north boundary of Section  
 1802        34 (and lying S 89° 39' 22" W 1832.00 feet from the  
 1803        northeast corner of Section 34); thence S 89° 39' 22"  
 1804        W 816.66 feet along the north boundary of Section 34  
 1805        to Point No. 461 at the northwest corner of the NE-1/4  
 1806        of Section 34; thence S 88° 17' 14" W 679.22 feet  
 1807        along the north boundary of Section 34 to Point No.  
 1808        2510 on the easterly line of a conservation easement  
 1809        conveyed by IMC Fertilizer, Inc., to the Board of  
 1810        Trustees of the Internal Improvement Fund of the State  
 1811        of Florida under instrument dated January 10, 1989;  
 1812        continuing thence along the easterly line of the  
 1813        conservation easement from point to point as follows:

1814  
 1815        FROM BEARING    DISTANCE    TO  
 1816        (Point)    (°, ', & ")    (feet)    (Point)

HB 1611

2023

1817				
1818	<u>2510</u>	<u>S 01 03 32 E</u>	<u>96.63</u>	<u>4644</u>
1819	<u>4644</u>	<u>S 63 29 52 E</u>	<u>203.93</u>	<u>4645</u>
1820	<u>4645</u>	<u>S 14 14 14 E</u>	<u>138.25</u>	<u>4646</u>
1821	<u>4646</u>	<u>S 75 53 10 W</u>	<u>340.37</u>	<u>4647</u>
1822	<u>4647</u>	<u>S 29 07 53 E</u>	<u>195.76</u>	<u>4648</u>
1823	<u>4648</u>	<u>S 47 34 21 E</u>	<u>475.80</u>	<u>4649</u>
1824	<u>4649</u>	<u>S 35 05 54 E</u>	<u>353.23</u>	<u>4650</u>
1825	<u>4650</u>	<u>S 50 39 41 E</u>	<u>392.80</u>	<u>4651</u>
1826	<u>4651</u>	<u>S 13 10 26 E</u>	<u>280.38</u>	<u>4652</u>
1827	<u>4652</u>	<u>S 33 52 01 W</u>	<u>413.09</u>	<u>4653</u>
1828	<u>4653</u>	<u>S 24 24 54 E</u>	<u>195.48</u>	<u>4654</u>
1829	<u>4654</u>	<u>S 41 03 51 E</u>	<u>530.52</u>	<u>4655</u>
1830	<u>4655</u>	<u>S 87 29 29 E</u>	<u>662.53</u>	<u>4656</u>
1831	<u>4656</u>	<u>S 00 01 19 W</u>	<u>262.00</u>	<u>4657</u>
1832	<u>4657</u>	<u>S 27 33 47 W</u>	<u>344.05</u>	<u>4658</u>
1833	<u>4658</u>	<u>S 40 13 44 E</u>	<u>225.29</u>	<u>4659</u>
1834	<u>4659</u>	<u>S 67 10 26 E</u>	<u>299.02</u>	<u>4660</u>
1835	<u>4660</u>	<u>S 42 16 34 E</u>	<u>162.18</u>	<u>4661</u>
1836	<u>4661</u>	<u>S 04 38 21 E</u>	<u>244.80</u>	<u>4662</u>
1837	<u>4662</u>	<u>S 40 14 15 E</u>	<u>1219.59</u>	<u>4663</u>

1838

1839 Point No. 4663 being the POINT OF BEGINNING.

1840

1841 Section 36: (a) The NW-1/4 LESS the N-1/2 of NE-1/4  
 1842 of NW-1/4; and  
 1843  
 1844 (b) The W-3/4 of S-1/2.  
 1845  
 1846 Less:  
 1847  
 1848 Warranty Deed to Kerry Lee Hammock and Starla Hammock  
 1849 as recorded in O.R. Book 10703, Page 1812, Public  
 1850 records of Polk County, Florida.  
 1851  
 1852 IN TOWNSHIP 29 SOUTH, RANGE 26 EAST, POLK COUNTY,  
 1853 FLORIDA  
 1854  
 1855 Section 30: The S-3/4 of W-1/2, and the SW-1/4 of SE-  
 1856 1/4.  
 1857  
 1858 Section 31:(a) The NW-1/4;  
 1859  
 1860 (b) The W-1/2 of NE-1/4; and  
 1861  
 1862 (c) That part of the SW-1/4 and W-1/2 of SE-1/4 lying  
 1863 north of the north right-of-way line of State Road 60  
 1864 (as such right-of-way existed on June 28, 1978).  
 1865

1866 |           DESCRIPTION (LANDS LYING WEST OF HWY 17)

1867 |

1868 |           That portion of land described in O.R. Book 4604, Page

1869 |           1408, O.R. Book 4604 Page 1534, O.R. Book 4685 Page

1870 |           1850, and O.R. Book 6509 Page 844, lying in Sections

1871 |           12,13,14,15,22,23,24,25,26,35,36, Township 30 South,

1872 |           Range 24 East, and Sections

1873 |           17,18,19,20,28,29,30,31,32, Township 30 South, Range

1874 |           25 East, and Sections 5,6,8, Township 31 South, Range

1875 |           25 East, Polk County Florida, more particularly

1876 |           described as follows:

1877 |

1878 |           Commence at the NE corner of said Section 20, thence

1879 |           S89°41'56"W along the North boundary of said Section

1880 |           20 a distance of 793.51 feet to the Westerly boundary

1881 |           of U.S. Highway 17 and to the POINT OF BEGINNING;

1882 |           thence along said Westerly boundary the following six

1883 |           courses and distances; (1) S00°23'00"E, 103.26 feet;

1884 |           (2) thence S89°37'00"W, 120.00 feet; (3) thence

1885 |           S00°23'00"E, 135.00 feet; (4) thence N89°37'00"E,

1886 |           70.00 feet; (5) thence S00°23'00"E, 654.65 feet to a

1887 |           point of curve; (6) thence southerly along the arc of

1888 |           a curve to the left, having a radius of 5,909.54 feet,

1889 |           a central angle of 03°31'48", a chord distance of

1890 |           364.03 feet, a chord bearing of S02°08'54"E, and a arc

1891 distance of 364.09 feet to the point of tangent ;  
 1892 thence N81°37'32"W, 1,874.95 feet; thence S35°48'45"E,  
 1893 424.16 feet; thence N89°41'25"E, 426.70 feet; thence  
 1894 S00°29'06"E, 571.27 feet; thence S46°01'35"E, 126.78  
 1895 feet; thence S46°44'26"E, 61.53 feet; thence  
 1896 N89°41'22"E, 537.58 feet to the East boundary of the  
 1897 West 3/4 of Section 20; thence N00°30'54"W along said  
 1898 boundary a distance of, 42.41 feet; thence  
 1899 N89°41'44"E, 596.26 feet to the westerly boundary of  
 1900 U.S. Highway 17 and to a point on a non tangent curve;  
 1901 thence along said Westerly boundary the following  
 1902 three courses and distances; (1) thence southerly  
 1903 along the arc of a curve to the left, having a radius  
 1904 of 5,909.54 feet, a central angle of 01°06'09", a  
 1905 chord distance of 113.72 feet, a chord bearing  
 1906 S11°31'28"E, and a arc distance of 113.73 feet, to the  
 1907 point of tangent; (2) thence N77°55'28"E, 5.00 feet to  
 1908 a point on a non tangent curve; (3) thence southerly  
 1909 along the arc of a curve to the left, having a radius  
 1910 of 5,904.54 feet, a central angle of 01°53'05", a  
 1911 chord distance of 194.23 feet, a chord bearing  
 1912 S13°01'05"E, and a arc distance of 194.24 feet, to the  
 1913 point of tangent ; thence S89°41'44"W, 664.93 feet to  
 1914 the East boundary of the West 3/4 of Section 20;  
 1915 thence S00°30'54"E, along said boundary a distance of

1916 359.78 feet; thence continue along said boundary  
 1917 S00°30'23"E, 2,638.92 feet to the North boundary of  
 1918 Section 29; thence S00°19'10"E along the East boundary  
 1919 of the West 3/4 of Section 29 a distance of, 1,025.72  
 1920 feet; thence N89°39'59"E, 1,345.20 feet to the West  
 1921 boundary of Section 28; thence N89°42'51"E into  
 1922 Section 28 a distance of, 353.06 feet to the Westerly  
 1923 boundary of U.S. Highway 17 and to a point on a non  
 1924 tangent curve; thence southerly along said Westerly  
 1925 boundary and along the arc of a curve to the right,  
 1926 having a radius of 5,554.83 feet, a central angle of  
 1927 03°09'15", a chord distance of 305.77 feet, a chord  
 1928 bearing S11°25'52"E, and a arc distance of 305.81  
 1929 feet, to a point; thence S89°42'51"W, 412.37 feet to  
 1930 the West boundary of Section 29; thence S89°39'59"W  
 1931 into Section 29 a distance of, 1,344.82 feet to the  
 1932 East boundary of the West 3/4 of Section 29; thence  
 1933 S00°19'10"E along said boundary, 1,325.72 feet; thence  
 1934 continue along said boundary S00°18'04"E, 2,651.80  
 1935 feet to the North boundary of Section 32; thence  
 1936 S00°17'36"W along the East boundary of the West 3/4 of  
 1937 Section 32 a distance of, 2,649.94 feet; thence  
 1938 continue along said boundary S00°18'38"W, 999.39 feet;  
 1939 thence S89°51'59"W, 509.00 feet; thence S00°18'38"W,  
 1940 325.00 feet; thence S89°52'01"W, 41.00 feet; thence

1941 S18°30'11"E, 1394.62 feet to the centerline of County  
 1942 Road 640; thence S89°54'17"W along said centerline,  
 1943 409.04 feet; thence S25°51'21"E into Section 5 a  
 1944 distance of, 344.63 feet; thence S31°36'08"E, 148.15  
 1945 feet; thence S03°37'38"E, 72.48 feet; thence  
 1946 N89°59'36"E, 36.29 feet; thence S00°21'03"E, 808.25  
 1947 feet; thence N89°39'51"W, 55.17 feet; thence  
 1948 S01°55'49"E, 131.57 feet; thence S04°38'20"E, 370.66  
 1949 feet; thence S02°36'55"W, 492.78 feet; thence  
 1950 S43°08'06"W, 526.49 feet; thence S83°22'49"E, 394.44  
 1951 feet; thence S88°04'34"E, 1,695.31 feet to the East  
 1952 boundary of Section 5; thence S00°25'53"E along said  
 1953 boundary, 2,481.89 feet to the North East corner of  
 1954 Section 8; thence S00°15'08"E along the East boundary  
 1955 of Section 8 a distance of 3845.51 feet; thence  
 1956 N89°45'07"W into Section 8 a distance of, 2,445.45  
 1957 feet; thence N12°40'48"E, 428.04 feet; thence  
 1958 N20°51'19"W, 472.77 feet; thence N04°52'43"W, 522.82  
 1959 feet; thence N06°17'25"E, 361.62 feet; thence  
 1960 N04°35'33"W, 464.81 feet; thence N01°30'44"E, 586.93  
 1961 feet; thence N00°55'17"E, 406.42 feet; thence  
 1962 N05°13'19"E, 468.16 feet; thence S89°59'28"W, 150.52  
 1963 feet; thence S88°58'33"W, 11.77 feet; thence  
 1964 N56°01'00"W, 105.53 feet; thence N67°13'18"W, 144.35  
 1965 feet; thence N56°15'05"W, 114.18 feet; thence from a

1966 point lying in Section 8, N64°56'45"W, 107.08 feet  
 1967 into Section 5; thence N71°41'58"W, 111.85 feet;  
 1968 thence N75°41'22"W, 103.01 feet; thence N78°44'42"W,  
 1969 88.63 feet; thence S89°02'57"W, 596.53 feet; thence  
 1970 S86°00'45"W, 329.22 feet; thence N87°11'01"W, 239.26  
 1971 feet; thence N85°03'03"W, 274.56 feet; thence  
 1972 N87°11'01"W, 214.68 feet; thence from a point lying in  
 1973 Section 5, N89°43'25"W, 647.34 feet into Section 6;  
 1974 thence N85°55'42"W, 257.88 feet; thence N63°26'29"W,  
 1975 96.92 feet; thence N21°35'48"W, 139.02 feet; thence  
 1976 N04°58'56"W, 301.59 feet; thence N00°33'04"W, 212.65  
 1977 feet; thence N03°36'10"E, 292.46 feet; thence  
 1978 N02°15'46"W, 279.17 feet; thence N00°03'29"E, 478.75  
 1979 feet; thence N18°08'29"E, 130.19 feet; thence  
 1980 N05°12'41"E, 631.31 feet; thence N74°24'24"W, 444.63  
 1981 feet; thence N07°33'07"W, 629.21 feet; thence  
 1982 N11°40'20"W, 258.72 feet; thence N08°19'45"W, 387.72  
 1983 feet; thence N25°09'52"W, 212.08 feet; thence  
 1984 N38°41'33"W, 747.46 feet; thence N87°21'03"W, 201.66  
 1985 feet; thence N69°59'34"W, 234.19 feet; thence  
 1986 N27°09'40"W, 91.64 feet; thence N52°03'59"W, 277.67  
 1987 feet; thence N27°21'04"W, 114.42 feet; thence from a  
 1988 point lying in Section 6, N48°03'10"W, 29.03 feet into  
 1989 Section 31; thence N00°00'00"E, 203.44 feet to the  
 1990 Southerly boundary of County Road 640; thence



1991 s70°21'53"E along said boundary, 164.64 feet; thence  
 1992 from a point lying in Section 31, S00°13'34"E into  
 1993 Section 6 a distance of, 258.28 feet to the South West  
 1994 corner of a unnamed cemetery; thence N89°46'26"E,  
 1995 105.00 feet to the South East corner of said cemetery;  
 1996 thence from a point lying in Section 6, N00°13'34"W,  
 1997 220.35 feet into Section 31 to the Southerly boundary  
 1998 of County Road 640; thence N19°38'07"E, 80.00 feet to  
 1999 the Northerly boundary of County Road 640; thence  
 2000 along said boundary the following nine courses and  
 2001 distances, (1) N70°21'53"W, 434.31 feet to a point of  
 2002 curve; (2) thence northerly along the arc of a curve  
 2003 to the right, having a radius of 1,105.92 feet, a  
 2004 central angle of 70°14'00", a chord distance of  
 2005 1,272.35 feet, a chord bearing of N35°14'53"W, and a  
 2006 arc distance of 1,355.64 feet to the point of tangent;  
 2007 (3) thence N00°07'53"W, 1,248.06 feet to a point of  
 2008 curve; (4) thence westerly along the arc of a curve to  
 2009 the left, having a radius of 1,185.92 feet, a central  
 2010 angle of 89°59'03", a chord distance of 1,676.91 feet,  
 2011 a chord bearing of N45°07'25"W, and a arc distance of  
 2012 1,862.51 feet to the point of tangent; (5) thence form  
 2013 a point lying in Section 31, S89°53'04"W into Section  
 2014 36, 4,373.82 feet to a point of curve; (6) thence  
 2015 northwesterly along the arc of a curve to the right,

2016 having a radius of 1,105.91 feet, a central angle of  
 2017 41°39'19", a chord distance of 786.43 feet, a chord  
 2018 bearing of N69°17'17"W, and a arc distance of 804.02  
 2019 feet to the point of tangent; (7) thence N48°27'37"W,  
 2020 357.59 feet to a point of curve; (8) thence from a  
 2021 point lying in Section 36, westerly along the arc of a  
 2022 curve to the left, having a radius of 1,185.91 feet, a  
 2023 central angle of 41°48'12", a chord distance of 846.18  
 2024 feet, a chord bearing of N69°21'43"W, and a arc  
 2025 distance of 865.25 feet into Section 35 and to the  
 2026 point of tangent; (9) thence S89°44'11"W, 2,297.02  
 2027 feet to a point on a non tangent curve and to the  
 2028 Easterly boundary of County Road 555; thence northerly  
 2029 along said boundary and along the arc of a curve to  
 2030 the left, having a radius of 1,004.93 feet, a central  
 2031 angle of 22°46'07", a chord distance of 396.72 feet, a  
 2032 chord bearing N11°05'58"E, and a arc distance of  
 2033 399.34 feet, to the point of tangent; thence form a  
 2034 point lying in Section 35, continue along said  
 2035 boundary N00°17'05"W into Section 26 a distance of,  
 2036 1,047.85 feet; thence N89°40'34"E, 2,593.85 feet to  
 2037 the West boundary of Section 25; thence N00°22'43"W  
 2038 along said boundary, 1,800.01 feet; thence  
 2039 N89°21'57"E, 5,278.52 feet to the East boundary of  
 2040 Section 25; thence N00°21'56"W along said boundary,

2041 1,244.09 feet; thence into Section 30, N89°52'47"E,  
 2042 2,305.62 feet to the Westerly boundary of Noralyn Mine  
 2043 Road and to a point on a non tangent curve; thence  
 2044 northerly along said boundary and along the arc of a  
 2045 curve to the right, having a radius of 1,178.99 feet,  
 2046 a central angle of 09°53'02", a chord distance of  
 2047 203.13 feet, a chord bearing N09°56'31"E, and a arc  
 2048 distance of 203.38 feet; thence S89°52'47"W, 1,521.94  
 2049 feet; thence S47°33'39"W, 112.17 feet; thence  
 2050 S89°53'31"W, 736.76 feet to the West boundary of  
 2051 Section 25; thence continue S89°53'31"W into Section  
 2052 25, a distance of 173.55 feet; thence N23°04'43"W,  
 2053 451.37 feet; thence N26°57'12"W, 1,434.89 feet; thence  
 2054 from a point lying in Section 25, N41°19'54"W,  
 2055 1,511.34 feet into Section 24; thence N00°35'59"W,  
 2056 18.76 feet; thence N43°29'42"W, 963.55 feet; thence  
 2057 N63°57'26"W, 735.66 feet; thence N00°16'46"W, 658.85  
 2058 feet; thence N00°18'03"W, 1,055.19 feet to the  
 2059 Easterly boundary of County Road 555; thence  
 2060 N23°14'28"E along said boundary, 287.26 feet; thence  
 2061 S89°21'49"W, 2095.11 feet to the East boundary of  
 2062 Section 23; thence S89°14'30"W, 5,235.28 feet to the  
 2063 West boundary of Section 23; thence N00°12'10"E along  
 2064 said boundary, 782.17 feet; thence N56°02'19"W into  
 2065 Section 22 a distance of, 254.46 feet; thence

2066 N27°08'02"W, 425.14 feet to the South boundary of  
 2067 Section 15; thence continue into Section 15  
 2068 N27°08'02"W, 947.74 feet; thence N13°31'42"W, 411.80  
 2069 feet; thence N28°33'12"E, 628.05 feet; thence  
 2070 N69°12'42"E, 649.09 feet to the West boundary of  
 2071 Section 14; thence N69°12'40"E into Section 14 a  
 2072 distance of, 926.17 feet; thence N78°30'41"E, 355.46  
 2073 feet; thence N78°58'50"E, 345.49 feet; thence  
 2074 N33°26'18"E, 182.60 feet; thence N03°17'54"E, 624.86  
 2075 feet; thence N14°22'02"W, 289.63 feet; thence  
 2076 N65°38'25"W, 414.23 feet; thence N02°07'07"E, 406.65  
 2077 feet; thence N85°52'45"E, 836.52 feet; thence  
 2078 S87°32'39"E, 573.25 feet; thence S89°49'01"E, 1,248.54  
 2079 feet; thence N00°40'48"W, 1,188.74 feet to the South  
 2080 boundary of Section 11; thence N89°12'59"E along said  
 2081 boundary, 1,319.95 feet to the South West Corner of  
 2082 Section 12; thence N00°37'55"W along the West boundary  
 2083 of section 12 a distance of, 1,319.28 feet; thence  
 2084 N89°19'19"E into Section 12 a distance of, 2,642.68  
 2085 feet; thence S00°35'31"E, 727.11 feet; thence  
 2086 N89°20'21"E, 647.79 feet; thence N00°24'57"E, 595.76  
 2087 feet; thence N89°19'19"E, 661.06 feet; thence  
 2088 S00°35'24"E, 497.50 feet; thence N89°08'42"E, 267.78  
 2089 feet to the Westerly boundary of County Road 555;  
 2090 thence along said boundary the following seven courses

2091 and distances, (1) S33°34'02"W, 321.66 feet to a point  
 2092 of curve; (2) thence southerly along the arc of a  
 2093 curve to the left, having a radius of 766.19 feet, a  
 2094 central angle of 33°45'30", a chord distance of 444.93  
 2095 feet, a chord bearing of S16°41'17"W, and a arc  
 2096 distance of 451.43 feet to the point of tangent; (3)  
 2097 thence from a point lying in Section 12, S00°11'28"E  
 2098 into Section 13 a distance of, 1,035.04 feet to a  
 2099 point of curve; (4) thence southerly along the arc of  
 2100 a curve to the right, having a radius of 2,814.78  
 2101 feet, a central angle of 09°42'00", a chord distance  
 2102 of 475.96 feet, a chord bearing of S04°39'32"W, and a  
 2103 arc distance of 476.53 feet to the point of tangent;  
 2104 (5) thence S09°30'32"W, 802.90 feet to a point of  
 2105 curve; (6) thence southwesterly along the arc of a  
 2106 curve to the right, having a radius of 1,382.38 feet,  
 2107 a central angle of 22°35'30", a chord distance of  
 2108 541.55 feet, a chord bearing of S20°48'17"W, and a arc  
 2109 distance of 545.07 feet to the point of tangent; (7)  
 2110 thence S32°06'02"W, 1,272.38 feet; thence S89°30'18"W,  
 2111 213.96 feet; thence S89°01'22"W, 652.83 feet; thence  
 2112 S00°23'10"E, 1,408.84 feet; thence N89°01'22"E, 653.38  
 2113 feet; thence N00°22'07"W, 659.41 feet; thence  
 2114 N89°09'59"E, 121.99 feet; thence N24°38'24"E, 232.06  
 2115 feet; thence N68°18'24"E, 85.00 feet; thence

2116 S42°04'12"E, 53.97 feet; thence S17°05'42"E, 83.73  
 2117 feet; thence S72°06'20"E, 45.71 feet; thence  
 2118 N74°18'39"E, 61.56 feet; thence N50°47'10"E, 50.80  
 2119 feet; thence S79°56'36"E, 140.00 feet; thence  
 2120 S03°08'24"W, 125.30 feet; thence N89°09'59"E, 687.80  
 2121 feet; thence N89°10'02"E, 1,319.45 feet to the West  
 2122 boundary of Section 18; thence N00°17'49"W along said  
 2123 boundary, 1,352.81 feet; thence N89°47'09"E into  
 2124 Section 18 a distance of, 1,003.28 feet; thence  
 2125 S00°18'58"E, 30.00 feet; thence N89°47'09"E, 1018.46  
 2126 feet; thence S00°18'06"E, 631.46 feet; thence  
 2127 N89°48'05"E, 988.42 feet; thence N00°17'01"W, 631.73  
 2128 feet; thence N89°47'09"E, 200.00 feet; thence  
 2129 S00°17'01"E, 200.00 feet; thence N89°47'09"E, 230.00  
 2130 feet; thence S00°17'01"E, 150.00 feet; thence  
 2131 N89°47'09"E, 229.05 feet; thence N00°16'14"W, 380.00  
 2132 feet; thence N89°47'09"E, 1,318.27 feet to the West  
 2133 boundary of Section 17; thence N89°44'19"E into  
 2134 Section 17 a distance of, 939.62 feet; thence  
 2135 S15°42'26"E, 2,747.48 feet; thence N89°42'32"E, 124.48  
 2136 feet; thence N15°42'26"W, 686.78 feet; thence  
 2137 N89°42'59"E, 1,071.75 feet; thence N89°42'32"E,  
 2138 1102.65 feet; thence S05°29'14"E, 268.67 feet; thence  
 2139 S07°23'31"E, 94.90 feet; thence N89°41'56"E, 404.35

2140 feet; thence S00°16'16"E, 300.00 feet; thence  
 2141 N89°41'56"E, 349.79 feet to the POINT OF BEGINNING.

2142  
 2143 LESS Right-of-Way for County Road 555, County Road  
 2144 640, Old Bartow-Homeland Road, Noralyn Mine Road, Old  
 2145 Homeland Cemetery Road and LESS Shady Oaks Cemetery in  
 2146 Section 29 and Old Homeland Cemetery in Section 5.

2147  
 2148 CONTAINING A TOTAL AREA OF 17,481 ACRES, MORE OR LESS.

2149  
 2150 Being subject to any rights-of-way, restrictions and  
 2151 easements of record.

2152  
 2153 Section 5. Board of supervisors; members and meetings;  
 2154 organization; powers; duties; terms of office; related election  
 2155 requirements.—

2156 (1) The board of the district shall exercise the powers  
 2157 granted to the district pursuant to this act. The board shall  
 2158 consist of five members, each of whom shall hold office for a  
 2159 term of 4 years, as provided in this section, except as  
 2160 otherwise provided herein for initial board members, and until a  
 2161 successor is chosen and qualified. The members of the board must  
 2162 be residents of the state and citizens of the United States.

2163 (2) (a) Within 90 days after the effective date of this  
 2164 act, there shall be held a meeting of the landowners of the

2165 district for the purpose of electing five supervisors for the  
2166 district. Notice of the landowners' meeting shall be published  
2167 once a week for 2 consecutive weeks in a newspaper that is in  
2168 general circulation in the area of the district, the last day of  
2169 such publication to be not fewer than 14 days or more than 28  
2170 days before the date of the election. The landowners, when  
2171 assembled at such meeting, shall organize by electing a chair,  
2172 who shall conduct the meeting. The chair may be any person  
2173 present at the meeting. If the chair is a landowner or proxy  
2174 holder of a landowner, he or she may nominate candidates and  
2175 make and second motions. The landowners present at the meeting,  
2176 in person or by proxy, shall constitute a quorum. At any  
2177 landowners' meeting, 50 percent of the district acreage shall  
2178 not be required to constitute a quorum, and each governing board  
2179 member elected by landowners shall be elected by a majority of  
2180 the acreage represented either by owner or proxy present and  
2181 voting at said meeting.

2182 (b) At such meeting, each landowner shall be entitled to  
2183 cast one vote per acre of land owned by him or her and located  
2184 within the district for each person to be elected. A landowner  
2185 may vote in person or by proxy in writing. Each proxy must be  
2186 signed by one of the legal owners of the property for which the  
2187 vote is cast and must contain the typed or printed name of the  
2188 individual who signed the proxy; the street address, legal  
2189 description of the property, or tax parcel identification



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2190 number; and the number of authorized votes. If the proxy  
2191 authorizes more than one vote, each property must be listed and  
2192 the number of acres of each property must be included. The  
2193 signature on a proxy need not be notarized. A fraction of an  
2194 acre shall be treated as 1 acre, entitling the landowner to one  
2195 vote with respect thereto. The three candidates receiving the  
2196 highest number of votes shall each be elected for terms expiring  
2197 November 17, 2026, and the two candidates receiving the next  
2198 largest number of votes shall each be elected for terms expiring  
2199 November 19, 2024 with the term of office for each successful  
2200 candidate commencing upon election. The members of the first  
2201 board elected by landowners shall serve their respective terms;  
2202 however, the next election of board members shall be held on the  
2203 first Tuesday after the first Monday in November 2024.  
2204 Thereafter, there shall be an election by landowners for the  
2205 district every 2 years on the first Tuesday after the first  
2206 Monday in November, which shall be noticed pursuant to paragraph  
2207 (a). The second and subsequent landowners' election shall be  
2208 announced at a public meeting of the board at least 90 days  
2209 before the date of the landowners' meeting and shall also be  
2210 noticed pursuant to paragraph (a). Instructions on how all  
2211 landowners may participate in the election, along with sample  
2212 proxies, shall be provided during the board meeting that  
2213 announces the landowners' meeting. Each supervisor elected in or  
2214 after November 2024 shall serve a 4-year term.

2215       (3)(a)1. The board may not exercise the ad valorem taxing  
 2216 power authorized by this act until such time as all members of  
 2217 the board are qualified electors who are elected by qualified  
 2218 electors of the district.

2219       2.a. Regardless of whether the district has proposed to  
 2220 levy ad valorem taxes, board members shall begin being elected  
 2221 by qualified electors of the district as the district becomes  
 2222 populated with qualified electors. The transition shall occur  
 2223 such that the composition of the board, after the first general  
 2224 election following a trigger of the qualified elector population  
 2225 thresholds set forth below, shall be as follows:

2226       (I) Once 4,425 qualified electors reside within the  
 2227 district, one governing board member shall be a person who is a  
 2228 qualified elector of the district and who was elected by the  
 2229 qualified electors, and four governing board members shall be  
 2230 persons who were elected by the landowners.

2231       (II) Once 8,850 qualified electors reside within the  
 2232 district, two governing board members shall be persons who are  
 2233 qualified electors of the district and who were elected by the  
 2234 qualified electors, and three governing board members shall be  
 2235 persons elected by the landowners.

2236       (III) Once 13,275 qualified electors reside within the  
 2237 district, three governing board members shall be persons who are  
 2238 qualified electors of the district and who were elected by the

2239 qualified electors and two governing board members shall be  
 2240 persons who were elected by the landowners.

2241 (IV) Once 17,700 qualified electors reside within the  
 2242 district, four governing board members shall be persons who are  
 2243 qualified electors of the district and who were elected by the  
 2244 qualified electors and one governing board member shall be a  
 2245 person who was elected by the landowners.

2246 (V) Once 23,000 qualified electors reside within the  
 2247 district, all five governing board members shall be persons who  
 2248 are qualified electors of the district and who were elected by  
 2249 the qualified electors.

2250 Nothing in this sub-subparagraph is intended to require an  
 2251 election prior to the expiration of an existing board member's  
 2252 term.

2253 b. On or before June 1 of each election year, the board  
 2254 shall determine the number of qualified electors in the district  
 2255 as of the immediately preceding April 15. The board shall use  
 2256 and rely upon the official records maintained by the supervisor  
 2257 of elections and property appraiser or tax collector in Polk  
 2258 County in making this determination. Such determination shall be  
 2259 made at a properly noticed meeting of the board and shall become  
 2260 a part of the official minutes of the district.

2261 c. All governing board members elected by qualified  
 2262 electors shall be elected at large at an election occurring as  
 2263 provided in subsection (2) and this subsection.

2264 d. All governing board members elected by qualified  
2265 electors shall reside in the district.

2266 e. Once the district qualifies to have any of its board  
2267 members elected by the qualified electors of the district, the  
2268 initial and all subsequent elections by the qualified electors  
2269 of the district shall be held at the general election in  
2270 November. The board shall adopt a resolution, if necessary, to  
2271 implement this requirement. The transition process described  
2272 herein is intended to be in lieu of the process set forth in s.  
2273 189.041, Florida Statutes.

2274 (b) Elections of board members by qualified electors held  
2275 pursuant to this subsection shall be nonpartisan and shall be  
2276 conducted in the manner prescribed by law for holding general  
2277 elections. Board members shall assume the office on the second  
2278 Tuesday following their election.

2279 (c) Candidates seeking election to office by qualified  
2280 electors under this subsection shall conduct their campaigns in  
2281 accordance with the provisions of chapter 106, Florida Statutes,  
2282 and shall file qualifying papers and qualify for individual  
2283 seats in accordance with s. 99.061, Florida Statutes.

2284 (d) The supervisor of elections shall appoint the  
2285 inspectors and clerks of elections, prepare and furnish the  
2286 ballots, designate polling places, and canvass the returns of  
2287 the election of board members by qualified electors. The county

2288 canvassing board shall declare and certify the results of the  
 2289 election.

2290 (4) Members of the board, regardless of how elected, shall  
 2291 be public officers, shall be known as supervisors, and, upon  
 2292 entering into office, shall take and subscribe to the oath of  
 2293 office as prescribed by s. 876.05, Florida Statutes. Members of  
 2294 the board shall be subject to ethics and conflict of interest  
 2295 laws of the state that apply to all local public officers. They  
 2296 shall hold office for the terms for which they were elected or  
 2297 appointed and until their successors are chosen and qualified.  
 2298 If, during the term of office, a vacancy occurs, the remaining  
 2299 members of the board shall fill each vacancy by an appointment  
 2300 for the remainder of the unexpired term.

2301 (5) Any elected member of the board of supervisors may be  
 2302 removed by the Governor for malfeasance, misfeasance,  
 2303 dishonesty, incompetency, or failure to perform the duties  
 2304 imposed upon him or her by this act, and any vacancies that may  
 2305 occur in such office for such reasons shall be filled by the  
 2306 Governor as soon as practicable.

2307 (6) A majority of the members of the board constitutes a  
 2308 quorum for the purposes of conducting its business and  
 2309 exercising its powers and for all other purposes. Action taken  
 2310 by the district shall be upon a vote of a majority of the  
 2311 members present unless general law or a rule of the district  
 2312 requires a greater number.

2313       (7) As soon as practicable after each election or  
 2314 appointment, the board shall organize by electing one of its  
 2315 members as chair and by electing a secretary, who need not be a  
 2316 member of the board, and such other officers as the board may  
 2317 deem necessary.

2318       (8) The board shall keep a permanent record book entitled  
 2319 "Record of Proceedings of Clear Springs Stewardship District,"  
 2320 in which shall be recorded minutes of all meetings, resolutions,  
 2321 proceedings, certificates, bonds given by all employees, and any  
 2322 and all corporate acts. The record book and all other district  
 2323 records shall at reasonable times be opened to inspection in the  
 2324 same manner as state, county, and municipal records pursuant to  
 2325 chapter 119, Florida Statutes. The record book shall be kept at  
 2326 the office or other regular place of business maintained by the  
 2327 board in a designated location in the City of Bartow.

2328       (9) No supervisor shall be entitled to receive  
 2329 compensation for his or her services in excess of the limits  
 2330 established in s. 190.006(8), Florida Statutes, or any successor  
 2331 statute thereto; however, each supervisor shall receive travel  
 2332 and per diem expenses as set forth in s. 112.061, Florida  
 2333 Statutes.

2334       (10) All meetings of the board shall be open to the public  
 2335 and governed by the provisions of chapter 286, Florida Statutes.

2336       Section 6. Board of supervisors; general duties.-

2337       (1) DISTRICT MANAGER AND EMPLOYEES.—The board shall employ  
 2338 and fix the compensation of a district manager, who shall have  
 2339 charge and supervision of the works of the district and shall be  
 2340 responsible for preserving and maintaining any improvement or  
 2341 facility constructed or erected pursuant to the provisions of  
 2342 this act, for maintaining and operating the equipment owned by  
 2343 the district, and for performing such other duties as may be  
 2344 prescribed by the board. It shall not be a conflict of interest  
 2345 or constitute an abuse of public position under chapter 112,  
 2346 Florida Statutes, for a board member, the district manager, or  
 2347 another employee of the district to be a stockholder, officer,  
 2348 or employee of a landowner. The district manager may hire or  
 2349 otherwise employ and terminate the employment of such other  
 2350 persons, including, without limitation, professional,  
 2351 supervisory, and clerical employees, as may be necessary and  
 2352 authorized by the board. The compensation and other conditions  
 2353 of employment of the officers and employees of the district  
 2354 shall be as provided by the board.

2355       (2) TREASURER.—The board shall designate a person who is a  
 2356 resident of the state as treasurer of the district, who shall  
 2357 have charge of the funds of the district. Such funds shall be  
 2358 disbursed only upon the order of or pursuant to a resolution of  
 2359 the board by warrant or check countersigned by the treasurer and  
 2360 by such other person as may be authorized by the board. The  
 2361 board may give the treasurer such other or additional powers and

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2362 duties as the board may deem appropriate and may fix his or her  
2363 compensation. The board may require the treasurer to give a bond  
2364 in such amount, on such terms, and with such sureties as may be  
2365 deemed satisfactory to the board to secure the performance by  
2366 the treasurer of his or her powers and duties. The financial  
2367 records of the board shall be audited by an independent  
2368 certified public accountant in accordance with the requirements  
2369 of general law.

2370 (3) PUBLIC DEPOSITORY.—The board is authorized to select  
2371 as a depository for its funds any qualified public depository as  
2372 defined in s. 280.02, Florida Statutes, which meets all the  
2373 requirements of chapter 280, Florida Statutes, and has been  
2374 designated by the treasurer as a qualified public depository  
2375 upon such terms and conditions as to the payment of interest by  
2376 such depository upon the funds so deposited as the board may  
2377 deem just and reasonable.

2378 (4) BUDGET; REPORTS AND REVIEWS.—

2379 (a) The district shall provide financial reports in such  
2380 form and such manner as prescribed pursuant to this act and  
2381 chapter 218, Florida Statutes, as amended from time to time.

2382 (b) On or before July 15 of each year, the district  
2383 manager shall prepare a proposed budget for the ensuing fiscal  
2384 year to be submitted to the board for board approval. The  
2385 proposed budget shall include at the direction of the board an  
2386 estimate of all necessary expenditures of the district for the



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2387 ensuing fiscal year and an estimate of income to the district  
2388 from the taxes and assessments provided in this act. The board  
2389 shall consider the proposed budget item by item and may either  
2390 approve the budget as proposed by the district manager or modify  
2391 the same in part or in whole. The board shall indicate its  
2392 approval of the budget by resolution, which resolution shall  
2393 provide for a hearing on the budget as approved. Notice of the  
2394 hearing on the budget shall be published in a newspaper of  
2395 general circulation in the area of the district once a week for  
2396 two consecutive weeks, except that the first publication shall  
2397 be no fewer than 15 days prior to the date of the hearing. The  
2398 notice shall further contain a designation of the day, time, and  
2399 place of the public hearing. At the time and place designated in  
2400 the notice, the board shall hear all objections to the budget as  
2401 proposed and may make such changes as the board deems necessary.  
2402 At the conclusion of the budget hearing, the board shall, by  
2403 resolution, adopt the budget as finally approved by the board.  
2404 The budget shall be adopted prior to October 1 of each year.

2405 (c) At least 60 days prior to adoption, the board of  
2406 supervisors of the district shall submit to the City Commission  
2407 of the City of Bartow, for purposes of disclosure and  
2408 information only, the proposed annual budget for the ensuing  
2409 fiscal year, and the commission may submit written comments to  
2410 the board of supervisors solely for the assistance and

2411 information of the board of supervisors of the district in  
 2412 adopting its annual district budget.

2413 (d) The board of supervisors of the district shall submit  
 2414 annually a public facilities report to the City Commission of  
 2415 the City of Bartow pursuant to Florida Statutes. The commission  
 2416 may use and rely on the district's public facilities report in  
 2417 the preparation or revision of the City of Bartow comprehensive  
 2418 plan.

2419 (5) DISCLOSURE OF PUBLIC INFORMATION; WEB-BASED PUBLIC  
 2420 ACCESS.—The district shall take affirmative steps to provide for  
 2421 the full disclosure of information relating to the public  
 2422 financing and maintenance of improvements to real property  
 2423 undertaken by the district. Such information shall be made  
 2424 available to all existing residents and all prospective  
 2425 residents of the district. The district shall furnish each  
 2426 developer of a residential development within the district with  
 2427 sufficient copies of that information to provide each  
 2428 prospective initial purchaser of property in that development  
 2429 with a copy; and any developer of a residential development  
 2430 within the district, when required by law to provide a public  
 2431 offering statement, shall include a copy of such information  
 2432 relating to the public financing and maintenance of improvements  
 2433 in the public offering statement. The district shall file the  
 2434 disclosure documents required by this subsection and any  
 2435 amendments thereto in the property records of each county in

2436 which the district is located. By the end of the first full  
2437 fiscal year of the district's creation, the district shall  
2438 maintain an official Internet website in accordance with s.  
2439 189.069, Florida Statutes.

2440 (6) GENERAL POWERS.—The district shall have, and the board  
2441 may exercise, the following general powers:

2442 (a) To sue and be sued in the name of the district; to  
2443 adopt and use a seal and authorize the use of a facsimile  
2444 thereof; to acquire, by purchase, gift, devise, or otherwise,  
2445 and to dispose of, real and personal property, or any estate  
2446 therein; and to make and execute contracts and other instruments  
2447 necessary or convenient to the exercise of its powers.

2448 (b) To apply for coverage of its employees under the  
2449 Florida Retirement System in the same manner as if such  
2450 employees were state employees.

2451 (c) To contract for the services of consultants to perform  
2452 planning, engineering, legal, or other appropriate services of a  
2453 professional nature. Such contracts shall be subject to public  
2454 bidding or competitive negotiation requirements as set forth in  
2455 general law applicable to independent special districts.

2456 (d) To borrow money and accept gifts; to apply for and use  
2457 grants or loans of money or other property from the United  
2458 States, the state, a unit of local government, or any person for  
2459 any district purposes and enter into agreements required in  
2460 connection therewith; and to hold, use, and dispose of such

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2461 moneys or property for any district purposes in accordance with  
2462 the terms of the gift, grant, loan, or agreement relating  
2463 thereto.

2464 (e) To adopt and enforce rules and orders pursuant to the  
2465 provisions of chapter 120, Florida Statutes, prescribing the  
2466 powers, duties, and functions of the officers of the district;  
2467 the conduct of the business of the district; the maintenance of  
2468 records; and the form of certificates evidencing tax liens and  
2469 all other documents and records of the district. The board may  
2470 also adopt and enforce administrative rules with respect to any  
2471 of the projects of the district and define the area to be  
2472 included therein. The board may also adopt resolutions which may  
2473 be necessary for the conduct of district business.

2474 (f) To maintain an office at such place or places as the  
2475 board of supervisors designates in the City of Bartow, and  
2476 within the district when facilities are available.

2477 (g) To hold, control, and acquire by donation, purchase,  
2478 or condemnation, or dispose of, any public easements,  
2479 dedications to public use, platted reservations for public  
2480 purposes, or any reservations for those purposes authorized by  
2481 this act and to make use of such easements, dedications, or  
2482 reservations for the purposes authorized by this act.

2483 (h) To lease as lessor or lessee to or from any person,  
2484 firm, corporation, association, or body, public or private, any  
2485 projects of the type that the district is authorized to

2486 undertake and facilities or property of any nature for the use  
2487 of the district to carry out the purposes authorized by this  
2488 act.

2489 (i) To borrow money and issue bonds, certificates,  
2490 warrants, notes, or other evidence of indebtedness as provided  
2491 herein; to levy such taxes and assessments as may be authorized;  
2492 and to charge, collect, and enforce fees and other user charges.

2493 (j) To raise, by user charges or fees authorized by  
2494 resolution of the board, amounts of money which are necessary  
2495 for the conduct of district activities and services and to  
2496 enforce their receipt and collection in the manner prescribed by  
2497 resolution not inconsistent with law.

2498 (k) To exercise all powers of eminent domain now or  
2499 hereafter conferred on counties in this state provided, however,  
2500 that such power of eminent domain may not be exercised outside  
2501 the territorial limits of the district unless the district  
2502 receives prior approval by vote of a resolution of the governing  
2503 body of the county if the taking will occur in an unincorporated  
2504 area in that county, or the governing body of the city if the  
2505 taking will occur in an incorporated area. The district shall  
2506 not have the power to exercise eminent domain over municipal,  
2507 county, state, or federal property. The powers hereinabove  
2508 granted to the district shall be so construed to enable the  
2509 district to fulfill the objects and purposes of the district as  
2510 set forth in this act.

2511 (l) To cooperate with, or contract with, other  
2512 governmental agencies as may be necessary, convenient,  
2513 incidental, or proper in connection with any of the powers,  
2514 duties, or purposes authorized by this act.

2515 (m) To assess and to impose upon lands in the district ad  
2516 valorem taxes as provided by this act.

2517 (n) If and when authorized by general law, to determine,  
2518 order, levy, impose, collect, and enforce maintenance taxes.

2519 (o) To determine, order, levy, impose, collect, and  
2520 enforce assessments pursuant to this act and chapter 170,  
2521 Florida Statutes, as amended from time to time, pursuant to  
2522 authority granted in s. 197.3631, Florida Statutes, or pursuant  
2523 to other provisions of general law now or hereinafter enacted  
2524 which provide or authorize a supplemental means to order, levy,  
2525 impose, or collect special assessments. Such special  
2526 assessments, in the discretion of the district, may be collected  
2527 and enforced pursuant to the provisions of ss. 197.3632 and  
2528 197.3635, Florida Statutes, and chapters 170 and 173, Florida  
2529 Statutes, as they may be amended from time to time, or as  
2530 provided by this act, or by other means authorized by general  
2531 law now or hereinafter enacted. The district may levy such  
2532 special assessments for the purposes enumerated in this act and  
2533 to pay special assessments imposed by the City of Bartow on  
2534 lands within the district.

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2535 (p) To exercise such special powers and other express  
2536 powers as may be authorized and granted by this act in the  
2537 charter of the district, including powers as provided in any  
2538 interlocal agreement entered into pursuant to chapter 163,  
2539 Florida Statutes, or which shall be required or permitted to be  
2540 undertaken by the district pursuant to any development order,  
2541 including any detailed specific area plan development order, or  
2542 any interlocal service agreement with the City of Bartow or  
2543 other unit of government for fair- share capital construction  
2544 funding for any certain capital facilities or systems required  
2545 of a developer pursuant to any applicable development order or  
2546 agreement.

2547 (q) To exercise all of the powers necessary, convenient,  
2548 incidental, or proper in connection with any other powers or  
2549 duties or the special and limited purpose of the district  
2550 authorized by this act.

2551  
2552 The provisions of this subsection shall be construed liberally  
2553 in order to carry out effectively the special and limited  
2554 purpose of this act.

2555 (7) SPECIAL POWERS.—The district shall have, and the board  
2556 may exercise, the following special powers to implement its  
2557 lawful and special purpose and to provide, pursuant to that  
2558 purpose, systems, facilities, services, improvements, projects,  
2559 works, and infrastructure, each of which constitutes a lawful

2560 public purpose when exercised pursuant to this charter, subject  
2561 to, and not inconsistent with, general law regarding utility  
2562 providers' territorial and service agreements, the regulatory  
2563 jurisdiction and permitting authority of all other applicable  
2564 governmental bodies, agencies, and any special districts having  
2565 authority with respect to any area included therein, and to  
2566 plan, establish, acquire, construct or reconstruct, enlarge or  
2567 extend, equip, operate, finance, fund, and maintain  
2568 improvements, systems, facilities, services, works, projects,  
2569 and infrastructure. Any or all of the following special powers  
2570 are granted by this act in order to implement the special and  
2571 limited purpose of the district but do not constitute  
2572 obligations to undertake such improvements, systems, facilities,  
2573 services, works, projects or infrastructure:

2574 (a) To provide water management and control for the lands  
2575 within the district, including irrigation systems and  
2576 facilities, and to connect some or any of such facilities with  
2577 roads and bridges. In the event that the board assumes the  
2578 responsibility for providing water management and control for  
2579 the district which is to be financed by benefit special  
2580 assessments, the board shall adopt plans and assessments  
2581 pursuant to law or may proceed to adopt water management and  
2582 control plans, assess for benefits, and apportion and levy  
2583 special assessments, as follows:



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2584       1. The board shall cause to be made by the district's  
2585 engineer, or such other engineer or engineers as the board may  
2586 employ for that purpose, complete and comprehensive water  
2587 management and control plans for the lands located within the  
2588 district that will be improved in any part or in whole by any  
2589 system of facilities that may be outlined and adopted, and the  
2590 engineer shall make a report in writing to the board with maps  
2591 and profiles of said surveys and an estimate of the cost of  
2592 carrying out and completing the plans.

2593       2. Upon the completion of such plans, the board shall hold  
2594 a hearing thereon to hear objections thereto, shall give notice  
2595 of the time and place fixed for such hearing by publication once  
2596 each week for 2 consecutive weeks in a newspaper of general  
2597 circulation in the general area of the district, and shall  
2598 permit the inspection of the plan at the office of the district  
2599 by all persons interested. All objections to the plan shall be  
2600 filed at or before the time fixed in the notice for the hearing  
2601 and shall be in writing.

2602       3. After the hearing, the board shall consider the  
2603 proposed plan and any objections thereto and may modify, reject,  
2604 or adopt the plan or continue the hearing until a day certain  
2605 for further consideration of the proposed plan or modifications  
2606 thereof.

2607       4. When the board approves a plan, a resolution shall be  
2608 adopted and a certified copy thereof shall be filed in the

2609 office of the secretary and incorporated by him or her into the  
2610 records of the district.

2611 5. The water management and control plan may be altered in  
2612 detail from time to time until the engineer's report pursuant to  
2613 s. 298.301, Florida Statutes, is filed but not in such manner as  
2614 to affect materially the conditions of its adoption. After the  
2615 engineer's report has been filed, no alteration of the plan  
2616 shall be made, except as provided by this act.

2617 6. Within 20 days after the final adoption of the plan by  
2618 the board, the board shall proceed pursuant to s. 298.301,  
2619 Florida Statutes.

2620 (b) To provide water supply, sewer, wastewater, and  
2621 reclaimed water management, reclamation, and reuse, or any  
2622 combination thereof, and any irrigation systems, facilities, and  
2623 services and to construct and operate water systems, sewer  
2624 systems, irrigation systems, and reclaimed water systems such as  
2625 connecting intercepting or outlet sewers and sewer mains and  
2626 pipes and water mains, conduits, or pipelines in, along, and  
2627 under any street, alley, highway, or other public place or ways,  
2628 and to dispose of any water, effluent, residue, or other  
2629 byproducts of such water system, sewer system, irrigation system  
2630 or reclaimed water system and to enter into interlocal  
2631 agreements and other agreements with public or private entities  
2632 for the same.

2633 (c) To provide bridges, culverts, wildlife corridors, or  
 2634 road crossings that may be needed across any drain, ditch,  
 2635 canal, floodway, holding basin, excavation, public highway,  
 2636 tract, grade, fill, or cut and roadways over levees and  
 2637 embankments, and to construct any and all of such works and  
 2638 improvements across, through, or over any public right-of way,  
 2639 highway, grade, fill, or cut.

2640 (d) To provide district or other roads equal to or  
 2641 exceeding the specifications of the county in which such  
 2642 district or other roads are located, and to provide street  
 2643 lights. This special power includes, but is not limited to,  
 2644 roads, parkways, intersections, bridges, landscaping,  
 2645 hardscaping, irrigation, bicycle lanes, sidewalks, jogging  
 2646 paths, multiuse pathways and trails, street lighting, traffic  
 2647 signals, regulatory or informational signage, road striping,  
 2648 underground conduit, underground cable or fiber or wire  
 2649 installed pursuant to an agreement with or tariff of a retail  
 2650 provider of services, and all other customary elements of a  
 2651 functioning modern road system in general or as tied to the  
 2652 conditions of development approval for the area within and  
 2653 without the district, and parking facilities that are  
 2654 freestanding or that may be related to any innovative strategic  
 2655 intermodal system of transportation pursuant to applicable  
 2656 federal, state, and local law and ordinance.

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2657 (e) To provide buses, trolleys, rail access, mass transit  
2658 facilities, transit shelters, ridesharing facilities and  
2659 services, parking improvements, and related signage.

2660 (f) To provide investigation and remediation costs  
2661 associated with the cleanup of actual or perceived environmental  
2662 contamination within the district under the supervision or  
2663 direction of a competent governmental authority unless the  
2664 covered costs benefit any person who is a landowner within the  
2665 district and who caused or contributed to the contamination.

2666 (g) To provide observation areas, mitigation areas,  
2667 wetland creation areas, and wildlife habitat, including the  
2668 maintenance of any plant or animal species, and any related  
2669 interest in real or personal property.

2670 (h) Using its general and special powers as set forth in  
2671 this act, to provide any other project within or without the  
2672 boundaries of the district when the project is the subject of an  
2673 agreement between the district and the City Commission of the  
2674 City of Bartow or with any other applicable public or private  
2675 entity, and is not inconsistent with the effective local  
2676 comprehensive plans.

2677 (i) To provide parks and facilities for indoor and outdoor  
2678 recreational, cultural, and educational uses.

2679 (j) To provide school buildings and related structures,  
2680 which may be leased, sold, or donated to the school district,

2681 for use in the educational system when authorized by the  
2682 district school board.

2683 (k) To provide security, including electronic intrusion-  
2684 detection systems and patrol cars, when authorized by proper  
2685 governmental agencies, and may contract with the appropriate  
2686 local general-purpose government agencies for an increased level  
2687 of such services within the district boundaries. However, this  
2688 paragraph does not prohibit the district from contracting with a  
2689 towing operator to remove a vehicle or vessel from a district-  
2690 owned facility or property if the district follows the  
2691 authorization and notice and procedural requirements in s.  
2692 715.07 for an owner or lessee of private property. The  
2693 district's selection of a towing operator is not subject to  
2694 public bidding if the towing operator is included in an approved  
2695 list of town operators maintained by the local government that  
2696 has jurisdiction over the district's facility or property.

2697 (l) To provide control and elimination of mosquitoes and  
2698 other arthropods of public health importance.

2699 (m) To enter into impact fee, mobility fee, or other  
2700 similar credit agreements with the City of Bartow or other  
2701 governmental bodies or a landowner developer and to sell or  
2702 assign such credits, on such terms as the district deems  
2703 appropriate.

2704 (n) To provide buildings and structures for district  
2705 offices, maintenance facilities, meeting facilities, town

2706 centers, stadiums or any other project authorized or granted by  
2707 this act.

2708 (o) To establish and create, at noticed meetings, such  
2709 departments of the board of supervisors of the district, as well  
2710 as committees, task forces, boards, or commissions, or other  
2711 agencies under the supervision and control of the district, as  
2712 from time to time the members of the board may deem necessary or  
2713 desirable in the performance of the acts or other things  
2714 necessary to exercise the board's general or special powers to  
2715 implement an innovative project to carry out the special and  
2716 limited purpose of the district as provided in this act and to  
2717 delegate the exercise of its powers to such departments, boards,  
2718 task forces, committees, or other agencies, and such  
2719 administrative duties and other powers as the board may deem  
2720 necessary or desirable, but only if there is a set of expressed  
2721 limitations for accountability, notice, and periodic written  
2722 reporting to the board that shall retain the powers of the  
2723 board.

2724 (p) To provide electrical, sustainable, or green  
2725 infrastructure improvements, facilities, and services,  
2726 including, but not limited to, recycling of natural resources,  
2727 reduction of energy demands, development and generation of  
2728 alternative or renewable energy sources and technologies,  
2729 mitigation of urban heat islands, sequestration, capping or  
2730 trading of carbon emissions or carbon emissions credits, LEED or

2731 Florida Green Building Coalition certification, and development  
 2732 of facilities and improvements for low-impact development and to  
 2733 enter into joint ventures, public-private partnerships, and  
 2734 other agreements and to grant such easements as may be necessary  
 2735 to accomplish the foregoing. Nothing herein shall authorize the  
 2736 district to provide electric service to retail customers or  
 2737 otherwise act to impair electric utility franchise agreements.

2738 (q) To provide for any facilities or improvements that may  
 2739 otherwise be provided for by any county or municipality,  
 2740 including, but not limited to, libraries, annexes, substations,  
 2741 and other buildings to house public officials, staff, and  
 2742 employees.

2743 (r) To provide waste collection and disposal.

2744 (s) To provide for the construction and operation of  
 2745 communications systems and related infrastructure for the  
 2746 carriage and distribution of communications services, and to  
 2747 enter into joint ventures, public-private partnerships, and  
 2748 other agreements and to grant such easements as may be necessary  
 2749 to accomplish the foregoing. Communications systems shall mean  
 2750 all facilities, buildings, equipment, items, and methods  
 2751 necessary or desirable in order to provide communications  
 2752 services, including, without limitation, wires, cables,  
 2753 conduits, wireless cell sites, computers, modems, satellite  
 2754 antennae sites, transmission facilities, network facilities, and  
 2755 appurtenant devices necessary and appropriate to support the

2756 provision of communications services. Communications services  
2757 includes, without limitation, internet, voice telephone or  
2758 similar services provided by voice over internet protocol, cable  
2759 television, data transmission services, electronic security  
2760 monitoring services, and multi-channel video programming  
2761 distribution services. Nothing herein shall authorize the  
2762 district to provide communications services to retail customers  
2763 or otherwise act to impair existing service provider franchise  
2764 agreements, though the district may contract with such providers  
2765 for resale purposes.

2766 (t) To provide health care facilities and to enter into  
2767 public-private partnerships and agreements as may be necessary  
2768 to accomplish the foregoing.

2769 (u) To coordinate, work with, and, as the board deems  
2770 appropriate, enter into interlocal agreements with any public or  
2771 private entity for the provision of an institution or  
2772 institutions of higher education.

2773 (v) To coordinate, work with, and as the board deems  
2774 appropriate, enter into public-private partnerships and  
2775 agreements as may be necessary or useful to effectuate the  
2776 purposes of this act.

2777  
2778 The enumeration of special powers herein shall not be deemed  
2779 exclusive or restrictive but shall be deemed to incorporate all  
2780 powers express or implied necessary or incident to carrying out



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2781 such enumerated special powers, including also the general  
2782 powers provided by this special act charter to the district to  
2783 implement its purposes. Further, the provisions of this  
2784 subsection shall be construed liberally in order to carry out  
2785 effectively the special and limited purpose of this district  
2786 under this act.

2787 (8) ISSUANCE OF BOND ANTICIPATION NOTES.—In addition to  
2788 the other powers provided for in this act, and not in limitation  
2789 thereof, the district shall have the power, at any time and from  
2790 time to time after the issuance of any bonds of the district  
2791 shall have been authorized, to borrow money for the purposes for  
2792 which such bonds are to be issued in anticipation of the receipt  
2793 of the proceeds of the sale of such bonds and to issue bond  
2794 anticipation notes in a principal sum not in excess of the  
2795 authorized maximum amount of such bond issue. Such notes shall  
2796 be in such denomination or denominations, bear interest at such  
2797 rate as the board may determine not to exceed the maximum rate  
2798 allowed by general law, mature at such time or times not later  
2799 than 5 years from the date of issuance, and be in such form and  
2800 executed in such manner as the board shall prescribe. Such notes  
2801 may be sold at either public or private sale or, if such notes  
2802 shall be renewal notes, may be exchanged for notes then  
2803 outstanding on such terms as the board shall determine. Such  
2804 notes shall be paid from the proceeds of such bonds when issued.  
2805 The board may, in its discretion, in lieu of retiring the notes

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2806 by means of bonds, retire them by means of current revenues or  
2807 from any taxes or assessments levied for the payment of such  
2808 bonds, but, in such event, a like amount of the bonds authorized  
2809 shall not be issued.

2810 (9) BORROWING.—The district at any time may obtain loans,  
2811 in such amount and on such terms and conditions as the board may  
2812 approve, for the purpose of paying any of the expenses of the  
2813 district or any costs incurred or that may be incurred in  
2814 connection with any of the projects of the district, which loans  
2815 shall bear interest as the board determines, not to exceed the  
2816 maximum rate allowed by general law, and may be payable from and  
2817 secured by a pledge of such funds, revenues, taxes, and  
2818 assessments as the board may determine, subject, however, to the  
2819 provisions contained in any proceeding under which bonds were  
2820 theretofore issued and are then outstanding. For the purpose of  
2821 defraying such costs and expenses, the district may issue  
2822 negotiable notes, warrants, or other evidences of debt to be  
2823 payable at such times and to bear such interest as the board may  
2824 determine, not to exceed the maximum rate allowed by general  
2825 law, and to be sold or discounted at such price or prices not  
2826 less than 95 percent of par value and on such terms as the board  
2827 may deem advisable. The board shall have the right to provide  
2828 for the payment thereof by pledging the whole or any part of the  
2829 funds, revenues, taxes, and assessments of the district or by  
2830 covenanting to budget and appropriate from such funds. The

2831 approval of the electors residing in the district shall not be  
 2832 necessary except when required by the State Constitution.

2833 (10) BONDS.—

2834 (a) Sale of bonds.—Bonds may be sold in blocks or  
 2835 installments at different times, or an entire issue or series  
 2836 may be sold at one time. Bonds may be sold at public or private  
 2837 sale after such advertisement, if any, as the board may deem  
 2838 advisable, but not in any event at less than 90 percent of the  
 2839 par value thereof, together with accrued interest thereon. Bonds  
 2840 may be sold or exchanged for refunding bonds. Special assessment  
 2841 and revenue bonds may be delivered by the district as payment of  
 2842 the purchase price of any project or part thereof, or a  
 2843 combination of projects or parts thereof, or as the purchase  
 2844 price or exchange for any property, real, personal, or mixed,  
 2845 including franchises or services rendered by any contractor,  
 2846 engineer, or other person, all at one time or in blocks from  
 2847 time to time, in such manner and upon such terms as the board in  
 2848 its discretion shall determine. The price or prices for any  
 2849 bonds sold, exchanged, or delivered may be:

2850 1. The money paid for the bonds.

2851 2. The principal amount, plus accrued interest to the date  
 2852 of redemption or exchange, or outstanding obligations exchanged  
 2853 for refunding bonds.

2854 3. In the case of special assessment or revenue bonds, the  
 2855 amount of any indebtedness to contractors or other persons paid

2856 with such bonds, or the fair value of any properties exchanged  
2857 for the bonds, as determined by the board.

2858 (b) Authorization and form of bonds.—Any general  
2859 obligation bonds, special assessment bonds, or revenue bonds may  
2860 be authorized by resolution or resolutions of the board which  
2861 shall be adopted by a majority of all the members thereof then  
2862 in office. Such resolution or resolutions may be adopted at the  
2863 same meeting at which they are introduced and need not be  
2864 published or posted. The board may, by resolution, authorize the  
2865 issuance of bonds and fix the aggregate amount of bonds to be  
2866 issued; the purpose or purposes for which the moneys derived  
2867 therefrom shall be expended, including, but not limited to,  
2868 payment of costs as defined in section 2(2)(i); the rate or  
2869 rates of interest, not to exceed the maximum rate allowed by  
2870 general law; the denomination of the bonds; whether or not the  
2871 bonds are to be issued in one or more series; the date or dates  
2872 of maturity, which shall not exceed 40 years from their  
2873 respective dates of issuance; the medium of payment; the place  
2874 or places within or without the state at which payment shall be  
2875 made; registration privileges; redemption terms and privileges,  
2876 whether with or without premium; the manner of execution; the  
2877 form of the bonds, including any interest coupons to be attached  
2878 thereto; the manner of execution of bonds and coupons; and any  
2879 and all other terms, covenants, and conditions thereof and the  
2880 establishment of revenue or other funds. Such authorizing

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2881 resolution or resolutions may further provide for the contracts  
2882 authorized by s. 159.825(1) (f) and (g), Florida Statutes,  
2883 regardless of the tax treatment of such bonds being authorized,  
2884 subject to the finding by the board of a net saving to the  
2885 district resulting by reason thereof. Such authorizing  
2886 resolution may further provide that such bonds may be executed  
2887 in accordance with the Registered Public Obligations Act, except  
2888 that bonds not issued in registered form shall be valid if  
2889 manually countersigned by an officer designated by appropriate  
2890 resolution of the board. The seal of the district may be  
2891 affixed, lithographed, engraved, or otherwise reproduced in  
2892 facsimile on such bonds. In case any officer whose signature  
2893 shall appear on any bonds or coupons shall cease to be such  
2894 officer before the delivery of such bonds, such signature or  
2895 facsimile shall nevertheless be valid and sufficient for all  
2896 purposes the same as if he or she had remained in office until  
2897 such delivery.

2898 (c) Interim certificates; replacement certificates.-  
2899 Pending the preparation of definitive bonds, the board may issue  
2900 interim certificates or receipts or temporary bonds, in such  
2901 form and with such provisions as the board may determine,  
2902 exchangeable for definitive bonds when such bonds have been  
2903 executed and are available for delivery. The board may also  
2904 provide for the replacement of any bonds which become mutilated,  
2905 lost, or destroyed.

2906        (d) Negotiability of bonds.—Any bond issued under this act  
 2907 or any temporary bond, in the absence of an express recital on  
 2908 the face thereof that it is nonnegotiable, shall be fully  
 2909 negotiable and shall be and constitute a negotiable instrument  
 2910 within the meaning and for all purposes of the law merchant and  
 2911 the laws of the state.

2912        (e) Defeasance.—The board may make such provision with  
 2913 respect to the defeasance of the right, title, and interest of  
 2914 the holders of any of the bonds and obligations of the district  
 2915 in any revenues, funds, or other properties by which such bonds  
 2916 are secured as the board deems appropriate and, without  
 2917 limitation on the foregoing, may provide that when such bonds or  
 2918 obligations become due and payable or shall have been called for  
 2919 redemption and the whole amount of the principal and interest  
 2920 and premium, if any, due and payable upon the bonds or  
 2921 obligations then outstanding shall be held in trust for such  
 2922 purpose, and provision shall also be made for paying all other  
 2923 sums payable in connection with such bonds or other obligations,  
 2924 then and in such event the right, title, and interest of the  
 2925 holders of the bonds in any revenues, funds, or other properties  
 2926 by which such bonds are secured shall thereupon cease,  
 2927 terminate, and become void; and the board may apply any surplus  
 2928 in any sinking fund established in connection with such bonds or  
 2929 obligations and all balances remaining in all other funds or  
 2930 accounts other than moneys held for the redemption or payment of

2931 the bonds or other obligations to any lawful purpose of the  
 2932 district as the board shall determine.

2933 (f) Issuance of additional bonds.—If the proceeds of any  
 2934 bonds are less than the cost of completing the project in  
 2935 connection with which such bonds were issued, the board may  
 2936 authorize the issuance of additional bonds, upon such terms and  
 2937 conditions as the board may provide in the resolution  
 2938 authorizing the issuance thereof, but only in compliance with  
 2939 the resolution or other proceedings authorizing the issuance of  
 2940 the original bonds.

2941 (g) Refunding bonds.—The district shall have the power to  
 2942 issue bonds to provide for the retirement or refunding of any  
 2943 bonds or obligations of the district that at the time of such  
 2944 issuance are or subsequent thereto become due and payable, or  
 2945 that at the time of issuance have been called or are, or will  
 2946 be, subject to call for redemption within 10 years thereafter,  
 2947 or the surrender of which can be procured from the holders  
 2948 thereof at prices satisfactory to the board. Refunding bonds may  
 2949 be issued at any time that in the judgment of the board such  
 2950 issuance will be advantageous to the district. No approval of  
 2951 the qualified electors residing in the district shall be  
 2952 required for the issuance of refunding bonds except in cases in  
 2953 which such approval is required by the State Constitution. The  
 2954 board may by resolution confer upon the holders of such  
 2955 refunding bonds all rights, powers, and remedies to which the

2956 holders would be entitled if they continued to be the owners and  
2957 had possession of the bonds for the refinancing of which such  
2958 refunding bonds are issued, including, but not limited to, the  
2959 preservation of the lien of such bonds on the revenues of any  
2960 project or on pledged funds, without extinguishment, impairment,  
2961 or diminution thereof. The provisions of this act pertaining to  
2962 bonds of the district shall, unless the context otherwise  
2963 requires, govern the issuance of refunding bonds, the form and  
2964 other details thereof, the rights of the holders thereof, and  
2965 the duties of the board with respect to them.

2966 (h) Revenue bonds.—

2967 1. The district shall have the power to issue revenue  
2968 bonds from time to time without limitation as to amount. Such  
2969 revenue bonds may be secured by, or payable from, the gross or  
2970 net pledge of the revenues to be derived from any project or  
2971 combination of projects; from the rates, fees, or other charges  
2972 to be collected from the users of any project or projects; from  
2973 any revenue-producing undertaking or activity of the district;  
2974 from special assessments; or from benefit special assessments;  
2975 or from any other source or pledged security. Such bonds shall  
2976 not constitute an indebtedness of the district, and the approval  
2977 of the qualified electors shall not be required unless such  
2978 bonds are additionally secured by the full faith and credit and  
2979 taxing power of the district.



2980           2. Any two or more projects may be combined and  
 2981 consolidated into a single project and may hereafter be operated  
 2982 and maintained as a single project. The revenue bonds authorized  
 2983 herein may be issued to finance any one or more of such  
 2984 projects, regardless of whether or not such projects have been  
 2985 combined and consolidated into a single project. If the board  
 2986 deems it advisable, the proceedings authorizing such revenue  
 2987 bonds may provide that the district may thereafter combine the  
 2988 projects then being financed or theretofore financed with other  
 2989 projects to be subsequently financed by the district and that  
 2990 revenue bonds to be thereafter issued by the district shall be  
 2991 on parity with the revenue bonds then being issued, all on such  
 2992 terms, conditions, and limitations as shall have been provided  
 2993 in the proceeding which authorized the original bonds.

2994           (i) General obligation bonds.-

2995           1. Subject to the limitations of this charter, the  
 2996 district shall have the power from time to time to issue general  
 2997 obligation bonds to finance or refinance capital projects or to  
 2998 refund outstanding bonds in an aggregate principal amount of  
 2999 bonds outstanding at any one time not in excess of 35 percent of  
 3000 the assessed value of the taxable property within the district  
 3001 as shown on the pertinent tax records at the time of the  
 3002 authorization of the general obligation bonds for which the full  
 3003 faith and credit of the district is pledged. Except for  
 3004 refunding bonds, no general obligation bonds shall be issued

3005 unless the bonds are issued to finance or refinance a capital  
 3006 project and the issuance has been approved at an election held  
 3007 in accordance with the requirements for such election as  
 3008 prescribed by the State Constitution. Such elections shall be  
 3009 called to be held in the district by the Polk County Supervisor  
 3010 of Elections upon the request of the board of the district. The  
 3011 expenses of calling and holding an election shall be at the  
 3012 expense of the district and the district shall reimburse the  
 3013 county for any expenses incurred in calling or holding such  
 3014 election.

3015 2. The district may pledge its full faith and credit for  
 3016 the payment of the principal and interest on such general  
 3017 obligation bonds and for any reserve funds provided therefor and  
 3018 may unconditionally and irrevocably pledge itself to levy ad  
 3019 valorem taxes on all taxable property in the district, to the  
 3020 extent necessary for the payment thereof, without limitation as  
 3021 to rate or amount.

3022 3. If the board determines to issue general obligation  
 3023 bonds for more than one capital project, the approval of the  
 3024 issuance of the bonds for each and all such projects may be  
 3025 submitted to the electors on one and the same ballot. The  
 3026 failure of the electors to approve the issuance of bonds for any  
 3027 one or more capital projects shall not defeat the approval of  
 3028 bonds for any capital project which has been approved by the  
 3029 electors.

3030 4. In arriving at the amount of general obligation bonds  
 3031 permitted to be outstanding at any one time pursuant to  
 3032 subparagraph 1., there shall not be included any general  
 3033 obligation bonds that are additionally secured by the pledge of:  
 3034 a. Any assessments levied in an amount sufficient to pay  
 3035 the principal and interest on the general obligation bonds so  
 3036 additionally secured, which assessments have been equalized and  
 3037 confirmed by resolution of the board pursuant to this act or s.  
 3038 170.08, Florida Statutes.  
 3039 b. Water revenues, sewer revenues, or water and sewer  
 3040 revenues of the district to be derived from user fees in an  
 3041 amount sufficient to pay the principal and interest on the  
 3042 general obligation bonds so additionally secured.  
 3043 c. Any combination of assessments and revenues described  
 3044 in sub-subparagraphs a. and b.  
 3045 (j) Bonds as legal investment or security.-  
 3046 1. Notwithstanding any provisions of any other law to the  
 3047 contrary, all bonds issued under the provisions of this act  
 3048 shall constitute legal investments for savings banks, banks,  
 3049 trust companies, insurance companies, executors, administrators,  
 3050 trustees, guardians, and other fiduciaries and for any board,  
 3051 body, agency, instrumentality, county, municipality, or other  
 3052 political subdivision of the state and shall be and constitute  
 3053 security which may be deposited by banks or trust companies as  
 3054 security for deposits of state, county, municipal, or other

3055 public funds or by insurance companies as required or voluntary  
 3056 statutory deposits.

3057 2. Any bonds issued by the district shall be incontestable  
 3058 in the hands of bona fide purchasers or holders for value and  
 3059 shall not be invalid because of any irregularity or defect in  
 3060 the proceedings for the issue and sale thereof.

3061 (k) Covenants.—Any resolution authorizing the issuance of  
 3062 bonds may contain such covenants as the board may deem  
 3063 advisable, and all such covenants shall constitute valid and  
 3064 legally binding and enforceable contracts between the district  
 3065 and the bondholders, regardless of the time of issuance thereof.  
 3066 Such covenants may include, without limitation, covenants  
 3067 concerning the disposition of the bond proceeds; the use and  
 3068 disposition of project revenues; the pledging of revenues,  
 3069 taxes, and assessments; the obligations of the district with  
 3070 respect to the operation of the project and the maintenance of  
 3071 adequate project revenues; the issuance of additional bonds; the  
 3072 appointment, powers, and duties of trustees and receivers; the  
 3073 acquisition of outstanding bonds and obligations; restrictions  
 3074 on the establishing of competing projects or facilities;  
 3075 restrictions on the sale or disposal of the assets and property  
 3076 of the district; the priority of assessment liens; the priority  
 3077 of claims by bondholders on the taxing power of the district;  
 3078 the maintenance of deposits to ensure the payment of revenues by  
 3079 users of district facilities and services; the discontinuance of

3080 district services by reason of delinquent payments; acceleration  
 3081 upon default; the execution of necessary instruments; the  
 3082 procedure for amending or abrogating covenants with the  
 3083 bondholders; and such other covenants as may be deemed necessary  
 3084 or desirable for the security of the bondholders.

3085 (l) Validation proceedings.—The power of the district to  
 3086 issue bonds under the provisions of this act may be determined,  
 3087 and any of the bonds of the district maturing over a period of  
 3088 more than 5 years shall be validated and confirmed, by court  
 3089 decree, under the provisions of chapter 75, Florida Statutes,  
 3090 and laws amendatory thereof or supplementary thereto.

3091 (m) Tax exemption.—To the extent allowed by general law,  
 3092 all bonds issued hereunder and interest paid thereon and all  
 3093 fees, charges, and other revenues derived by the district from  
 3094 the projects provided by this act are exempt from all taxes by  
 3095 the state or by any political subdivision, agency, or  
 3096 instrumentality thereof; however, any interest, income, or  
 3097 profits on debt obligations issued hereunder are not exempt from  
 3098 the tax imposed by chapter 220, Florida Statutes. Further, the  
 3099 district is not exempt from the provisions of chapter 212,  
 3100 Florida Statutes.

3101 (n) Application of s. 189.051, Florida Statutes.—Bonds  
 3102 issued by the district shall meet the criteria set forth in s.  
 3103 189.051, Florida Statutes.

3104 (o) Act furnishes full authority for issuance of bonds.-  
 3105 This act constitutes full and complete authority for the  
 3106 issuance of bonds and the exercise of the powers of the district  
 3107 provided herein. No procedures or proceedings, publications,  
 3108 notices, consents, approvals, orders, acts, or things by the  
 3109 board, or any board, officer, commission, department, agency, or  
 3110 instrumentality of the district, other than those required by  
 3111 this act, shall be required to perform anything under this act,  
 3112 except that the issuance or sale of bonds pursuant to the  
 3113 provisions of this act shall comply with the general law  
 3114 requirements applicable to the issuance or sale of bonds by the  
 3115 district. Nothing in this act shall be construed to authorize  
 3116 the district to utilize bond proceeds to fund the ongoing  
 3117 operations of the district.

3118 (p) Pledge by the state to the bondholders of the  
 3119 district.-The state pledges to the holders of any bonds issued  
 3120 under this act that it will not limit or alter the rights of the  
 3121 district to own, acquire, construct, reconstruct, improve,  
 3122 maintain, operate, or furnish the projects or to levy and  
 3123 collect the taxes, assessments, rentals, rates, fees, and other  
 3124 charges provided for herein and to fulfill the terms of any  
 3125 agreement made with the holders of such bonds or other  
 3126 obligations and that it will not in any way impair the rights or  
 3127 remedies of such holders.

3128        (g) Default.—A default on the bonds or obligations of a  
3129 district shall not constitute a debt or obligation of the state  
3130 or any general-purpose local government or the state. In the  
3131 event of a default or dissolution of the district, no local  
3132 general-purpose government shall be required to assume the  
3133 property of the district, the debts of the district, or the  
3134 district's obligations to complete any infrastructure  
3135 improvements or provide any services to the district. The  
3136 provisions of s. 189.076(2), Florida Statutes, shall not apply  
3137 to the district.

3138        (11) TRUST AGREEMENTS.—Any issue of bonds shall be secured  
3139 by a trust agreement or resolution by and between the district  
3140 and a corporate trustee or trustees, which may be any trust  
3141 company or bank having the powers of a trust company within or  
3142 without the state. The resolution authorizing the issuance of  
3143 the bonds or such trust agreement may pledge the revenues to be  
3144 received from any projects of the district and may contain such  
3145 provisions for protecting and enforcing the rights and remedies  
3146 of the bondholders as the board may approve, including, without  
3147 limitation, covenants setting forth the duties of the district  
3148 in relation to: the acquisition, construction, reconstruction,  
3149 improvement, maintenance, repair, operation, and insurance of  
3150 any projects; the fixing and revising of the rates, fees, and  
3151 charges; and the custody, safeguarding, and application of all  
3152 moneys and for the employment of consulting engineers in

3153 connection with such acquisition, construction, reconstruction,  
 3154 improvement, maintenance, repair, or operation. It shall be  
 3155 lawful for any bank or trust company within or without the state  
 3156 which may act as a depository of the proceeds of bonds or of  
 3157 revenues to furnish such indemnifying bonds or to pledge such  
 3158 securities as may be required by the district. Such resolution  
 3159 or trust agreement may set forth the rights and remedies of the  
 3160 bondholders and of the trustee, if any, and may restrict the  
 3161 individual right of action by bondholders. The board may provide  
 3162 for the payment of proceeds of the sale of the bonds and the  
 3163 revenues of any project to such officer, board, or depository as  
 3164 it may designate for the custody thereof and may provide for the  
 3165 method of disbursement thereof with such safeguards and  
 3166 restrictions as it may determine. All expenses incurred in  
 3167 carrying out the provisions of such resolution or trust  
 3168 agreement may be treated as part of the cost of operation of the  
 3169 project to which such trust agreement pertains.

3170 (12) AD VALOREM TAXES; ASSESSMENTS, BENEFIT SPECIAL  
 3171 ASSESSMENTS, MAINTENANCE SPECIAL ASSESSMENTS, AND SPECIAL  
 3172 ASSESSMENTS; MAINTENANCE TAXES.-

3173 (a) Ad valorem taxes.-At such time as all members of the  
 3174 board are qualified electors who are elected by qualified  
 3175 electors of the district, the board shall have the power to levy  
 3176 and assess an ad valorem tax on all the taxable property in the  
 3177 district to construct, operate, and maintain assessable



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3178 improvements; to pay the principal of, and interest on, any  
3179 general obligation bonds of the district; and to provide for any  
3180 sinking or other funds established in connection with any such  
3181 bonds. An ad valorem tax levied by the board for operating  
3182 purposes, exclusive of debt service on bonds, shall not exceed 3  
3183 mills. The ad valorem tax provided for herein shall be in  
3184 addition to county and all other ad valorem taxes provided for  
3185 by law. Such tax shall be assessed, levied, and collected in the  
3186 same manner and at the same time as county taxes. The levy of ad  
3187 valorem taxes must be approved by referendum as required by  
3188 Section 9 of Article VII of the State Constitution.

3189 (b) Benefit special assessments.—The board annually shall  
3190 determine, order, and levy the annual installment of the total  
3191 benefit special assessments for bonds issued and related  
3192 expenses to finance assessable improvements. These assessments  
3193 may be due and collected during each year county taxes are due  
3194 and collected, in which case such annual installment and levy  
3195 shall be evidenced to and certified to the property appraiser by  
3196 the board not later than August 31 of each year. Such assessment  
3197 shall be entered by the property appraiser on the county tax  
3198 rolls and shall be collected and enforced by the tax collector  
3199 in the same manner and at the same time as county taxes, and the  
3200 proceeds thereof shall be paid to the district. However, this  
3201 subsection shall not prohibit the district in its discretion  
3202 from using the method prescribed in either s. 197.3632 or

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3203 chapter 173, Florida Statutes, as each may be amended from time  
3204 to time, for collecting and enforcing these assessments. Each  
3205 annual installment of benefit special assessments shall be a  
3206 lien on the property against which assessed until paid and shall  
3207 be enforceable in like manner as county taxes. The amount of the  
3208 assessment for the exercise of the district's powers under  
3209 subsections (6) and (7) shall be determined by the board based  
3210 upon a report of the district's engineer and assessed by the  
3211 board upon such lands, which may be part or all of the lands  
3212 within the district benefited by the improvement, apportioned  
3213 between benefited lands in proportion to the benefits received  
3214 by each tract of land. The board may, if it determines it is in  
3215 the best interests of the district, set forth in the proceedings  
3216 initially levying such benefit special assessments or in  
3217 subsequent proceedings a formula for the determination of an  
3218 amount, which when paid by a taxpayer with respect to any tax  
3219 parcel, shall constitute a prepayment of all future annual  
3220 installments of such benefit special assessments and that the  
3221 payment of which amount with respect to such tax parcel shall  
3222 relieve and discharge such tax parcel of the lien of such  
3223 benefit special assessments and any subsequent annual  
3224 installment thereof. The board may provide further that upon  
3225 delinquency in the payment of any annual installment of benefit  
3226 special assessments, the prepayment amount of all future annual  
3227 installments of benefit special assessments as determined in the

3228 preceding sentence shall be and become immediately due and  
 3229 payable together with such delinquent annual installment.  
 3230 (c) Non-ad valorem maintenance taxes.—If and when  
 3231 authorized by general law, to maintain and to preserve the  
 3232 physical facilities and services constituting the works,  
 3233 improvements, or infrastructure owned by the district pursuant  
 3234 to this act, to repair and restore any one or more of them, when  
 3235 needed, and to defray the current expenses of the district,  
 3236 including any sum which may be required to pay state and county  
 3237 ad valorem taxes on any lands which may have been purchased and  
 3238 which are held by the district under the provisions of this act,  
 3239 the board of supervisors may, upon the completion of said  
 3240 systems, facilities, services, works, improvements, or  
 3241 infrastructure, in whole or in part, as may be certified to the  
 3242 board by the engineer of the board, levy annually a non-ad  
 3243 valorem and nonmillage tax upon each tract or parcel of land  
 3244 within the district, to be known as a "maintenance tax." This  
 3245 non-ad valorem maintenance tax shall be apportioned upon the  
 3246 basis of the net assessments of benefits assessed as accruing  
 3247 from the original construction and shall be evidenced to and  
 3248 certified by the board of supervisors of the district not later  
 3249 than June 1 of each year to the Polk County tax collector and  
 3250 shall be extended on the tax rolls and collected by the tax  
 3251 collector on the merged collection roll of the tax collector in  
 3252 the same manner and at the same time as county ad valorem taxes,

3253 and the proceeds therefrom shall be paid to the district. This  
3254 non-ad valorem maintenance tax shall be a lien until paid on the  
3255 property against which assessed and enforceable in like manner  
3256 and of the same dignity as county ad valorem taxes.

3257 (d) Maintenance special assessments.-To maintain and  
3258 preserve the facilities and projects of the district, the board  
3259 may levy a maintenance special assessment. This assessment may  
3260 be evidenced to and certified to the tax collector by the board  
3261 of supervisors not later than August 31 of each year and shall  
3262 be entered by the property appraiser on the county tax rolls and  
3263 shall be collected and enforced by the tax collector in the same  
3264 manner and at the same time as county taxes, and the proceeds  
3265 therefrom shall be paid to the district. However, this  
3266 subsection shall not prohibit the district in its discretion  
3267 from using the method prescribed in s. 197.363, s. 197.3631, or  
3268 s. 197.3632, Florida Statutes, for collecting and enforcing  
3269 these assessments. These maintenance special assessments shall  
3270 be a lien on the property against which assessed until paid and  
3271 shall be enforceable in like manner as county taxes. The amount  
3272 of the maintenance special assessment for the exercise of the  
3273 district's powers under this section shall be determined by the  
3274 board based upon a report of the district's engineer and  
3275 assessed by the board upon such lands, which may be all of the  
3276 lands within the district benefited by the maintenance thereof,

3277 apportioned between the benefited lands in proportion to the  
 3278 benefits received by each tract of land.

3279 (e) Special assessments.—The board may levy and impose any  
 3280 special assessments pursuant to this subsection.

3281 (f) Enforcement of taxes.—The collection and enforcement  
 3282 of all taxes levied by the district shall be at the same time  
 3283 and in like manner as county taxes, and the provisions of the  
 3284 laws of Florida relating to the sale of lands for unpaid and  
 3285 delinquent county taxes; the issuance, sale, and delivery of tax  
 3286 certificates for such unpaid and delinquent county taxes; the  
 3287 redemption thereof; the issuance to individuals of tax deeds  
 3288 based thereon; and all other procedures in connection therewith  
 3289 shall be applicable to the district to the same extent as if  
 3290 such statutory provisions were expressly set forth herein. All  
 3291 taxes shall be subject to the same discounts as county taxes.

3292 (g) When unpaid tax is delinquent; penalty.—All taxes  
 3293 provided for in this act shall become delinquent and bear  
 3294 penalties on the amount of such taxes in the same manner as  
 3295 county taxes.

3296 (h) Status of assessments.—Benefit special assessments,  
 3297 maintenance special assessments, and special assessments are  
 3298 hereby found and determined to be non-ad valorem assessments as  
 3299 defined by s. 197.3632, Florida Statutes. Maintenance taxes are  
 3300 non-ad valorem taxes and are not special assessments.

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3301 (i) Assessments constitute liens; collection.—Any and all  
3302 assessments, including special assessments, benefit special  
3303 assessments, and maintenance special assessments authorized by  
3304 this section, and including special assessments as defined by  
3305 section 2(2)(bb) and granted and authorized by this subsection,  
3306 and including maintenance taxes if authorized by general law,  
3307 shall constitute a lien on the property against which assessed  
3308 from the date of levy and imposition thereof until paid, coequal  
3309 with the lien of state, county, municipal, and school board  
3310 taxes. These assessments may be collected, at the district's  
3311 discretion, under authority of s. 197.3631, Florida Statutes, as  
3312 amended from time to time, by the tax collector pursuant to the  
3313 provisions of ss. 197.3632 and 197.3635, Florida Statutes, as  
3314 amended from time to time, or in accordance with other  
3315 collection measures provided by law. In addition to, and not in  
3316 limitation of, any powers otherwise set forth herein or in  
3317 general law, these assessments may also be enforced pursuant to  
3318 the provisions of chapter 173, Florida Statutes, as amended from  
3319 time to time.

3320 (j) Land owned by governmental entity.—Except as otherwise  
3321 provided by law, no levy of ad valorem taxes or non-ad valorem  
3322 assessments under this act or chapter 170 or chapter 197,  
3323 Florida Statutes, as each may be amended from time to time, or  
3324 otherwise, by a board of the district, on property of a  
3325 governmental entity that is subject to a ground lease as

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3326 described in s. 190.003(14), Florida Statutes, shall constitute  
3327 a lien or encumbrance on the underlying fee interest of such  
3328 governmental entity.

3329 (13) SPECIAL ASSESSMENTS.—

3330 (a) As an alternative method to the levy and imposition of  
3331 special assessments pursuant to chapter 170, Florida Statutes,  
3332 pursuant to the authority of s. 197.3631, Florida Statutes, or  
3333 pursuant to other provisions of general law, now or hereafter  
3334 enacted, which provide a supplemental means or authority to  
3335 impose, levy, and collect special assessments as otherwise  
3336 authorized under this act, the board may levy and impose special  
3337 assessments to finance the exercise of any of its powers  
3338 permitted under this act using the following uniform procedures:

3339 1. At a noticed meeting, the board of supervisors of the  
3340 district may consider and review an engineer's report on the  
3341 costs of the systems, facilities, and services to be provided, a  
3342 preliminary special assessment methodology, and a preliminary  
3343 roll based on acreage or platted lands, depending upon whether  
3344 platting has occurred.

3345 a. The special assessment methodology shall address and  
3346 discuss and the board shall consider whether the systems,  
3347 facilities, and services being contemplated will result in  
3348 special benefits peculiar to the property, different in kind and  
3349 degree than general benefits, as a logical connection between  
3350 the systems, facilities, and services themselves and the

3351 property, and whether the duty to pay the special assessments by  
3352 the property owners is apportioned in a manner that is fair and  
3353 equitable and not in excess of the special benefit received. It  
3354 shall be fair and equitable to designate a fixed proportion of  
3355 the annual debt service, together with interest thereon, on the  
3356 aggregate principal amount of bonds issued to finance such  
3357 systems, facilities, and services which give rise to unique,  
3358 special, and peculiar benefits to property of the same or  
3359 similar characteristics under the special assessment methodology  
3360 so long as such fixed proportion does not exceed the unique,  
3361 special, and peculiar benefits enjoyed by such property from  
3362 such systems, facilities, and services.

3363 b. The engineer's cost report shall identify the nature of  
3364 the proposed systems, facilities, and services, their location,  
3365 a cost breakdown plus a total estimated cost, including cost of  
3366 construction or reconstruction, labor, and materials, lands,  
3367 property, rights, easements, franchises, or systems, facilities,  
3368 and services to be acquired, cost of plans and specifications,  
3369 surveys of estimates of costs and revenues, costs of  
3370 engineering, legal, and other professional consultation  
3371 services, and other expenses or costs necessary or incident to  
3372 determining the feasibility or practicability of such  
3373 construction, reconstruction, or acquisition, administrative  
3374 expenses, relationship to the authority and power of the  
3375 district in its charter, and such other expenses or costs as may



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3376 be necessary or incident to the financing to be authorized by  
3377 the board of supervisors.

3378 c. The preliminary special assessment roll will be in  
3379 accordance with the assessment methodology as may be adopted by  
3380 the board of supervisors; the special assessment roll shall be  
3381 completed as promptly as possible and shall show the acreage,  
3382 lots, lands, or plats assessed and the amount of the fairly and  
3383 reasonably apportioned assessment based on special and peculiar  
3384 benefit to the property, lot, parcel, or acreage of land; and,  
3385 if the special assessment against such lot, parcel, acreage, or  
3386 portion of land is to be paid in installments, the number of  
3387 annual installments in which the special assessment is divided  
3388 shall be entered into and shown upon the special assessment  
3389 roll.

3390 2. The board of supervisors of the district may determine  
3391 and declare by an initial special assessment resolution to levy  
3392 and assess the special assessments with respect to assessable  
3393 improvements stating the nature of the systems, facilities, and  
3394 services, improvements, projects, or infrastructure constituting  
3395 such assessable improvements, the information in the engineer's  
3396 cost report, the information in the special assessment  
3397 methodology as determined by the board at the noticed meeting  
3398 and referencing and incorporating as part of the resolution the  
3399 engineer's cost report, the preliminary special assessment  
3400 methodology, and the preliminary special assessment roll as

3401 referenced exhibits to the resolution by reference. If the board  
3402 determines to declare and levy the special assessments by the  
3403 initial special assessment resolution, the board shall also  
3404 adopt and declare a notice resolution which shall provide and  
3405 cause the initial special assessment resolution to be published  
3406 once a week for a period of 2 weeks in newspapers of general  
3407 circulation published in the City of Bartow and said board shall  
3408 by the same resolution fix a time and place at which the owner  
3409 or owners of the property to be assessed or any other persons  
3410 interested therein may appear before said board and be heard as  
3411 to the propriety and advisability of making such improvements,  
3412 as to the costs thereof, as to the manner of payment therefor,  
3413 and as to the amount thereof to be assessed against each  
3414 property so improved. Thirty days' notice in writing of such  
3415 time and place shall be given to such property owners. The  
3416 notice shall include the amount of the special assessment and  
3417 shall be served by mailing a copy to each assessed property  
3418 owner at his or her last known address, the names and addresses  
3419 of such property owners to be obtained from the record of the  
3420 property appraiser of the county political subdivision in which  
3421 the land is located or from such other sources as the district  
3422 manager or engineer deems reliable, and proof of such mailing  
3423 shall be made by the affidavit of the manager of the district or  
3424 by the engineer, said proof to be filed with the district  
3425 manager, provided that failure to mail said notice or notices

3426 shall not invalidate any of the proceedings hereunder. It is  
3427 provided further that the last publication shall be at least 1  
3428 week prior to the date of the hearing on the final special  
3429 assessment resolution. Said notice shall describe the general  
3430 areas to be improved and advise all persons interested that the  
3431 description of each property to be assessed and the amount to be  
3432 assessed to each piece, parcel, lot, or acre of property may be  
3433 ascertained at the office of the manager of the district. Such  
3434 service by publication shall be verified by the affidavit of the  
3435 publisher and filed with the manager of the district. Moreover,  
3436 the initial special assessment resolution with its attached,  
3437 referenced, and incorporated engineer's cost report, preliminary  
3438 special assessment methodology, and preliminary special  
3439 assessment roll, along with the notice resolution, shall be  
3440 available for public inspection at the office of the manager and  
3441 the office of the engineer or any other office designated by the  
3442 board of supervisors in the notice resolution. Notwithstanding  
3443 the foregoing, the landowners of all of the property which is  
3444 proposed to be assessed may give the district written notice of  
3445 waiver of any notice and publication provided for in this  
3446 subparagraph and such notice and publication shall not be  
3447 required, provided, however, that any meeting of the board of  
3448 supervisors to consider such resolution shall be a publicly  
3449 noticed meeting.

3450       3. At the time and place named in the noticed resolution  
3451 as provided for in subparagraph 2., the board of supervisors of  
3452 the district shall meet and hear testimony from affected  
3453 property owners as to the propriety and advisability of making  
3454 the systems, facilities, services, projects, works,  
3455 improvements, or infrastructure and funding them with  
3456 assessments referenced in the initial special assessment  
3457 resolution on the property. Following the testimony and  
3458 questions from the members of the board or any professional  
3459 advisors to the district of the preparers of the engineer's cost  
3460 report, the special assessment methodology, and the special  
3461 assessment roll, the board of supervisors shall make a final  
3462 decision on whether to levy and assess the particular special  
3463 assessments. Thereafter, the board of supervisors shall meet as  
3464 an equalizing board to hear and to consider any and all  
3465 complaints as to the particular special assessments and shall  
3466 adjust and equalize the special assessments to ensure proper  
3467 assessment based on the benefit conferred on the property.

3468       4. When so equalized and approved by resolution or  
3469 ordinance by the board of supervisors, to be called the final  
3470 special assessment resolution, a final special assessment roll  
3471 shall be filed with the clerk of the board and such special  
3472 assessment shall stand confirmed and remain legal, valid, and  
3473 binding first liens on the property against which such special  
3474 assessments are made until paid, equal in dignity to the first

3475 liens of ad valorem taxation of county and municipal governments  
3476 and school boards. However, upon completion of the systems,  
3477 facilities, service, project, improvement, works, or  
3478 infrastructure, the district shall credit to each of the  
3479 assessments the difference in the special assessment as  
3480 originally made, approved, levied, assessed, and confirmed and  
3481 the proportionate part of the actual cost of the improvement to  
3482 be paid by the particular special assessments as finally  
3483 determined upon the completion of the improvement; but in no  
3484 event shall the final special assessment exceed the amount of  
3485 the special and peculiar benefits as apportioned fairly and  
3486 reasonably to the property from the system, facility, or service  
3487 being provided as originally assessed. Promptly after such  
3488 confirmation, the special assessment shall be recorded by the  
3489 clerk of the district in the minutes of the proceedings of the  
3490 district, and the record of the lien in this set of minutes  
3491 shall constitute prima facie evidence of its validity. The board  
3492 of supervisors, in its sole discretion, may, by resolution grant  
3493 a discount equal to all or a part of the payee's proportionate  
3494 share of the cost of the project consisting of bond financing  
3495 cost, such as capitalized interest, funded reserves, and bond  
3496 discounts included in the estimated cost of the project, upon  
3497 payment in full of any special assessments during such period  
3498 prior to the time such financing costs are incurred as may be  
3499 specified by the board of supervisors in such resolution.

3500       5. District special assessments may be made payable in  
 3501 installments over no more than 40 years from the date of the  
 3502 payment of the first installment thereof and may bear interest  
 3503 at fixed or variable rates.

3504       (b) Notwithstanding any provision of this act or chapter  
 3505 170, Florida Statutes, that portion of s. 170.09, Florida  
 3506 Statutes, that provides that special assessments may be paid  
 3507 without interest at any time within 30 days after the  
 3508 improvement is completed and a resolution accepting the same has  
 3509 been adopted by the governing authority shall not be applicable  
 3510 to any district special assessments, whether imposed, levied,  
 3511 and collected pursuant to the provisions of this act or other  
 3512 provisions of Florida law, including, but not limited to,  
 3513 chapter 170, Florida Statutes.

3514       (c) In addition, the district is authorized expressly in  
 3515 the exercise of its rulemaking power to adopt a rule or rules  
 3516 which provides or provide for notice, levy, imposition,  
 3517 equalization, and collection of assessments.

3518       (14) ISSUANCE OF CERTIFICATES OF INDEBTEDNESS BASED ON  
 3519 ASSESSMENTS FOR ASSESSABLE IMPROVEMENTS; ASSESSMENT BONDS.—

3520       (a) The board may, after any special assessments or  
 3521 benefit special assessments for assessable improvements are  
 3522 made, determined, and confirmed as provided in this act, issue  
 3523 certificates of indebtedness for the amount so assessed against  
 3524 the abutting property or property otherwise benefited, as the

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3525 case may be, and separate certificates shall be issued against  
3526 each part or parcel of land or property assessed, which  
3527 certificates shall state the general nature of the improvement  
3528 for which the assessment is made. The certificates shall be  
3529 payable in annual installments in accordance with the  
3530 installments of the special assessment for which they are  
3531 issued. The board may determine the interest to be borne by such  
3532 certificates, not to exceed the maximum rate allowed by general  
3533 law, and may sell such certificates at either private or public  
3534 sale and determine the form, manner of execution, and other  
3535 details of such certificates. The certificates shall recite that  
3536 they are payable only from the special assessments levied and  
3537 collected from the part or parcel of land or property against  
3538 which they are issued. The proceeds of such certificates may be  
3539 pledged for the payment of principal of and interest on any  
3540 revenue bonds or general obligation bonds issued to finance in  
3541 whole or in part such assessable improvement, or, if not so  
3542 pledged, may be used to pay the cost or part of the cost of such  
3543 assessable improvements.

3544 (b) The district may also issue assessment bonds, revenue  
3545 bonds, or other obligations payable from a special fund into  
3546 which such certificates of indebtedness referred to in paragraph  
3547 (a) may be deposited or, if such certificates of indebtedness  
3548 have not been issued, the district may assign to such special  
3549 fund for the benefit of the holders of such assessment bonds or

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3550 other obligations, or to a trustee for such bondholders, the  
3551 assessment liens provided for in this act unless such  
3552 certificates of indebtedness or assessment liens have been  
3553 theretofore pledged for any bonds or other obligations  
3554 authorized hereunder. In the event of the creation of such  
3555 special fund and the issuance of such assessment bonds or other  
3556 obligations, the proceeds of such certificates of indebtedness  
3557 or assessment liens deposited therein shall be used only for the  
3558 payment of the assessment bonds or other obligations issued as  
3559 provided in this section. The district is authorized to covenant  
3560 with the holders of such assessment bonds, revenue bonds, or  
3561 other obligations that it will diligently and faithfully enforce  
3562 and collect all the special assessments, and interest and  
3563 penalties thereon, for which such certificates of indebtedness  
3564 or assessment liens have been deposited in or assigned to such  
3565 fund; to foreclose such assessment liens so assigned to such  
3566 special fund or represented by the certificates of indebtedness  
3567 deposited in the special fund, after such assessment liens have  
3568 become delinquent, and deposit the proceeds derived from such  
3569 foreclosure, including interest and penalties, in such special  
3570 fund; and to make any other covenants deemed necessary or  
3571 advisable in order to properly secure the holders of such  
3572 assessment bonds or other obligations.

3573 (c) The assessment bonds, revenue bonds, or other  
3574 obligations issued pursuant to this section shall have such



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3575 dates of issue and maturity as shall be deemed advisable by the  
3576 board; however, the maturities of such assessment bonds or other  
3577 obligations shall not be more than 2 years after the due date of  
3578 the last installment which will be payable on any of the special  
3579 assessments for which such assessment liens, or the certificates  
3580 of indebtedness representing such assessment liens, are assigned  
3581 to or deposited in such special fund.

3582 (d) Such assessment bonds, revenue bonds, or other  
3583 obligations issued under this section shall bear such interest  
3584 as the board may determine, not to exceed the maximum rate  
3585 allowed by general law, and shall be executed, shall have such  
3586 provisions for redemption prior to maturity, shall be sold in  
3587 the manner, and shall be subject to all of the applicable  
3588 provisions contained in this act for revenue bonds, except as  
3589 the same may be inconsistent with the provisions of this  
3590 section.

3591 (e) All assessment bonds, revenue bonds, or other  
3592 obligations issued under the provisions of this section shall  
3593 be, shall constitute, and shall have all the qualities and  
3594 incidents of negotiable instruments under the law merchant and  
3595 the laws of the state.

3596 (15) TAX LIENS.—All taxes of the district provided for in  
3597 this act, together with all penalties for default in the payment  
3598 of the same and all costs in collecting the same, including a  
3599 reasonable attorney fee fixed by the court and taxed as a cost

3600 in the action brought to enforce payment, shall, from January 1  
 3601 for each year the property is liable to assessment and until  
 3602 paid, constitute a lien of equal dignity with the liens for  
 3603 state and county taxes and other taxes of equal dignity with  
 3604 state and county taxes upon all the lands against which such  
 3605 taxes shall be levied. A sale of any of the real property within  
 3606 the district for state and county or other taxes shall not  
 3607 operate to relieve or release the property so sold from the lien  
 3608 for subsequent district taxes or installments of district taxes,  
 3609 which lien may be enforced against such property as though no  
 3610 such sale thereof had been made. In addition to, and not in  
 3611 limitation of, the preceding sentence, for purposes of s.  
 3612 197.552, Florida Statutes, the lien of all special assessments  
 3613 levied by the district shall constitute a lien of record held by  
 3614 a municipal or county governmental unit. The provisions of ss.  
 3615 194.171, 197.122, 197.333, and 197.432, Florida Statutes, shall  
 3616 be applicable to district taxes with the same force and effect  
 3617 as if such provisions were expressly set forth in this act.

3618 (16) PAYMENT OF TAXES AND REDEMPTION OF TAX LIENS BY THE  
 3619 DISTRICT; SHARING IN PROCEEDS OF TAX SALE.-

- 3620 (a) The district shall have the power and right to:  
 3621 1. Pay any delinquent state, county, district, municipal,  
 3622 or other tax or assessment upon lands located wholly or  
 3623 partially within the boundaries of the district.

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3624 2. Redeem or purchase any tax sales certificates issued or  
3625 sold on account of any state, county, district, municipal, or  
3626 other taxes or assessments upon lands located wholly or  
3627 partially within the boundaries of the district.

3628 (b) Delinquent taxes paid, or tax sales certificates  
3629 redeemed or purchased, by the district, together with all  
3630 penalties for the default in payment of the same and all costs  
3631 in collecting the same and a reasonable attorney fee, shall  
3632 constitute a lien in favor of the district of equal dignity with  
3633 the liens of state and county taxes and other taxes of equal  
3634 dignity with state and county taxes upon all the real property  
3635 against which the taxes were levied. The lien of the district  
3636 may be foreclosed in the manner provided in this act.

3637 (c) In any sale of land pursuant to s. 197.542, Florida  
3638 Statutes, as may be amended from time to time, the district may  
3639 certify to the clerk of the circuit court of the county holding  
3640 such sale the amount of taxes due to the district upon the lands  
3641 sought to be sold, and the district shall share in the  
3642 disbursement of the sales proceeds in accordance with the  
3643 provisions of this act and under the laws of the state.

3644 (17) FORECLOSURE OF LIENS.—Any lien in favor of the  
3645 district arising under this act may be foreclosed by the  
3646 district by foreclosure proceedings in the name of the district  
3647 in a court of competent jurisdiction as provided by general law  
3648 in like manner as is provided in chapter 170 or chapter 173,

3649 Florida Statutes, and amendments thereto and the provisions of  
 3650 those chapters shall be applicable to such proceedings with the  
 3651 same force and effect as if those provisions were expressly set  
 3652 forth in this act. Any act required or authorized to be done by  
 3653 or on behalf of a municipality in foreclosure proceedings under  
 3654 chapter 170 or chapter 173, Florida Statutes, may be performed  
 3655 by such officer or agent of the district as the board of  
 3656 supervisors may designate. Such foreclosure proceedings may be  
 3657 brought at any time after the expiration of 1 year from the date  
 3658 any tax, or installment thereof, becomes delinquent; however, no  
 3659 lien shall be foreclosed against any political subdivision or  
 3660 agency of the state. Other legal remedies shall remain  
 3661 available.

3662 (18) MANDATORY USE OF CERTAIN DISTRICT SYSTEMS,  
 3663 FACILITIES, AND SERVICES.—To the full extent permitted by law,  
 3664 the district shall require all lands, buildings, premises,  
 3665 persons, firms, and corporations within the district to use the  
 3666 facilities of the district.

3667 (19) COMPETITIVE PROCUREMENT; BIDS; NEGOTIATIONS; RELATED  
 3668 PROVISIONS REQUIRED.—

3669 (a) No contract shall be let by the board for any goods,  
 3670 supplies, or materials to be purchased when the amount thereof  
 3671 to be paid by the district shall exceed the amount provided in  
 3672 s. 287.017, Florida Statutes, as amended from time to time, for  
 3673 category four, unless notice of bids shall be advertised once in

3674 a newspaper in general circulation in the City of Bartow. Any  
3675 board seeking to construct or improve a public building,  
3676 structure, or other public works shall comply with the bidding  
3677 procedures of s. 255.20, Florida Statutes, as amended from time  
3678 to time, and other applicable general law. In each case, the bid  
3679 of the lowest responsive and responsible bidder shall be  
3680 accepted unless all bids are rejected because the bids are too  
3681 high or the board determines it is in the best interests of the  
3682 district to reject all bids. The board may require the bidders  
3683 to furnish bond with a responsible surety to be approved by the  
3684 board. Nothing in this subsection shall prevent the board from  
3685 undertaking and performing the construction, operation, and  
3686 maintenance of any project or facility authorized by this act by  
3687 the employment of labor, material, and machinery.

3688 (b) The provisions of the Consultants' Competitive  
3689 Negotiation Act, s. 287.055, Florida Statutes, apply to  
3690 contracts for engineering, architecture, landscape architecture,  
3691 or registered surveying and mapping services let by the board.

3692 (c) Contracts for maintenance services for any district  
3693 facility or project shall be subject to competitive bidding  
3694 requirements when the amount thereof to be paid by the district  
3695 exceeds the amount provided in s. 287.017, Florida Statutes, as  
3696 amended from time to time, for category four. The district shall  
3697 adopt rules, policies, or procedures establishing competitive  
3698 bidding procedures for maintenance services. Contracts for other

3699 services shall not be subject to competitive bidding unless the  
 3700 district adopts a rule, policy, or procedure applying  
 3701 competitive bidding procedures to said contracts. Nothing herein  
 3702 shall preclude the use of requests for proposal instead of  
 3703 invitations to bid as determined by the district to be in its  
 3704 best interest.

3705 (20) FEES, RENTALS, AND CHARGES; PROCEDURE FOR ADOPTION  
 3706 AND MODIFICATIONS; MINIMUM REVENUE REQUIREMENTS.—

3707 (a) The district is authorized to prescribe, fix,  
 3708 establish, and collect rates, fees, rentals, or other charges,  
 3709 hereinafter sometimes referred to as "revenues," and to revise  
 3710 the same from time to time, for the systems, facilities, and  
 3711 services furnished by the district, within the limits of the  
 3712 district, including, but not limited to, recreational  
 3713 facilities, water management and control facilities, and water  
 3714 and sewer systems; to recover the costs of making connection  
 3715 with any district service, facility, or system; and to provide  
 3716 for reasonable penalties against any user or property for any  
 3717 such rates, fees, rentals, or other charges that are delinquent.

3718 (b) No such rates, fees, rentals, or other charges for any  
 3719 of the facilities or services of the district shall be fixed  
 3720 until after a public hearing at which all the users of the  
 3721 proposed facility or services or owners, tenants, or occupants  
 3722 served or to be served thereby and all other interested persons  
 3723 shall have an opportunity to be heard concerning the proposed

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3724 rates, fees, rentals, or other charges. Rates, fees, rentals,  
3725 and other charges shall be adopted under the administrative  
3726 rulemaking authority of the district, but shall not apply to  
3727 district leases. Notice of such public hearing setting forth the  
3728 proposed schedule or schedules of rates, fees, rentals, and  
3729 other charges shall have been published in a newspaper of  
3730 general circulation in the City of Bartow at least once and at  
3731 least 10 days prior to such public hearing. The rulemaking  
3732 hearing may be adjourned from time to time. After such hearing,  
3733 such schedule or schedules, either as initially proposed or as  
3734 modified or amended, may be finally adopted. A copy of the  
3735 schedule or schedules of such rates, fees, rentals, or charges  
3736 as finally adopted shall be kept on file in an office designated  
3737 by the board and shall be open at all reasonable times to public  
3738 inspection. The rates, fees, rentals, or charges so fixed for  
3739 any class of users or property served shall be extended to cover  
3740 any additional users or properties thereafter served which shall  
3741 fall in the same class, without the necessity of any notice or  
3742 hearing.

3743 (c) Such rates, fees, rentals, and charges shall be just  
3744 and equitable and uniform for users of the same class, and when  
3745 appropriate may be based or computed either upon the amount of  
3746 service furnished, upon the average number of persons residing  
3747 or working in or otherwise occupying the premises served, or  
3748 upon any other factor affecting the use of the facilities

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3749 furnished, or upon any combination of the foregoing factors, as  
3750 may be determined by the board on an equitable basis.

3751 (d) The rates, fees, rentals, or other charges prescribed  
3752 shall be such as will produce revenues, together with any other  
3753 assessments, taxes, revenues, or funds available or pledged for  
3754 such purpose, at least sufficient to provide for the items  
3755 hereinafter listed, but not necessarily in the order stated:

3756 1. To provide for all expenses of operation and  
3757 maintenance of such facility or service.

3758 2. To pay when due all bonds and interest thereon for the  
3759 payment of which such revenues are, or shall have been, pledged  
3760 or encumbered, including reserves for such purpose.

3761 3. To provide for any other funds which may be required  
3762 under the resolution or resolutions authorizing the issuance of  
3763 bonds pursuant to this act.

3764 (e) The board shall have the power to enter into contracts  
3765 for the use of the projects of the district and with respect to  
3766 the services, systems, and facilities furnished or to be  
3767 furnished by the district.

3768 (21) RECOVERY OF DELINQUENT CHARGES.-In the event that any  
3769 rates, fees, rentals, charges, or delinquent penalties shall not  
3770 be paid as and when due and shall be in default for 60 days or  
3771 more, the unpaid balance thereof and all interest accrued  
3772 thereon, together with reasonable attorney fees and costs, may  
3773 be recovered by the district in a civil action.



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3774        (22) DISCONTINUANCE OF SERVICE.—In the event the fees,  
3775 rentals, or other charges for district services or facilities  
3776 are not paid when due, the board shall have the power, under  
3777 such reasonable rules and regulations as the board may adopt, to  
3778 discontinue and shut off such services until such fees, rentals,  
3779 or other charges, including interest, penalties, and charges for  
3780 the shutting off and discontinuance and the restoration of such  
3781 services, are fully paid; and, for such purposes, the board may  
3782 enter on any lands, waters, or premises of any person, firm,  
3783 corporation, or body, public or private, within the district  
3784 limits. Such delinquent fees, rentals, or other charges,  
3785 together with interest, penalties, and charges for the shutting  
3786 off and discontinuance and the restoration of such services and  
3787 facilities and reasonable attorney fees and other expenses, may  
3788 be recovered by the district, which may also enforce payment of  
3789 such delinquent fees, rentals, or other charges by any other  
3790 lawful method of enforcement.

3791        (23) ENFORCEMENT AND PENALTIES.—The board or any aggrieved  
3792 person may have recourse to such remedies in law and at equity  
3793 as may be necessary to ensure compliance with the provisions of  
3794 this act, including injunctive relief to enjoin or restrain any  
3795 person violating the provisions of this act or any bylaws,  
3796 resolutions, regulations, rules, codes, or orders adopted under  
3797 this act. In case any building or structure is erected,  
3798 constructed, reconstructed, altered, repaired, converted, or

3799 maintained, or any building, structure, land, or water is used,  
 3800 in violation of this act or of any code, order, resolution, or  
 3801 other regulation made under authority conferred by this act or  
 3802 under law, the board or any citizen residing in the district may  
 3803 institute any appropriate action or proceeding to prevent such  
 3804 unlawful erection, construction, reconstruction, alteration,  
 3805 repair, conversion, maintenance, or use; to restrain, correct,  
 3806 or avoid such violation; to prevent the occupancy of such  
 3807 building, structure, land, or water; and to prevent any illegal  
 3808 act, conduct, business, or use in or about such premises, land,  
 3809 or water.

3810 (24) SUITS AGAINST THE DISTRICT.—Any suit or action  
 3811 brought or maintained against the district for damages arising  
 3812 out of tort, including, without limitation, any claim arising  
 3813 upon account of an act causing an injury or loss of property,  
 3814 personal injury, or death, shall be subject to the limitations  
 3815 provided in s. 768.28, Florida Statutes.

3816 (25) EXEMPTION OF DISTRICT PROPERTY FROM EXECUTION.—All  
 3817 district property shall be exempt from levy and sale by virtue  
 3818 of an execution, and no execution or other judicial process  
 3819 shall issue against such property, nor shall any judgment  
 3820 against the district be a charge or lien on its property or  
 3821 revenues; however, nothing contained herein shall apply to or  
 3822 limit the rights of bondholders to pursue any remedy for the

3823 enforcement of any lien or pledge given by the district in  
 3824 connection with any of the bonds or obligations of the district.

3825 (26) TERMINATION, CONTRACTION, OR EXPANSION OF DISTRICT.—

3826 (a) The board of supervisors of the district shall not ask  
 3827 the Legislature to repeal or amend this act to expand or to  
 3828 contract the boundaries of the district or otherwise cause the  
 3829 merger or termination of the district without first obtaining a  
 3830 resolution or official statement from the City of Bartow as  
 3831 required by s. 189.031(2)(e)4., Florida Statutes, for creation  
 3832 of an independent special district. The district's consent may  
 3833 be evidenced by a resolution or other official written statement  
 3834 of the district.

3835 (b) The district shall remain in existence until:

3836 1. The district is terminated and dissolved pursuant to  
 3837 amendment to this act by the Legislature.

3838 2. The district has become inactive pursuant to s.  
 3839 189.062, Florida Statutes.

3840 (27) MERGER WITH COMMUNITY DEVELOPMENT DISTRICTS.—The  
 3841 district may merge with one or more community development  
 3842 districts situated wholly within its boundaries. The district  
 3843 shall be the surviving entity of the merger. Any mergers shall  
 3844 commence upon each such community development district filing a  
 3845 written request for merger with the district. A copy of the  
 3846 written request shall also be filed with the City of Bartow. The  
 3847 district, subject to the direction of its Board of Supervisors,

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3848 shall enter into a merger agreement which shall provide for the  
3849 proper allocation of debt, the manner in which such debt shall  
3850 be retired, the transition of the community development district  
3851 board, and the transfer of all financial obligations and  
3852 operating and maintenance responsibilities to the district. The  
3853 execution of the merger agreement by the district and each  
3854 community development district constitutes consent of the  
3855 landowners within each district. The district and each community  
3856 development district requesting merger shall hold a public  
3857 hearing within its boundaries to provide information about and  
3858 take public comment on the proposed merger in the merger  
3859 agreement. The public hearing shall be held within 45 days of  
3860 the execution of the merger agreement by all parties thereto.  
3861 Notice of the public hearing shall be published at least 14 days  
3862 before the hearing in a newspaper of general circulation in the  
3863 City of Bartow. At the conclusion of the public hearing each  
3864 district shall consider a resolution either approving or  
3865 disapproving of the proposed merger. If the district and each  
3866 community development district which is a party to the merger  
3867 agreement adopt a resolution approving the proposed merger, the  
3868 resolutions and the merger agreement shall be filed with the  
3869 City of Bartow. Upon receipt of the resolutions approving the  
3870 merger and the merger agreement, the City Bartow shall adopt a  
3871 non-emergency ordinance dissolving each community development  
3872 district pursuant to s. 190.046(10), Florida Statutes.

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

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3873 (28) INCLUSION OF TERRITORY. The inclusion of any or all  
 3874 territory of the district within a municipality does not change,  
 3875 alter, or affect the boundary, territory, existence, or  
 3876 jurisdiction of the district.

3877 (29) SALE OF REAL ESTATE WITHIN THE DISTRICT; REQUIRED  
 3878 DISCLOSURE TO PURCHASER.—Subsequent to the creation of this  
 3879 district under this act, each contract for the initial sale of a  
 3880 parcel of real property and each contract for the initial sale  
 3881 of a residential unit within the district shall include,  
 3882 immediately prior to the space reserved in the contract for the  
 3883 signature of the purchaser, the following disclosure statement  
 3884 in boldfaced and conspicuous type which is larger than the type  
 3885 in the remaining text of the contract: "THE CLEAR SPRINGS  
 3886 STEWARDSHIP DISTRICT MAY IMPOSE AND LEVY TAXES OR ASSESSMENTS,  
 3887 OR BOTH TAXES AND ASSESSMENTS, ON THIS PROPERTY. THESE TAXES AND  
 3888 ASSESSMENTS PAY FOR THE CONSTRUCTION, OPERATION, AND MAINTENANCE  
 3889 COSTS OF CERTAIN PUBLIC SYSTEMS, FACILITIES, AND SERVICES OF THE  
 3890 DISTRICT AND ARE SET ANNUALLY BY THE GOVERNING BOARD OF THE  
 3891 DISTRICT. THESE TAXES AND ASSESSMENTS ARE IN ADDITION TO COUNTY  
 3892 AND OTHER LOCAL GOVERNMENTAL TAXES AND ASSESSMENTS AND ALL OTHER  
 3893 TAXES AND ASSESSMENTS PROVIDED FOR BY LAW."

3894 (30) NOTICE OF CREATION AND ESTABLISHMENT.—Within 30 days  
 3895 after the election of the first board of supervisors creating  
 3896 this district, the district shall cause to be recorded in the  
 3897 grantor-grantee index of the property records in Polk County a

3898 "Notice of Creation and Establishment of the Clear Springs  
 3899 Stewardship District." The notice shall, at a minimum, include  
 3900 the legal description of the property covered by this act.

3901 (31) DISTRICT PROPERTY PUBLIC; FEES.—Any system, facility,  
 3902 service, works, improvement, project, or other infrastructure  
 3903 owned by the district, or funded by federal tax exempt bonding  
 3904 issued by the district, is public; and the district by rule may  
 3905 regulate, and may impose reasonable charges or fees for, the use  
 3906 thereof, but not to the extent that such regulation or  
 3907 imposition of such charges or fees constitutes denial of  
 3908 reasonable access.

3909 Section 7. If any provision of this act is determined  
 3910 unconstitutional or otherwise determined invalid by a court of  
 3911 law, all the rest and remainder of the act shall remain in full  
 3912 force and effect as the law of this state.

3913 Section 8. This act shall take effect upon becoming a law,  
 3914 except that the provisions of this act which authorize the levy  
 3915 of ad valorem taxation shall take effect only upon express  
 3916 approval by a majority vote of those qualified electors of the  
 3917 Clear Springs Stewardship District, as required by Section 9 of  
 3918 Article VII of the State Constitution, voting in a referendum  
 3919 election held at such time as all members of the board are  
 3920 qualified electors who are elected by qualified electors of the  
 3921 district as provided in this act.