

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.

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.

899
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>(°, ', & ")</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>(°, ', & ")</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.

1045
 1046 Section 14:(a) The W-3/4;
 1047
 1048 (b) The N-1/2 of NE-1/4 of NE-1/4; and
 1049
 1050 (c) That part of the S-3/4 of E-1/2 of SE-1/4
 1051 described as: begin at the northwest corner of the S-
 1052 3/4 of E-1/2 of SE-1/4, run thence east along the
 1053 north boundary of said S-3/4 of E-1/2 of SE-1/4 a
 1054 distance of 41.80 feet, thence southeasterly to a
 1055 point on the south boundary of the SE-1/4 of SE-1/4
 1056 located 500 feet east of the southwest corner of the
 1057 SE-1/4 of SE-1/4, thence west 500 feet to the
 1058 southwest corner of the SE-1/4 of SE-1/4, thence north
 1059 1,989.77 feet to the point of beginning.
 1060
 1061 Section 15:All LESS that part of the NW-1/4 of NW-1/4
 1062 of Section 15 described as follows: begin at the
 1063 northwest corner of Section 15 and run south 89°18'42"
 1064 east, along the north boundary of said section, 836.52
 1065 feet to a point which lies 200.00 feet northwesterly
 1066 of an existing mine road; thence south 32°00'00" west,
 1067 parallel with and 200.00 feet distant from said mine
 1068 road, 1,287.52 feet, to a point which lies 1,100.00
 1069 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>(°, ', & ")</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>(°, ', & ")</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>(°, ', & ")</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>(°, ', & ")</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>(°, ', & ")</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>(°, ', & ")</u>	<u>(feet)</u> <u>(Point)</u>
1292				

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

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>(°, ', & ")</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>2535</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>(°, ', & ")</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</u>	<u>S 05 05 06 E</u>	<u>227.16</u>	<u>4626</u>
1419	<u>4626</u>	<u>S 14 38 52 W</u>	<u>377.26</u>	<u>4627</u>
1420	<u>4627</u>	<u>S 35 45 27 W</u>	<u>257.55</u>	<u>4628</u>
1421	<u>4628</u>	<u>S 12 17 35 W</u>	<u>411.43</u>	<u>4629</u>
1422	<u>4629</u>	<u>S 12 25 31 E</u>	<u>503.80</u>	<u>4630</u>
1423	<u>4630</u>	<u>S 01 17 37 W</u>	<u>279.07</u>	<u>4631</u>
1424	<u>4631</u>	<u>S 32 12 11 E</u>	<u>1026.99</u>	<u>4632</u>
1425	<u>4632</u>	<u>S 63 06 06 E</u>	<u>176.83</u>	<u>4633</u>
1426	<u>4633</u>	<u>S 13 38 08 E</u>	<u>215.06</u>	<u>4634</u>
1427	<u>4634</u>	<u>S 38 46 29 W</u>	<u>116.72</u>	<u>4635</u>
1428	<u>4635</u>	<u>N 75 15 05 W</u>	<u>294.61</u>	<u>4636</u>
1429	<u>4636</u>	<u>S 19 39 23 E</u>	<u>295.20</u>	<u>4637</u>
1430	<u>4637</u>	<u>S 52 09 41 E</u>	<u>595.01</u>	<u>5638</u>
1431	<u>4638</u>	<u>S 01 55 43 W</u>	<u>98.06</u>	<u>4639</u>
1432	<u>4639</u>	<u>N 69 29 50 W</u>	<u>365.45</u>	<u>4640</u>
1433	<u>4640</u>	<u>S 82 16 04 W</u>	<u>914.21</u>	<u>4641</u>
1434	<u>4641</u>	<u>S 00 42 51 E</u>	<u>730.06</u>	<u>4642</u>
1435	<u>4642</u>	<u>S 61 58 08 E</u>	<u>342.59</u>	<u>4643</u>
1436	<u>4643</u>	<u>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:

1456 |

<u>FROM</u>	<u>BEARING</u>	<u>DISTANCE</u>	<u>TO</u>
<u>(Point)</u>	<u>(°, ', & ")</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>(°, ', & ")</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	<u>4633 S 13 38 08 E</u>	<u>215.06</u>	<u>4634</u>
1493	<u>4634 S 38 46 29 W</u>	<u>116.72</u>	<u>4635</u>
1494	<u>4635 N 75 15 05 W</u>	<u>294.61</u>	<u>4636</u>
1495	<u>4636 S 19 39 23 E</u>	<u>295.20</u>	<u>4637</u>
1496	<u>4637 S 52 09 41 E</u>	<u>595.01</u>	<u>4638</u>
1497	<u>4638 S 01 55 43 W</u>	<u>98.06</u>	<u>4639</u>
1498	<u>4639 N 69 29 50 W</u>	<u>365.45</u>	<u>4640</u>
1499	<u>4640 S 82 16 04 W</u>	<u>914.21</u>	<u>4641</u>
1500	<u>4641 S 00 42 51 E</u>	<u>730.06</u>	<u>4642</u>
1501	<u>4642 S 61 58 08 E</u>	<u>342.59</u>	<u>4643</u>
1502	<u>4643 S 01 03 32 E</u>	<u>509.48</u>	<u>2510</u>

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

1522

1523 2123 S 00 30 05 W 111.76 4730

1524 4730 S 18 32 18 E 262.63 4731

1525 4731 S 87 54 36 E 174.00 4732

1526

1527 Point No. 4732 being on the east boundary of Section
 1528 28; thence N 00°43'35" W 368.87 feet along the east
 1529 boundary of Section 28 to the POINT OF BEGINNING,
 1530 being Point. No. 36.

1531

1532 AND

1533

1534 From Point No. 36 at the northeast corner of Section
 1535 28, run S 00°43'35" E 2005.63 feet along the east
 1536 boundary of Section 28 to the POINT OF BEGINNING,
 1537 being Point No. 4733; continuing thence from point to
 1538 point as follows:

1539

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

1542
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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</u>	<u>45</u>	<u>54</u>	<u>50</u>	<u>E</u>	<u>267.17</u>	<u>1324</u>
1600	<u>1324</u>	<u>S</u>	<u>39</u>	<u>49</u>	<u>57</u>	<u>E</u>	<u>79.46</u>	<u>1325</u>
1601	<u>1325</u>	<u>S</u>	<u>16</u>	<u>01</u>	<u>47</u>	<u>E</u>	<u>100.70</u>	<u>1326</u>
1602	<u>1326</u>	<u>S</u>	<u>60</u>	<u>14</u>	<u>21</u>	<u>E</u>	<u>116.54</u>	<u>1327</u>
1603	<u>1327</u>	<u>S</u>	<u>77</u>	<u>02</u>	<u>14</u>	<u>E</u>	<u>106.18</u>	<u>1328</u>
1604	<u>1328</u>	<u>N</u>	<u>86</u>	<u>11</u>	<u>29</u>	<u>E</u>	<u>49.07</u>	<u>1329</u>
1605	<u>1329</u>	<u>N</u>	<u>29</u>	<u>21</u>	<u>10</u>	<u>E</u>	<u>110.98</u>	<u>1330</u>
1606	<u>1330</u>	<u>N</u>	<u>85</u>	<u>27</u>	<u>25</u>	<u>E</u>	<u>107.65</u>	<u>1331</u>
1607	<u>1331</u>	<u>S</u>	<u>57</u>	<u>58</u>	<u>04</u>	<u>E</u>	<u>264.60</u>	<u>1332</u>
1608	<u>1332</u>	<u>S</u>	<u>56</u>	<u>15</u>	<u>01</u>	<u>E</u>	<u>300.34</u>	<u>1333</u>
1609	<u>1333</u>	<u>N</u>	<u>77</u>	<u>27</u>	<u>38</u>	<u>E</u>	<u>74.29</u>	<u>1334</u>
1610	<u>1334</u>	<u>N</u>	<u>34</u>	<u>07</u>	<u>03</u>	<u>E</u>	<u>46.99</u>	<u>1335</u>
1611	<u>1335</u>	<u>N</u>	<u>82</u>	<u>00</u>	<u>06</u>	<u>E</u>	<u>42.25</u>	<u>1336</u>
1612	<u>1336</u>	<u>S</u>	<u>47</u>	<u>57</u>	<u>04</u>	<u>E</u>	<u>111.18</u>	<u>1337</u>
1613	<u>1337</u>	<u>S</u>	<u>25</u>	<u>23</u>	<u>54</u>	<u>E</u>	<u>126.63</u>	<u>1338</u>
1614	<u>1338</u>	<u>S</u>	<u>04</u>	<u>10</u>	<u>28</u>	<u>E</u>	<u>188.96</u>	<u>1339</u>
1615	<u>1339</u>	<u>S</u>	<u>00</u>	<u>24</u>	<u>46</u>	<u>E</u>	<u>236.80</u>	<u>1340</u>
1616	<u>1340</u>	<u>S</u>	<u>48</u>	<u>07</u>	<u>27</u>	<u>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>(°, ', & ")</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>(°, ', & ")</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>(°, ', & ")</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)

CS/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	<u>Point No. 4663 being the POINT OF BEGINNING.</u>			
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

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

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

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

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.

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:

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.

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

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

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

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

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.

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

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

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

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

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

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.

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

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.

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,

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.

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 October 1, 2023,
 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.