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CS/HB 4033

2025 Legislature

1
2 An act relating to San Carlos Estates Water Control
3 District, Lee County; providing that the San Carlos
4 Estates Water Control District, an independent special
5 district, shall become a dependent district of the
6 City of Bonita Springs; reenacting, amending, and
7 repealing a certain circuit court decree; providing
8 for transition; providing that members of the city
9 council shall assume the offices of the board of
10 supervisors of said district; providing boundaries;
11 requiring a referendum; providing effective dates.

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

14
15 Section 1. San Carlos Estates Water Control District
16 continuation and transfer.—The San Carlos Estates Water Control
17 District, an independent special district created by circuit
18 court decree, shall become a dependent district of the City of
19 Bonita Springs on the effective date of this act.

20 (1) Decree 69-105 entered by the circuit court in and for
21 the Twelfth Circuit Court of the State of Florida creating and
22 incorporating the San Carlos Estates Water Control District is
23 reenacted, amended, and repealed as provided herein. The
24 provisions of chapter 298, Florida Statutes, so far as not
25 inconsistent with this act, are applicable to the district.

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26 (2) The assets, liabilities, financial allocations, and
27 written contracts of the San Carlos Estates Water Control
28 District, including all rights, obligations, duties, and
29 relationships now existing by law, easement, permit, or
30 agreement, shall be unaffected and remain in full force and
31 effect and shall be those of the district as a dependent
32 district of the City of Bonita Springs. All rights, claims,
33 actions, orders, and all contracts of the special district and
34 all legal or administrative proceedings involving the district
35 shall continue in full force and effect under the jurisdiction
36 of the district as a dependent district of the City of Bonita
37 Springs.

38 (3) The terms of office of the current members of the
39 Board of Supervisors of the San Carlos Estates Water Control
40 District shall continue until the members of the City Council of
41 the City of Bonita Springs assume the offices of the Board of
42 Supervisors of the San Carlos Estates Water Control District.

43 (4) The jurisdictional boundaries of the district are as
44 follows:

45
46 : In Township 47 South, Range 25 East, Lee County,
47 Florida—Section 14—the North half (N 1/2); Section 15—
48 all that portion lying East of Atlantic Coast Line
49 Railroad right-of-way, excepting a tract of land
50 described as follows: Beginning at a point on the line

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51 common to Sections 15 and 22, which point is westerly
52 along said line for 4,026.5 feet from the Southeast
53 corner of said Section 15; run westerly to the right-
54 of-way of the Atlantic Coast Line Railroad; thence run
55 northerly along said railroad right-of-way line, 65
56 feet from the center line to a point 760 feet North of
57 said Section line common to Sections 15 and 22; thence
58 run easterly parallel with said Section line to a
59 point of intersection with a line through the point of
60 beginning parallel with the West line of said Section
61 15; thence run South along said line parallel with
62 said West line of said Section 15 for 760 feet to the
63 point of beginning: and also including a tract of land
64 being bounded on the North by the easterly extension
65 of the North line of Lot 14 of Block 15, Bonita
66 Terrace Subdivision and on the South by the easterly
67 extension of the South line of Lot 17 of Block 15 of
68 said Bonita Terrace Subdivision, as recorded in the
69 Public Records of Lee County, Florida, in Plat Book 8
70 at Page 23.
71 Section 16— Lots 14, 15, 16 and 17 of Block 15, Bonita
72 Terrace Subdivision, according to the map or plat
73 thereof on file and recorded in the office of the
74 Clerk of the Circuit Court of Lee County, Florida in
75 Plat book 8 at page 23.

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76 Section 22-A tract or parcel of land lying North and
77 East of U.S. Highway No. 41, more particularly
78 described as follows: From the Southeast Corner of
79 said Section 22 run N. 83° 36' 30" W. along the South
80 line of said Section 22 for 192.31 feet to an
81 intersection with the northeasterly right-of-way line
82 of said U.S. No. 41; thence run N. 45° 27' 40" W.
83 along said right-of-way line (50 feet from the center
84 line) for 880 feet to a concrete monument; thence run
85 N. 44° 32' 20" E. perpendicular to said right-of-way
86 line for 1,130.31 feet to a concrete monument on the
87 East line of said Section 22; thence run N. 1° 01' 00"
88 W. along said Section line for 271.62 feet to a POINT
89 OF BEGINNING; thence run N. 25° 49' 50" W. for 5,746.1
90 feet to a point on the southeasterly boundary of lands
91 conveyed by and described in a deed recorded in Deed
92 Book 321 at page 493, Public Records of Lee County,
93 Florida, which point is S 44° 32' 20" W., and thence
94 northeasterly along this boundary line 22.12 feet to
95 the concrete monument on the North line of Section 22.
96 thence East to the Northeast corner of said Section;
97 thence South along the East line of said Section to
98 the point of beginning.
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100 (5) To the extent not inconsistent with city ordinances,
101 all resolutions and policies of the San Carlos Estates Water
102 Control District shall remain in effect until amended, revised,
103 or repealed by the board of supervisors.

104 (6) Additional provisions which are necessary to effect
105 this transition and to provide for the operation of the San
106 Carlos Estates Water Control District as a dependent district of
107 the city shall be adopted by ordinance.

108 Section 2. Referendum.—

109 (1) The referendum election called for by this act shall
110 be held:

111 (a) On or before October 1, 2025, for landowners of the
112 San Carlos Estates Water Control District, who shall vote in the
113 same manner by which the district's governing body is elected.

114 (b) On August 18, 2026, concurrent with the 2026 primary
115 election, for qualified electors of the City of Bonita Springs.

116 (2) The ballot title for the referendum question shall be
117 in substantially the following form:

118 CONVERSION OF SAN CARLOS ESTATES WATER CONTROL DISTRICT TO A
119 DEPENDENT DISTRICT

120 (3) The referendum question shall be placed on the ballot
121 in substantially the following form:

122 Shall Chapter 2025- , Laws of Florida, making the San
123 Carlos Estates Water Control District a dependent district of
124 the City of Bonita Springs and providing that the City Council

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of the City of Bonita Springs shall serve as the board of the
district, become effective?

() YES.

() NO.

(4) In the event this question is answered affirmatively
by a majority of landowners of the San Carlos Estates Water
Control District and a majority of qualified electors of the
City of Bonita Springs, this act shall take effect.

Section 3. This act shall take effect only if a majority
of those landowners of the San Carlos Estates Water Control
District voting in the same manner by which the district's
governing body is elected in a referendum held on or before
October 1, 2025, and a majority of qualified electors of the
City of Bonita Springs voting in a referendum held on August 18,
2026, approve the referendum question in section 2, except that
this section and section 2 shall take effect upon becoming a
law.