

1                           A bill to be entitled  
2       An act relating to Marion County; creating the Uplands  
3       Stewardship District; providing a short title;  
4       providing legislative findings and intent; providing  
5       definitions; stating legislative policy regarding  
6       creation of the district; establishing compliance with  
7       minimum requirements for creation of an independent  
8       special district; providing for creation and  
9       establishment of the district; establishing the legal  
10      boundaries of the district; providing for the  
11      jurisdiction and charter of the district; providing  
12      for a board of supervisors; providing for a method for  
13      transition of the board from landowner control to  
14      control by the electors of the district; providing for  
15      membership, terms, election, removal, duties, and  
16      meetings of board members; providing for a district  
17      manager and district personnel; providing for a  
18      district treasurer, selection of a public depository,  
19      and district budgets and financial reports; providing  
20      for disclosure of certain public information and for  
21      web-based public access; providing for the general and  
22      special powers of the district; providing for bonds;  
23      providing for borrowing; providing for trust  
24      agreements; providing for future ad valorem taxation;  
25      providing for special assessments; providing for

issuance of certificates of indebtedness; providing for tax liens; providing for tax payments, redemption of tax liens, and sharing in proceeds of tax sales; providing for foreclosure of liens; providing for mandatory use of certain facilities; providing for competitive procurement; providing for fees, rentals, and charges and minimum revenue requirements; providing for recovery of delinquent charges; providing for discontinuance of service; providing for enforcement and penalties; providing for suits against the district; providing for exemptions of district property from levies and sales; providing for termination, contraction, expansion, or merger of the district; providing for inclusion of territory; providing for required notices to purchasers of residential units within the district; specifying the district properties that are public; providing severability; providing for a referendum; providing an effective date.

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

**Section 1.** This act may be cited as the "Uplands Stewardship District Act."

**Section 2.** Legislative findings and intent; definitions;

51 policy.—

52 (1) LEGISLATIVE INTENT AND PURPOSE OF THE DISTRICT.—

53 (a) The extensive lands located wholly within Marion  
54 County and covered by this act contain many opportunities for  
55 thoughtful, comprehensive, responsible, and consistent  
56 development over a long period.

57 (b) There is a need to use a single special and limited  
58 purpose independent special district unit of local government  
59 for the Uplands Stewardship District lands located within Marion  
60 County and covered by this act to provide for a more  
61 comprehensive community development approach, which will  
62 facilitate an integral relationship between regional  
63 transportation, land use and urban design to provide for a  
64 diverse mix of housing and regional employment and economic  
65 development opportunities, rather than fragmented development  
66 with underutilized infrastructure generally associated with  
67 urban sprawl.

68 (c) There is a considerably long period of time during  
69 which there is a significant burden on the initial landowners of  
70 the district lands to provide various systems, facilities, and  
71 services, such that there is a need for flexible management,  
72 sequencing, timing, and financing of the various systems,  
73 facilities, and services to be provided to these lands, taking  
74 into consideration absorption rates, commercial viability, and  
75 related factors.

76        (d) While chapter 190, Florida Statutes, provides an  
77        opportunity for previous community development services and  
78        facilities to be provided by the continued use of community  
79        development districts in a manner that furthers the public  
80        interest, given the size of the Uplands Stewardship District  
81        lands and the duration of development, continuing to utilize  
82        multiple community development districts over these lands would  
83        result in an inefficient, duplicative, and needless  
84        proliferation of local special purpose governments, contrary to  
85        the public interest and the Legislature's findings in chapter  
86        190, Florida Statutes. Instead, it is in the public interest  
87        that the long-range provision for, and management, financing,  
88        and long-term maintenance, upkeep, and operation of, services  
89        and facilities to be provided for ultimate development and  
90        conservation of the lands covered by this act be under one  
91        coordinated entity. The creation of a single district will  
92        assist in integrating the management of state resources and  
93        allow for greater and more coordinated stewardship of natural  
94        resources.

95        (e) Longer involvement of the initial landowner with  
96        regard to the provision of systems, facilities, and services for  
97        the Uplands Stewardship District lands, coupled with the special  
98        and limited purpose of the district, is in the public interest.

99        (f) The existence and use of such a special and limited  
100       purpose local government for the Uplands Stewardship District

lands, subject to the Marion County comprehensive plan, will provide for a comprehensive and complete community development approach to promote a sustainable and efficient land use pattern for the Uplands Stewardship District lands with long-term planning for conservation and development; provide opportunities for the mitigation of impacts and development of infrastructure in an orderly and timely manner; prevent the overburdening of the local general purpose government and the taxpayers; and provide an enhanced tax base and regional employment and economic development opportunities.

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

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

(i) In order to be responsive to the critical timing required through the exercise of its special management functions, an independent special district requires financing of

126 those functions, including bondable lienable and nonlienable  
127 revenue, with full and continuing public disclosure and  
128 accountability, funded by landowners, both present and future,  
129 and funded also by users of the systems, facilities, and  
130 services provided to the land area by the special district,  
131 without unduly burdening the taxpayers, citizens, and ratepayers  
132 of the state or Marion County.

133 (j) The special district created and established by this  
134 act shall not have or exercise any comprehensive planning,  
135 zoning, or development permitting power; the establishment of  
136 the special district shall not be considered a development order  
137 within the meaning of chapter 380, Florida Statutes; and all  
138 applicable planning and permitting laws, rules, regulations, and  
139 policies of Marion County control the development of the land to  
140 be serviced by the special district.

141 (k) The creation by this act of the Uplands Stewardship  
142 District is not inconsistent with the Marion County  
143 comprehensive plan.

144 (l) It is the legislative intent and purpose that no debt  
145 or obligation of the special district constitute a burden on  
146 Marion County.

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

148 (a) "Ad valorem bonds" means bonds that are payable from  
149 the proceeds of ad valorem taxes levied on real and tangible  
150 personal property and that are generally referred to as general

151 obligation bonds.

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

156 (c) "Assessment bonds" means special obligations of the  
157 district which are payable solely from proceeds of the special  
158 assessments or benefit special assessments levied for assessable  
159 improvements, provided that, in lieu of issuing assessment bonds  
160 to fund the costs of assessable improvements, the district may  
161 issue revenue bonds for such purposes payable from assessments.

162 (d) "Assessments" means those nonmillage district  
163 assessments which include special assessments, benefit special  
164 assessments, and maintenance special assessments and a  
165 nonmillage, non-ad valorem maintenance tax if authorized by  
166 general law.

167 (e) "Benefit special assessments" means district  
168 assessments imposed, levied, and collected pursuant to section  
169 6(12)(b).

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

175 (g) "Bond" includes certificate, and the provisions that

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

181 (h) "Cost" or "costs," when used in reference to any  
182 project, includes, but is not limited to:

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

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

187 3. The cost of improvements.

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

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

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

194 7. Financing charges.

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

196 9. Working capital.

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



201 determine.

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

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

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

208 14. Administrative expenses.

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

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

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

218 (i) "District" means the Uplands Stewardship District.

219 (j) "District manager" means the manager of the district.

220 (k) "District roads" means highways, streets, roads,  
221 alleys, intersection improvements, sidewalks, crossings,  
222 landscaping, irrigation, signage, signalization, storm drains,  
223 bridges, multiuse trails, lighting, and thoroughfares of all  
224 kinds.

225 (l) "General obligation bonds" means bonds which are

226 secured by, or provide for their payment by, the pledge of the  
227 full faith and credit and taxing power of the district.

228 (m) "General-purpose local government" means a city,  
229 municipality, or consolidated city-county government.

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. The term "land development regulations" does not  
238 include specific management, engineering, operations, or capital  
239 improvement planning, needed in the daily management,  
240 implementation, and supplying by the district of systems,  
241 facilities, services, works, improvements, projects, or  
242 infrastructure, so long as they remain subject to and are not  
243 inconsistent with the applicable county 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. The term  
247 "landowner" does not include a reversioner, remainderman,  
248 mortgagee, or any governmental entity which shall not be counted  
249 and need not be notified of proceedings under this act. The term  
250 "landowner" also means the owner of a ground lease from a

governmental entity, which leasehold interest has a remaining term, excluding all renewal options, in excess of 50 years.

(q) "Maintenance special assessments" are assessments imposed, levied, and collected pursuant to section 6(12)(d).

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

(s) "Powers" means powers used and exercised by the board of supervisors to accomplish the special and limited purposes of the district, including:

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

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

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

(t) "Project" means any development, improvement, property, power, utility, facility, enterprise, service, system, works, or infrastructure now existing or hereafter undertaken or

276 established under this act.

277 (u) "Qualified elector" means any person at least 18 years  
278 of age who is a citizen of the United States and a legal  
279 resident of the state and of the district, who registers to vote  
280 with the Supervisor of Elections of Marion County and who  
281 resides in Marion County.

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

288 (w) "Reclaimed water system" means any plant, well, system,  
289 facility, or property, and any addition, extension, or  
290 improvement thereto at any future time constructed or acquired  
291 as part thereof, useful, necessary, or having the present  
292 capacity for future use in connection with the development of  
293 sources, treatment, purification, or distribution of reclaimed  
294 water. The term includes franchises of any nature relating to  
295 any such system and necessary or convenient for the operation  
296 thereof, including for the district's own use or resale.

297 (x) "Refunding bonds" means bonds issued to refinance  
298 outstanding bonds of any type and the interest and redemption  
299 premium thereon. Refunding bonds may be issuable and payable in  
300 the same manner as refinanced bonds, except that no approval by

301 the electorate shall be required unless required by the State  
302 Constitution.

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

309 (z) "Sewer system" means any plant, system, facility, or  
310 property, and additions, extensions, and improvements thereto at  
311 any future time constructed or acquired as part thereof, useful  
312 or necessary or having the present capacity for future use in  
313 connection with the collection, treatment, purification, or  
314 disposal of sewage, including, but not limited to, industrial  
315 wastes resulting from any process of industry, manufacture,  
316 trade, or business or from the development of any natural  
317 resource. The term also includes treatment plants, pumping  
318 stations, lift stations, valves, force mains, intercepting  
319 sewers, laterals, pressure lines, mains, and all necessary  
320 appurtenances and equipment; all sewer mains, laterals, and  
321 other devices for the reception and collection of sewage from  
322 premises connected therewith; all real and personal property and  
323 any interest therein; and rights, easements, and franchises of  
324 any nature relating to any such system and necessary or  
325 convenient for operation thereof.

326        (aa) "Special assessments" means assessments as imposed,  
327        levied, and collected by the district for the costs of  
328        assessable improvements pursuant to this act; chapter 170,  
329        Florida Statutes; and the additional authority under s.  
330        197.3631, Florida Statutes, or other general laws, now or  
331        hereafter enacted, which provide or authorize a supplemental  
332        means to impose, levy, or collect special assessments.

333        (bb) "Uplands Stewardship District" means the unit of  
334        special and limited purpose local government and political  
335        subdivision created and chartered by this act, and limited to  
336        the performance of those general and special powers authorized  
337        by its charter under this act, the boundaries of which are set  
338        forth by this act, the governing board of which is created and  
339        authorized to operate with legal existence by this act, and the  
340        purpose of which is as set forth in this act.

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

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

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

350        (dd) "Water system" means any plant, system, facility, or

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

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

(a) The district and the district charter, with its  
general and special powers, as created in this act, are  
essential and the best alternative for the residential,  
commercial, industrial, office, hotel, health care, and other  
similar community uses, projects, or functions in the included  
portion of Marion County consistent with the effective  
comprehensive plan, and designed to serve a lawful public  
purpose.

(b) The district, which is a local government and a  
political subdivision, is limited to its special purpose as  
expressed in this act, with the power to provide, plan,  
implement, construct, maintain, and finance as a local

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

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

389 (d) The district shall operate and function subject to,  
390 and not inconsistent with, the applicable comprehensive plan of  
391 Marion County and any applicable development orders (e.g.,  
392 detailed site plan development orders), zoning regulations, and  
393 other land development regulations.

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

399 (f) This act may be amended, in whole or in part, only by  
400 special act of the Legislature.



401       **Section 3.** Minimum charter requirements; creation and  
402 establishment; jurisdiction; construction; charter.—

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

407       (a) The purpose of the district is stated in the act in  
408 section 2 and subsection (4) of this section.

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

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

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

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

422       (f) The provisions regarding the administrative duties of  
423 the governing body are set forth in sections 5 and 6.

424       (g) The provisions applicable to financial disclosure,  
425 noticing, and reporting requirements generally are set forth in

sections 5 and 6.

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

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

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

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

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

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

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

(2) The Uplands Stewardship District is created and incorporated as a public body corporate and politic, an independent special and limited purpose local government, an independent special district, under s. 189.031, Florida Statutes, as amended from time to time, and as defined in this

act and in s. 189.012(3), Florida Statutes, as amended from time to time, in and for portions of Marion County. Any amendments to chapter 190, Florida Statutes, after January 1, 2025 granting additional general powers, special powers, authorities, or projects to a community development district by amendment to its uniform charter, ss. 190.006-190.041, Florida Statutes, which are not inconsistent with this act, shall constitute a general power, special power, authority, or function of the Uplands Stewardship District. All notices for the enactment by the Legislature of this special act have been provided pursuant to the State Constitution, the Laws of Florida, and the Rules of the Florida House of Representatives and of the Florida Senate. No referendum subsequent to the effective date of this act is required as a condition of establishing the district. Therefore, the district, as created by this act, is established on the property described in this act.

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

(4) The jurisdiction of the district, in the exercise of its general and special powers, and in the carrying out of its special and limited purposes, is both within the external boundaries of the legal description of this district and extraterritorially when limited to, and as authorized expressly elsewhere in, the charter of the district as created in this act

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

496 (5) The exclusive charter of the Uplands Stewardship  
497 District is this act and, except as otherwise provided in  
498 subsection (2), may be amended only by special act of the  
499 Legislature.

500 **Section 4.** Legal description of the Uplands Stewardship

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

LANDS LYING IN SECTIONS 3, 4, 9, 10, 15, 16, 21, 22,  
27, 28, 29, AND 33 TOWNSHIP 16 SOUTH, RANGE 20 EAST  
AND SECTIONS 33 AND 34, TOWNSHIP 15 SOUTH, RANGE 20  
EAST, MARION COUNTY, FLORIDA, BEING MORE PARTICULARLY  
DESCRIBED AS FOLLOWS:

ALL OF THE LANDS LYING SECTION 3, TOWNSHIP 16 SOUTH.  
RANGE 20 EAST, MARION COUNTY, FLORIDA. LESS AND  
EXCEPT THE NORTH 1/2 OF THE N.E. 1/4 OF SAID SECTION  
3.

AND

ALL OF THE LANDS LYING IN SECTIONS 4, 9, 16, 21,  
TOWNSHIP 16 SOUTH, RANGE 20 EAST, MARION COUNTY,  
FLORIDA.

AND

THE LANDS LYING IN SECTION 10, TOWNSHIP 16 SOUTH.  
RANGE 20 EAST, MARION COUNTY, FLORIDA.

LESS AND EXCEPT STONE CREEK BY DEL WEBB LONGLEAF, PER  
PLAT THEREOF RECORDED IN PLAT BOOK 11, PAGES 43  
THROUGH 47 OF THE PUBLIC RECORDS OF MARION COUNTY,  
FLORIDA

LESS AND EXCEPT STONE CREEK BY DEL WEBB ARLINGTON  
PHASE 1, PER PLAT THEREOF RECORDED IN PLAT BOOK 10,  
PAGES 187 THROUGH 192 OF THE PUBLIC RECORDS OF MARION  
COUNTY, FLORIDA

LESS AND EXCEPT STONE CREEK BY DEL WEBB ARLINGTON  
PHASE 4, PER PLAT THEREOF RECORDED IN PLAT BOOK 12,  
PAGES 39 AND 40 OF THE PUBLIC RECORDS OF MARION  
COUNTY, FLORIDA

LESS AND EXCEPT STONE CREEK BY DEL WEBB ARLINGTON  
PHASE 5, PER PLAT THEREOF RECORDED IN PLAT BOOK 12,  
PAGES 78 AND 79 OF THE PUBLIC RECORDS OF MARION  
COUNTY, FLORIDA

LESS AND EXCEPT LANDS LYING SOUTH AND EASTERLY OF THE  
PROJECTION OF THE WESTERLY BOUNDARY OF STONE CREEK BY  
DEL WEBB ARLINGTON PHASE 5, PER PLAT THEREOF RECORDED  
IN PLAT BOOK 12, PAGES 78 AND 79 OF THE PUBLIC RECORDS  
OF MARION COUNTY, FLORIDA LYING IN SECTION 10,  
TOWNSHIP 16 SOUTH, RANGE 20 EAST, MARION COUNTY,  
FLORIDA.

LESS AND EXCEPT ON TOP OF THE WORLD CANDLER HILLS WEST  
BALFOUR NORTH, PER PLAT THEREOF RECORDED IN PLAT BOOK

16, PAGES 30 THROUGH 42 OF THE PUBLIC RECORDS OF  
MARION COUNTY, FLORIDA  
LESS AND EXCEPT BLCCDD NORTH WATER RECLAMATION  
FACILITY, PER PLAT THEREOF RECORDED IN PLAT BOOK 16,  
PAGES 9 AND 10 OF THE PUBLIC RECORDS OF MARION COUNTY,  
FLORIDA  
LESS AND EXCEPT THE LANDS DESCRIBED IN OFFICIAL  
RECORDS BOOK 7875, PAGE 505 OF THE PUBLIC RECORDS OF  
MARION COUNTY, FLORIDA.

AND

A PORTION OF LANDS LYING IN SECTION 15, TOWNSHIP 16  
SOUTH, RANGE 20 EAST, BEING MORE PARTICULARLY  
DESCRIBED AS FOLLOWS:  
CONSERVATION AREA #2 PER OFFICIAL RECORDS BOOKS 3425,  
PAGES 1189 THROUGH 1212 OF THE PUBLIC RECORDS OF  
MARION COUNTY FLORIDA, LYING IN SECTION 15, TOWNSHIP  
16 SOUTH, RANGE 20 EAST.

AND

ALL OF THE LANDS LYING ON THE WEST 1/2 OF SECTION 22,  
TOWNSHIP 16 SOUTH. RANGE 20 EAST, MARION COUNTY,  
FLORIDA.  
LESS AND EXCEPT LONGLEAF RIDGE PHASE I, PER PLAT  
THEREOF RECORDED IN PLAT BOOK 13, PAGES 162 THROUGH

576        166 OF THE PUBLIC RECORDS OF MARION COUNTY, FLORIDA.  
577        LESS AND EXCEPT LONGLEAF RIDGE PHASE II, PER PLAT  
578        THEREOF RECORDED IN PLAT BOOK 13, PAGES 190 THROUGH  
579        193 OF THE PUBLIC RECORDS OF MARION COUNTY, FLORIDA.  
580        LESS AND EXCEPT LONGLEAF RIDGE PHASE III, PER PLAT  
581        THEREOF RECORDED IN PLAT BOOK 14, PAGES 66 THROUGH 72  
582        OF THE PUBLIC RECORDS OF MARION COUNTY, FLORIDA.  
583        LESS AND EXCEPT LONGLEAF RIDGE PHASE IV, PER PLAT  
584        THEREOF RECORDED IN PLAT BOOK 14, PAGES 106 THROUGH  
585        110 OF THE PUBLIC RECORDS OF MARION COUNTY, FLORIDA.  
586        LESS AND EXCEPT LONGLEAF RIDGE PHASE V, PER PLAT  
587        THEREOF RECORDED IN PLAT BOOK 14, PAGES 136 THROUGH  
588        141 OF THE PUBLIC RECORDS OF MARION COUNTY, FLORIDA.  
589        LESS AND EXCEPT LONGLEAF RIDGE PHASE VI, PER PLAT  
590        THEREOF RECORDED IN PLAT BOOK 15, PAGES 107 THROUGH  
591        111 OF THE PUBLIC RECORDS OF MARION COUNTY, FLORIDA.  
592        LESS AND EXCEPT ON TOP OF THE WORLD COMMUNITIES  
593        LONGLEAF RIDGE PHASE VIII, PER PLAT THEREOF RECORDED  
594        IN PLAT BOOK 15, PAGES 193 THROUGH 196 OF THE PUBLIC  
595        RECORDS OF MARION COUNTY, FLORIDA.  
596  
597        LESS AND EXCEPT (WEST MAINTENANCE PARCEL)  
598        A PARCEL OF LAND LYING IN SECTIONS 15 & 22, TOWNSHIP  
599        16 SOUTH, RANGE 20 EAST, MARION COUNTY, FLORIDA, ALSO  
600        BEING A PORTION OF CIRCLE SQUARE WOODS AS PER PLAT



601 THEREOF AS RECORDED IN PLAT BOOK P, PAGES 30 THROUGH  
602 103 OF THE PUBLIC RECORDS OF MARION COUNTY, FLORIDA,  
603 AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:  
604 COMMENCING AT THE NORTHWEST CORNER OF SAID SECTION 22;  
605 THENCE N.71°51'36"E., 302.72 FEET TO THE POINT OF  
606 BEGINNING; THENCE N.90°00'00"E., 700.60 FEET; THENCE  
607 S.00°00'00"E., 890.11 FEET; THENCE S.90°00'00"W.,  
608 711.29 FEET; THENCE N.00°41'18"E., 890.17 FEET TO THE  
609 POINT OF BEGINNING. SAID LANDS CONTAINING 14.43 ACRES,  
610 MORE OR LESS.

611  
612 LESS AND EXCEPT (RV PARCEL)  
613 A PARCEL OF LAND LYING IN SECTIONS 15 & 22, TOWNSHIP  
614 16 SOUTH, RANGE 20 EAST, MARION COUNTY, FLORIDA, ALSO  
615 BEING A PORTION OF CIRCLE SQUARE WOODS AS PER PLAT  
616 THEREOF AS RECORDED IN PLAT BOOK P, PAGES 30 THROUGH  
617 103 OF THE PUBLIC RECORDS OF MARION COUNTY, FLORIDA,  
618 AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:  
619 COMMENCING AT THE NORTHWEST CORNER OF SAID SECTION 22;  
620 THENCE N.84°33'08"E., 992.75 FEET TO THE POINT OF  
621 BEGINNING; THENCE N.90°00'00"E., 750.01 FEET; THENCE  
622 S.00°00'00"E., 721.91 FEET; THENCE S.89°58'14"E.,  
623 21.54 FEET; THENCE S.00°26'23"E., 15.19 FEET; THENCE  
624 N.89°49'34"W., 21.66 FEET; THENCE S.00°00'00"E., 90.57  
625 FEET; THENCE S.45°00'00"W., 88.39 FEET; THENCE

S.90°00'00"W., 687.51 FEET; THENCE N.00°00'00"E.,  
890.11 FEET TO THE POINT OF BEGINNING. SAID LANDS  
CONTAINING 15.28 ACRES, MORE OR LESS.

LESS AND EXCEPT THE EAST 916.75 OF THE NORTH 905.14 OF  
THE WEST 1/2 OF SECTION 22, TOWNSHIP 16 SOUTH. RANGE  
20 EAST, MARION COUNTY, FLORIDA.

AND

THE N.W. 1/4 OF SECTION 27, TOWNSHIP 16 SOUTH. RANGE  
20 EAST, MARION COUNTY, FLORIDA.

LESS AND EXCEPT THE SOUTH 15 FEET OF THE NW 1/4 OF  
SAID SECTION 27,

LESS AND EXCEPT LONGLEAF RIDGE PHASE VI, PER PLAT  
THEREOF RECORDED IN PLAT BOOK 15, PAGES 107 THROUGH  
111 OF THE PUBLIC RECORDS OF MARION COUNTY, FLORIDA.

LESS AND EXCEPT ON TOP OF THE WORLD COMMUNITIES  
LONGLEAF RIDGE PHASE VII, PER PLAT THEREOF RECORDED IN  
PLAT BOOK 15, PAGES 187 THROUGH 192 OF THE PUBLIC  
RECORDS OF MARION COUNTY, FLORIDA.

LESS AND EXCEPT ON TOP OF THE WORLD COMMUNITIES  
LONGLEAF RIDGE PHASE VIII, PER PLAT THEREOF RECORDED  
IN PLAT BOOK 15, PAGES 193 THROUGH 196 OF THE PUBLIC  
RECORDS OF MARION COUNTY, FLORIDA.

651  
652 AND  
653

654 ALL OF THE LANDS LYING IN SECTION 28, TOWNSHIP 16  
655 SOUTH. RANGE 20 EAST, MARION COUNTY , FLORIDA.

656 LESS AND EXCEPT THE EAST 1/2 OF THE S.E. 1/4 OF SAID  
657 SECTION 28

658 LESS AND EXCEPT THE NORTH 1/2 OF THE N.W. 1/4 OF THE  
659 S.E. 1/4 OF SAID SECTION 28

660 AND

661 THE WEST 1/2 OF THE N.E. 1/4, AND THE N.W. 1/4 OF THE  
662 S.E. 1/4 LYING NORTH OF THE STATE ROAD NO. 484,  
663 SECTION 33, TOWNSHIP 16 SOUTH, RANGE 20 EAST. MARION  
664 COUNTY, FLORIDA.

665  
666 AND

667 THE N.E. 1/4 OF THE N.W. 1/4 LESS THE S.W. 1/4 OF THE  
668 N.E. 1/4 OF THE N.W. 1/4 AND LESS THE WEST 1/2 OF THE  
669 S.E. 1/4 OF THE N.E. 1/4 OF THE N.W. 1/4 OF SECTION  
670 33, TOWNSHIP 16 SOUTH, RANGE 20 EAST, MARION COUNTY,  
671 FLORIDA.

672  
673 AND

674 THE EAST 1/4 THE S.E. 1/4 OF THE N.W. 1/4 SECTION 33,  
675 TOWNSHIP 16 SOUTH, RANGE 20 EAST, MARION COUNTY,

FLORIDA.

AND

THE EAST 1/4 THE N.E. 1/4 OF THE S.W. 1/4 LYING NORTH  
OF THE STATE ROAD NO. 484, SECTION 33, TOWNSHIP 16  
SOUTH, RANGE 20 EAST, MARION COUNTY, FLORIDA.

AND

THAT PORTION OF CIRCLE SQUARE WOODS, PER PLAT THEREOF  
RECORDED IN PLAT BOOK "P", PAGES 30 THROUGH 103 OF THE  
PUBLIC RECORDS OF MARION COUNTY, FLORIDA IN SECTION  
33, TOWNSHIP 15 SOUTH, RANGE 20 EAST, MARION COUNTY,  
FLORIDA LYING SOUTH OF THE 120 FEET WIDE STRIP OF  
LAND ABANDONED FORMER MAIN TRACK OF RAILROAD Ocala TO  
JULIETTE BRANCH.

AND

THE SOUTH 1/2 OF THE S.W. 1/4 OF SECTION 34, TOWNSHIP  
15 SOUTH, RANGE 20 EAST, MARION COUNTY, FLORIDA.

AND

THAT PARCEL OF LANDS DESCRIBED IN OFFICIAL RECORDS  
BOOK 8335, PAGE 418 OF THE PUBLIC RECORDS OF MARION  
COUNTY, FLORIDA.

AND

THAT PARCEL OF LANDS DESCRIBED IN OFFICIAL RECORDS  
BOOK 7549, PAGE 90 OF THE PUBLIC RECORDS OF MARION  
COUNTY, FLORIDA.

AND

THAT PARCEL OF LANDS DESCRIBED IN OFFICIAL RECORDS  
BOOK 8278, PAGE 1677 OF THE PUBLIC RECORDS OF MARION  
COUNTY, FLORIDA.

AND

THAT PARCEL OF LANDS DESCRIBED IN OFFICIAL RECORDS  
BOOK 8420, PAGE 627 OF THE PUBLIC RECORDS OF MARION  
COUNTY, FLORIDA.

SAID LANDS CONTAINING 5,161.21 ACRES, MORE OR LESS

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

**Section 5.** Board of supervisors; members and meetings;  
organization; powers; duties; terms of office; related election  
requirements.—

(1) The board of the district shall exercise the powers  
granted to the district pursuant to this act. The board shall  
consist of five members, each of whom shall hold office for a

726 term of 4 years, as provided in this section, except as  
727 otherwise provided herein for initial board members, and until a  
728 successor is chosen and qualified. The members of the board must  
729 be residents of the state and citizens of the United States.

730 (2) (a) Within 90 days after the effective date of this  
731 act, there shall be held a meeting of the landowners of the  
732 district for the purpose of electing five supervisors for the  
733 district. Notice of the landowners' meeting shall be published  
734 once a week for 2 consecutive weeks in a newspaper that is in  
735 general circulation in the area of the district, the last day of  
736 such publication to be not fewer than 14 days or more than 28  
737 days before the date of the election. The landowners, when  
738 assembled at such meeting, shall organize by electing a chair,  
739 who shall conduct the meeting. The chair may be any person  
740 present at the meeting. If the chair is a landowner or proxy  
741 holder of a landowner, he or she may nominate candidates and  
742 make and second motions. The landowners present at the meeting,  
743 in person or by proxy, shall constitute a quorum. At any  
744 landowners' meeting, 50 percent of the district acreage shall  
745 not be required to constitute a quorum, and each governing board  
746 member elected by landowners shall be elected by a majority of  
747 the acreage represented either by owner or proxy present and  
748 voting at said meeting.

749 (b) At such meeting, each landowner shall be entitled to  
750 cast one vote per acre of land owned by him or her and located

751 within the district for each person to be elected. A landowner  
752 may vote in person or by proxy in writing. Each proxy must be  
753 signed by one of the legal owners of the property for which the  
754 vote is cast and must contain the typed or printed name of the  
755 individual who signed the proxy; the street address, legal  
756 description of the property, or tax parcel identification  
757 number; and the number of authorized votes. If the proxy  
758 authorizes more than one vote, each property must be listed and  
759 the number of acres of each property must be included. The  
760 signature on a proxy need not be notarized. A fraction of an  
761 acre shall be treated as 1 acre, entitling the landowner to one  
762 vote with respect thereto. The three candidates receiving the  
763 highest number of votes shall each be elected for terms expiring  
764 November 26, 2030, and the two candidates receiving the next  
765 highest number of votes shall each be elected for terms expiring  
766 November 28, 2028, with the term of office for each successful  
767 candidate commencing upon election. The members of the first  
768 board elected by landowners shall serve their respective terms;  
769 however, the next election of board members shall be held on the  
770 first Tuesday after the first Monday in November 2028.  
771 Thereafter, there shall be an election by landowners for the  
772 district every 2 years on the first Tuesday after the first  
773 Monday in November, which shall be noticed pursuant to paragraph  
774 (a). The second and subsequent landowners' election shall be  
775 announced at a public meeting of the board at least 90 days

776 before the date of the landowners' meeting and shall also be  
777 noticed pursuant to paragraph (a). Instructions on how all  
778 landowners may participate in the election, along with sample  
779 proxies, shall be provided during the board meeting that  
780 announces the landowners' meeting. Each supervisor elected in or  
781 after November 2028 shall serve a 4-year term.

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

786 2.a. Regardless of whether the district has proposed to  
787 levy ad valorem taxes, board members shall begin being elected  
788 by qualified electors of the district as the district becomes  
789 populated with qualified electors. The transition shall occur  
790 such that the composition of the board, after the first general  
791 election following a trigger of the qualified elector population  
792 thresholds set forth below, shall be as follows:

793 (I) Once 10,000 qualified electors reside within the  
794 district, one governing board member shall be a person who is a  
795 qualified elector of the district and who was elected by the  
796 qualified electors, and four governing board members shall be  
797 persons who were elected by the landowners.

798 (II) Once 16,000 qualified electors reside within the  
799 district, two governing board members shall be persons who are  
800 qualified electors of the district and who were elected by the



801 qualified electors, and three governing board members shall be  
802 persons elected who were by the landowners.

803 (III) Once 21,000 qualified electors reside within the  
804 district, three governing board members shall be persons who are  
805 qualified electors of the district and who were elected by the  
806 qualified electors and two governing board members shall be  
807 persons who were elected by the landowners.

808 (IV) Once 23,000 qualified electors reside within the  
809 district, four governing board members shall be persons who are  
810 qualified electors of the district and who were elected by the  
811 qualified electors, and one governing board member shall be a  
812 person who was elected by the landowners.

813 (V) Once 25,000 qualified electors reside within the  
814 district, all five governing board members shall be persons who  
815 are qualified electors of the district and who were elected by  
816 the qualified electors.

817  
818 Nothing in this sub-subparagraph is intended to require an  
819 election prior to the expiration of an existing board member's  
820 term.

821 b. On or before June 1 of each election year, the board  
822 shall determine the number of qualified electors in the district  
823 as of the immediately preceding April 15. The board shall use  
824 and rely upon the official records maintained by the supervisor  
825 of elections and property appraiser or tax collector in Marion

County in making this determination. Such determination shall be made at a properly noticed meeting of the board and shall become a part of the official minutes of the district.

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

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

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

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

(c) Candidates seeking election to office by qualified electors under this subsection shall conduct their campaigns in accordance with chapter 106, Florida Statutes, and shall file qualifying papers and qualify for individual seats in accordance

851 with s. 99.061, Florida Statutes.

852 (d) The supervisor of elections shall appoint the  
853 inspectors and clerks of elections, prepare and furnish the  
854 ballots, designate polling places, and canvass the returns of  
855 the election of board members by qualified electors. The county  
856 canvassing board shall declare and certify the results of the  
857 election.

858 (4) Members of the board, regardless of how elected,  
859 shall be public officers, shall be known as supervisors, and,  
860 upon entering into office, shall take and subscribe to the oath  
861 of office as prescribed by s. 876.05, Florida Statutes. Members  
862 of the board shall be subject to ethics and conflict of interest  
863 laws of the state that apply to all local public officers. They  
864 shall hold office for the terms for which they were elected or  
865 appointed and until their successors are chosen and qualified.  
866 If, during the term of office, a vacancy occurs, the remaining  
867 members of the board shall fill each vacancy by an appointment  
868 for the remainder of the unexpired term.

869 (5) Any elected member of the board of supervisors may be  
870 removed by the Governor for malfeasance, misfeasance,  
871 dishonesty, incompetency, or failure to perform the duties  
872 imposed upon him or her by this act, and any vacancies that may  
873 occur in such office for such reasons shall be filled by the  
874 Governor as soon as practicable.

875 (6) A majority of the members of the board constitutes a

quorum for the purposes of conducting its business and  
exercising its powers and for all other purposes. Action taken  
by the district shall be upon a vote of a majority of the  
members present unless general law or a rule of the district  
requires a greater number.

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

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

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

901 Statutes.

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

904 **Section 6.** Board of supervisors; general duties.—

905 (1) DISTRICT MANAGER AND EMPLOYEES.—The board shall employ  
906 and fix the compensation of a district manager, who shall have  
907 charge and supervision of the works of the district and shall be  
908 responsible for preserving and maintaining any improvement or  
909 facility constructed or erected pursuant of this act, for  
910 maintaining and operating the equipment owned by the district,  
911 and for performing such other duties as may be prescribed by the  
912 board. It shall not be a conflict of interest or constitute an  
913 abuse of public position under chapter 112, Florida Statutes,  
914 for a board member, the district manager, or another employee of  
915 the district to be a stockholder, officer, or employee of a  
916 landowner or an affiliate of a landowner. The district manager  
917 may hire or otherwise employ and terminate the employment of  
918 such other persons, including, without limitation, professional,  
919 supervisory, and clerical employees, as may be necessary and  
920 authorized by the board. The compensation and other conditions  
921 of employment of the officers and employees of the district  
922 shall be as provided by the board.

923 (2) TREASURER.—The board shall designate a person who is a  
924 resident of the state as treasurer of the district, who shall  
925 have charge of the funds of the district. Such funds shall be

926 disbursed only upon the order of or pursuant to a resolution of  
927 the board by warrant or check countersigned by the treasurer and  
928 by such other person as may be authorized by the board. The  
929 board may give the treasurer such other or additional powers and  
930 duties as the board may deem appropriate and may fix his or her  
931 compensation. The board may require the treasurer to give a bond  
932 in such amount, on such terms, and with such sureties as may be  
933 deemed satisfactory to the board to secure the performance by  
934 the treasurer of his or her powers and duties. The financial  
935 records of the board shall be audited by an independent  
936 certified public accountant in accordance with the requirements  
937 of general law.

938 (3) PUBLIC DEPOSITORY.—The board is authorized to select  
939 as a depository for its funds any qualified public depository as  
940 defined in s. 280.02, Florida Statutes, which meets all the  
941 requirements of chapter 280, Florida Statutes, and has been  
942 designated by the treasurer as a qualified public depository  
943 upon such terms and conditions as to the payment of interest by  
944 such depository upon the funds so deposited as the board may  
945 deem just and reasonable.

946 (4) BUDGET; REPORTS AND REVIEWS.—

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

950 (b) On or before July 15 of each year, the district

951 manager shall prepare a proposed budget for the ensuing fiscal  
952 year to be submitted to the board for board approval. The  
953 proposed budget shall include at the direction of the board an  
954 estimate of all necessary expenditures of the district for the  
955 ensuing fiscal year and an estimate of income to the district  
956 from the taxes and assessments provided in this act. The board  
957 shall consider the proposed budget item by item and may either  
958 approve the budget as proposed by the district manager or modify  
959 the same in part or in whole. The board shall indicate its  
960 approval of the budget by resolution, which resolution shall  
961 provide for a hearing on the budget as approved. Notice of the  
962 hearing on the budget shall be published in a newspaper of  
963 general circulation in the area of the district once a week for  
964 2 consecutive weeks, except that the first publication shall be  
965 no less than 15 days prior to the date of the hearing. The  
966 notice shall further contain a designation of the day, time, and  
967 place of the public hearing. At the time and place designated in  
968 the notice, the board shall hear all objections to the budget as  
969 proposed and may make such changes as the board deems necessary.  
970 At the conclusion of the budget hearing, the board shall, by  
971 resolution, adopt the budget as finally approved by the board.  
972 The budget shall be adopted prior to October 1 of each year.

973 (c) At least 60 days prior to adoption, the board of  
974 supervisors of the district shall submit to the Board of County  
975 Commissioners of Marion County, for purposes of disclosure and

976 information only, the proposed annual budget for the ensuing  
977 fiscal year, and the commission may submit written comments to  
978 the board of supervisors solely for the assistance and  
979 information of the board of supervisors of the district in  
980 adopting its annual district budget.

981 (d) The board of supervisors of the district shall submit  
982 annually a public facilities report to the Board of County  
983 Commissioners of Marion County pursuant to Florida Statutes. The  
984 commission may use and rely on the district's public facilities  
985 report in the preparation or revision of the Marion County  
986 comprehensive plan.

987 (5) DISCLOSURE OF PUBLIC INFORMATION; WEB-BASED PUBLIC  
988 ACCESS.—The district shall take affirmative steps to provide for  
989 the full disclosure of information relating to the public  
990 financing and maintenance of improvements to real property  
991 undertaken by the district. Such information shall be made  
992 available to all existing residents and all prospective  
993 residents of the district. The district shall furnish each  
994 developer of a residential development within the district with  
995 sufficient copies of that information to provide each  
996 prospective initial purchaser of property in that development  
997 with a copy; and any developer of a residential development  
998 within the district, when required by law to provide a public  
999 offering statement, shall include a copy of such information  
1000 relating to the public financing and maintenance of improvements



1001 in the public offering statement. The district shall file the  
1002 disclosure documents required by this subsection and any  
1003 amendments thereto in the property records of each county in  
1004 which the district is located. By the end of the first full  
1005 fiscal year of the district's creation, the district shall  
1006 maintain an official Internet website in accordance with s.  
1007 189.069, Florida Statutes.

1008 (6) GENERAL POWERS.—The district shall have, and the board  
1009 may exercise, the following general powers:

1010 (a) To sue and be sued in the name of the district; to  
1011 adopt and use a seal and authorize the use of a facsimile  
1012 thereof; to acquire, by purchase, gift, devise, or otherwise,  
1013 and to dispose of, real and personal property, or any estate  
1014 therein; and to make and execute contracts and other instruments  
1015 necessary or convenient to the exercise of its powers.

1016 (b) To apply for coverage of its employees under the  
1017 Florida Retirement System in the same manner as if such  
1018 employees were state employees.

1019 (c) To contract for the services of consultants to perform  
1020 planning, engineering, legal, or other appropriate services of a  
1021 professional nature. Such contracts shall be subject to public  
1022 bidding or competitive negotiation requirements as set forth in  
1023 general law applicable to independent special districts.

1024 (d) To borrow money and accept gifts; to apply for and use  
1025 grants or loans of money or other property from the United

1026 States, the state, a unit of local government, or any person for  
1027 any district purposes and enter into agreements required in  
1028 connection therewith; and to hold, use, and dispose of such  
1029 moneys or property for any district purposes in accordance with  
1030 the terms of the gift, grant, loan, or agreement relating  
1031 thereto.

1032 (e) To adopt and enforce rules and orders pursuant to  
1033 chapter 120, Florida Statutes, prescribing the powers, duties,  
1034 and functions of the officers of the district; the conduct of  
1035 the business of the district; the maintenance of records; and  
1036 the form of certificates evidencing tax liens and all other  
1037 documents and records of the district. The board may also adopt  
1038 and enforce administrative rules with respect to any of the  
1039 projects of the district and define the area to be included  
1040 therein. The board may also adopt resolutions which may be  
1041 necessary for the conduct of district business.

1042 (f) To maintain an office at such place or places as the  
1043 board of supervisors designates in Marion County and within the  
1044 district when facilities are available.

1045 (g) To hold, control, and acquire by donation, purchase,  
1046 or condemnation, or dispose of, any public easements,  
1047 dedications to public use, platted reservations for public  
1048 purposes, or any reservations for those purposes authorized by  
1049 this act and to make use of such easements, dedications, or  
1050 reservations for the purposes authorized by this act.

1051       (h) To lease as lessor or lessee to or from any person,  
1052       firm, corporation, association, or body, public or private, any  
1053       projects of the type that the district is authorized to  
1054       undertake and facilities or property of any nature for the use  
1055       of the district to carry out the purposes authorized by this  
1056       act.

1057       (i) To borrow money and issue bonds, certificates,  
1058       warrants, notes, or other evidence of indebtedness as provided  
1059       herein; to levy such taxes and assessments as may be authorized;  
1060       and to charge, collect, and enforce fees and other user charges.

1061       (j) To raise, by user charges or fees authorized by  
1062       resolution of the board, amounts of money which are necessary  
1063       for the conduct of district activities and services and to  
1064       enforce their receipt and collection in the manner prescribed by  
1065       resolution not inconsistent with law.

1066       (k) To exercise all powers of eminent domain now or  
1067       hereafter conferred on counties in this state provided, however,  
1068       that such power of eminent domain may not be exercised outside  
1069       the territorial limits of the district unless the district  
1070       receives prior approval by vote of a resolution of the governing  
1071       body of the county if the taking will occur in an unincorporated  
1072       area in that county, or the governing body of the city if the  
1073       taking will occur in an incorporated area. The district shall  
1074       not have the power to exercise eminent domain over municipal,  
1075       county, state, or federal property. The powers hereinabove

1076 granted to the district shall be so construed to enable the  
1077 district to fulfill the objects and purposes of the district as  
1078 set forth in this act.

1079 (l) To cooperate with, or contract with, other  
1080 governmental agencies as may be necessary, convenient,  
1081 incidental, or proper in connection with any of the powers,  
1082 duties, or purposes authorized by this act.

1083 (m) To assess and to impose upon lands in the district ad  
1084 valorem taxes as provided by this act.

1085 (n) If and when authorized by general law, to determine,  
1086 order, levy, impose, collect, and enforce maintenance taxes.

1087 (o) To determine, order, levy, impose, collect, and  
1088 enforce assessments pursuant to this act and chapter 170,  
1089 Florida Statutes, as amended from time to time, pursuant to  
1090 authority granted in s. 197.3631, Florida Statutes, or pursuant  
1091 to other general laws, now or hereafter enacted, which provide  
1092 or authorize a supplemental means to order, levy, impose, or  
1093 collect special assessments. Such special assessments, in the  
1094 discretion of the district, may be collected and enforced  
1095 pursuant to ss. 197.3632 and 197.3635, Florida Statutes, and  
1096 chapters 170 and 173, Florida Statutes, as they may be amended  
1097 from time to time, or as provided by this act, or by other means  
1098 authorized by general law now or hereafter enacted. The district  
1099 may levy such special assessments for the purposes enumerated in  
1100 this act and to pay special assessments imposed by Marion County

1101 on lands within the district.

1102 (p) To exercise such special powers and other express  
1103 powers as may be authorized and granted by this act in the  
1104 charter of the district, including powers as provided in any  
1105 interlocal agreement entered into pursuant to chapter 163,  
1106 Florida Statutes, or which shall be required or permitted to be  
1107 undertaken by the district pursuant to any development order,  
1108 including any detailed specific area plan development order, or  
1109 any interlocal service agreement with Marion County or other  
1110 unit of government for fair-share capital construction funding  
1111 for any certain capital facilities or systems required of a  
1112 developer pursuant to any applicable development order or  
1113 agreement.

1114 (q) To exercise all of the powers necessary, convenient,  
1115 incidental, or proper in connection with any other powers or  
1116 duties or the special and limited purpose of the district  
1117 authorized by this act.

1118  
1119 This subsection shall be construed liberally in order to carry  
1120 out effectively the special and limited purpose of this act.

1121 (7) SPECIAL POWERS.—The district shall have, and the board  
1122 may exercise, the following special powers to implement its  
1123 lawful and special purpose and to provide, pursuant to that  
1124 purpose, systems, facilities, services, improvements, projects,  
1125 works, and infrastructure, each of which constitutes a lawful

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

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

1. The board shall cause to be made by the district's

1151 engineer, or such other engineer or engineers as the board may  
1152 employ for that purpose, complete and comprehensive water  
1153 management and control plans for the lands located within the  
1154 district that will be improved in any part or in whole by any  
1155 system of facilities that may be outlined and adopted, and the  
1156 engineer shall make a report in writing to the board with maps  
1157 and profiles of said surveys and an estimate of the cost of  
1158 carrying out and completing the plans.

1159 2. Upon the completion of such plans, the board shall hold  
1160 a hearing thereon to hear objections thereto, shall give notice  
1161 of the time and place fixed for such hearing by publication once  
1162 each week for 2 consecutive weeks in a newspaper of general  
1163 circulation in the general area of the district, and shall  
1164 permit the inspection of the plan at the office of the district  
1165 by all persons interested. All objections to the plan shall be  
1166 filed at or before the time fixed in the notice for the hearing  
1167 and shall be in writing.

1168 3. After the hearing, the board shall consider the  
1169 proposed plan and any objections thereto and may modify, reject,  
1170 or adopt the plan or continue the hearing until a day certain  
1171 for further consideration of the proposed plan or modifications  
1172 thereof.

1173 4. When the board approves a plan, a resolution shall be  
1174 adopted and a certified copy thereof shall be filed in the  
1175 office of the secretary and incorporated by him or her into the

1176 records of the district.

1177 5. The water management and control plan may be altered in  
1178 detail from time to time until the engineer's report pursuant to  
1179 s. 298.301, Florida Statutes, is filed but not in such manner as  
1180 to affect materially the conditions of its adoption. After the  
1181 engineer's report has been filed, no alteration of the plan  
1182 shall be made, except as provided by this act.

1183 6. Within 20 days after the final adoption of the plan by  
1184 the board, the board shall proceed pursuant to s. 298.301,  
1185 Florida Statutes.

1186 (b) To provide utility systems, water supply, sewer,  
1187 wastewater, and reclaimed water management, reclamation, and  
1188 reuse, or any combination thereof, and any irrigation systems,  
1189 facilities, and services and to construct and operate water  
1190 systems, sewer systems, irrigation systems, and reclaimed water  
1191 systems such as connecting intercepting or outlet sewers and  
1192 sewer mains and pipes and water mains, conduits, or pipelines  
1193 in, along, and under any street, alley, highway, or other public  
1194 place or ways, and to dispose of any water, effluent, residue,  
1195 or other byproducts of such water system, sewer system,  
1196 irrigation system, or reclaimed water system and to enter into  
1197 interlocal agreements and other agreements with public or  
1198 private entities for the same.

1199 (c) To provide bridges, culverts, wildlife corridors, or  
1200 road crossings that may be needed across any drain, ditch,



1201 canal, floodway, holding basin, excavation, public highway,  
1202 tract, grade, fill, or cut and roadways over levees and  
1203 embankments, and to construct any and all of such works and  
1204 improvements across, through, or over any public right-of-way,  
1205 highway, grade, fill, or cut.

1206 (d) To provide district roads or other roads equal to or  
1207 exceeding the specifications of the county in which such  
1208 district roads or other roads are located, and to provide street  
1209 lights. This special power includes, but is not limited to,  
1210 roads, parkways, intersections, bridges, landscaping,  
1211 hardscaping, irrigation, bicycle lanes, sidewalks, jogging  
1212 paths, golf cart paths, multimodal and multiuse pathways and  
1213 trails, street lighting, traffic signals, regulatory or  
1214 informational signage, road striping, underground conduit,  
1215 underground cable or fiber or wire installed pursuant to an  
1216 agreement with or tariff of a retail provider of services, and  
1217 all other customary elements of a functioning modern road system  
1218 in general or as tied to the conditions of development approval  
1219 for the area within and without the district, and parking  
1220 facilities that are freestanding or that may be related to any  
1221 innovative strategic intermodal system of transportation  
1222 pursuant to applicable federal, state, and local law and  
1223 ordinance.

1224 (e) To provide buses, trolleys, rail access, mass transit  
1225 facilities, transit shelters, ridesharing facilities and

1226 services, parking improvements, and related signage.

1227 (f) To provide investigation and remediation costs  
1228 associated with the cleanup of actual or perceived environmental  
1229 contamination within the district under the supervision or  
1230 direction of a competent governmental authority unless the  
1231 covered costs benefit any person who is a landowner within the  
1232 district and who caused or contributed to the contamination.

1233 (g) To provide observation areas, mitigation areas,  
1234 wetland creation areas, and wildlife habitat, including the  
1235 maintenance of any plant or animal species, and any related  
1236 interest in real or personal property.

1237 (h) Using its general and special powers as set forth in  
1238 this act, to provide any other project within or without the  
1239 boundaries of the district when the project is the subject of an  
1240 agreement between the district and the Board of County  
1241 Commissioners of Marion County or with any other applicable  
1242 public or private entity, and is not inconsistent with the  
1243 effective local comprehensive plans.

1244 (i) To provide parks and facilities for indoor and outdoor  
1245 recreational, cultural, and educational uses.

1246 (j) To serve the public interest by providing new  
1247 recreational trails that are interconnected with existing trails  
1248 located within the Marjorie Harris Carr Cross Florida Greenway.  
1249 Such trails will provide hiking, biking, and equestrian  
1250 recreational opportunities consistent with the policy of the

1251 Board of Trustees of the Internal Improvement Trust Fund  
1252 encouraging public access upon state-owned uplands.

1253 (k) To provide school buildings and related structures,  
1254 which may be leased, sold, or donated to the school district,  
1255 for use in the educational system when authorized by the  
1256 district school board.

1257 (l) To provide security, including electronic intrusion-  
1258 detection systems and patrol vehicles, when authorized by proper  
1259 governmental agencies, and to contract with the appropriate  
1260 local general-purpose government agencies for an increased level  
1261 of such services within the district boundaries. However, this  
1262 paragraph does not prohibit the district from contracting with a  
1263 towing operator to remove a vehicle or vessel from a district-  
1264 owned facility or property if the district follows the  
1265 authorization and notice and procedural requirements in s.  
1266 715.07, Florida Statutes, for an owner or lessee of private  
1267 property. The district's selection of a towing operator is not  
1268 subject to public bidding if the towing operator is included in  
1269 an approved list of tow operators maintained by the local  
1270 government that has jurisdiction over the district's facility or  
1271 property.

1272 (m) To provide control and elimination of mosquitoes and  
1273 other arthropods of public health importance.

1274 (n) To enter into impact fee, mobility fee, or other  
1275 similar credit agreements with Marion County or other

1276 governmental bodies or a landowner developer and to sell or  
1277 assign such credits, on such terms as the district deems  
1278 appropriate.

1279 (o) To provide buildings and structures for district  
1280 offices; maintenance facilities; meeting facilities; town  
1281 centers; stadiums; recreational facilities such as, but not  
1282 limited to, sports fields, aquatic facilities, and sports  
1283 courts; or any other project authorized or granted by this act.

1284 (p) To establish and create, at noticed meetings, such  
1285 departments of the board of supervisors of the district, as well  
1286 as committees, task forces, boards, or commissions, or other  
1287 agencies under the supervision and control of the district, as  
1288 from time to time the members of the board may deem necessary or  
1289 desirable in the performance of the acts or other things  
1290 necessary to exercise the board's general or special powers to  
1291 implement an innovative project to carry out the special and  
1292 limited purpose of the district as provided in this act and to  
1293 delegate the exercise of its powers to such departments, boards,  
1294 task forces, committees, or other agencies, and such  
1295 administrative duties and other powers as the board may deem  
1296 necessary or desirable, but only if there is a set of expressed  
1297 limitations for accountability, notice, and periodic written  
1298 reporting to the board that shall retain the powers of the  
1299 board.

1300 (q) To provide electrical, sustainable, or green

infrastructure improvements, facilities, and services,  
including, but not limited to, recycling of natural resources,  
reduction of energy demands, development and generation of  
alternative or renewable energy sources and technologies,  
mitigation of urban heat islands, sequestration, capping or  
trading of carbon emissions or carbon emissions credits, LEED or  
Florida Green Building Coalition certification, and development  
of facilities and improvements for low-impact development and to  
enter into joint ventures, public-private partnerships, and  
other agreements and to grant such easements as may be necessary  
to accomplish the foregoing. Nothing herein shall authorize the  
district to provide electric service to retail customers or  
otherwise act to impair electric utility franchise agreements.

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

(s) To provide waste collection and disposal.

(t) To provide for the construction and operation of  
communications systems and related infrastructure for the  
carriage and distribution of communications services, and to  
enter into joint ventures, public-private partnerships, and  
other agreements and to grant such easements as may be necessary  
to accomplish the foregoing. The term "communications systems"

1326 means all facilities, buildings, equipment, items, and methods  
1327 necessary or desirable in order to provide communications  
1328 services, including, without limitation, fiber, wires, cables,  
1329 conduits, electronic equipment, switches, wireless cell sites,  
1330 computers, modems, antennas, satellite antennae sites,  
1331 transmission facilities, network facilities, and appurtenant  
1332 devices necessary and appropriate to support the provision of  
1333 communications services. The term "communications services"  
1334 includes, without limitation, all forms of broadband services,  
1335 wireless communications services, and other communications or  
1336 data transmissions services that enable users to access the  
1337 Internet and internet-related services, such as, but not limed  
1338 to, voice telephone or similar services provided by voiceover  
1339 Internet protocol, cable television, data transmission services,  
1340 electronic security monitoring services, and multichannel video  
1341 programming distribution services. Nothing herein authorizes the  
1342 district to provide communications services to retail customers  
1343 or otherwise act to impair existing service provider franchise  
1344 agreements; however, the district may contract with such  
1345 providers for resale purposes.

1346 (u) To provide health care facilities and to enter into  
1347 public-private partnerships and agreements as may be necessary  
1348 to accomplish the foregoing.

1349 (v) To coordinate, work with, and, as the board deems  
1350 appropriate, enter into interlocal agreements with any public or

1351 private entity for the provision of an institution or  
1352 institutions of higher education.

1353 (w) To coordinate, work with, and as the board deems  
1354 appropriate, enter into public-private partnerships and  
1355 agreements as may be necessary or useful to effectuate the  
1356 purposes of this act.

1357  
1358 The enumeration of special powers herein shall not be deemed  
1359 exclusive or restrictive but shall be deemed to incorporate all  
1360 powers express or implied necessary or incidental to carrying  
1361 out such enumerated special powers, including also the general  
1362 powers provided by this special act charter to the district to  
1363 implement its purposes. Further, this subsection shall be  
1364 construed liberally in order to carry out effectively the  
1365 special and limited purpose of this district under this act.

1366 (8) ISSUANCE OF BOND ANTICIPATION NOTES.—In addition to  
1367 the other powers provided for in this act, and not in limitation  
1368 thereof, the district shall have the power, at any time and from  
1369 time to time after the issuance of any bonds of the district  
1370 shall have been authorized, to borrow money for the purposes for  
1371 which such bonds are to be issued in anticipation of the receipt  
1372 of the proceeds of the sale of such bonds and to issue bond  
1373 anticipation notes in a principal sum not in excess of the  
1374 authorized maximum amount of such bond issue. Such notes shall  
1375 be in such denomination or denominations, bear interest at such

1376 rate not to exceed the maximum rate allowed by general law,  
1377 mature at such time or times not later than 5 years from the  
1378 date of issuance, and be in such form and executed in such  
1379 manner as the board shall prescribe. Such notes may be sold at  
1380 either public or private sale or, if such notes shall be renewal  
1381 notes, may be exchanged for notes then outstanding on such terms  
1382 as the board shall determine. Such notes shall be paid from the  
1383 proceeds of such bonds when issued. The board may, in its  
1384 discretion, in lieu of retiring the notes by means of bonds,  
1385 retire them by means of current revenues or from any taxes or  
1386 assessments levied for the payment of such bonds, but, in such  
1387 event, a like amount of the bonds authorized shall not be  
1388 issued.

1389 (9) BORROWING.—The district at any time may obtain loans,  
1390 in such amount and on such terms and conditions as the board may  
1391 approve, for the purpose of paying any of the expenses of the  
1392 district or any costs incurred or that may be incurred in  
1393 connection with any of the projects of the district, which loans  
1394 shall bear interest as the board determines, not to exceed the  
1395 maximum rate allowed by general law, and may be payable from and  
1396 secured by a pledge of such funds, revenues, taxes, and  
1397 assessments as the board may determine, subject, however, to the  
1398 provisions contained in any proceeding under which bonds were  
1399 theretofore issued and are then outstanding. For the purpose of  
1400 defraying such costs and expenses, the district may issue



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

(10) BONDS.—

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

1426 time to time, in such manner and upon such terms as the board in  
1427 its discretion shall determine. The price or prices for any  
1428 bonds sold, exchanged, or delivered may be:

1429 1. The money paid for the bonds.

1430 2. The principal amount, plus accrued interest to the date  
1431 of redemption or exchange, or outstanding obligations exchanged  
1432 for refunding bonds.

1433 3. In the case of special assessment or revenue bonds, the  
1434 amount of any indebtedness to contractors or other persons paid  
1435 with such bonds, or the fair value of any properties exchanged  
1436 for the bonds, as determined by the board.

1437 (b) Authorization and form of bonds.—Any general  
1438 obligation bonds, special assessment bonds, or revenue bonds may  
1439 be authorized by resolution or resolutions of the board which  
1440 shall be adopted by a majority of all the members thereof then  
1441 in office. Such resolution or resolutions may be adopted at the  
1442 same meeting at which they are introduced and need not be  
1443 published or posted. The board may, by resolution, authorize the  
1444 issuance of bonds and fix the aggregate amount of bonds to be  
1445 issued; the purpose or purposes for which the moneys derived  
1446 therefrom shall be expended, including, but not limited to,  
1447 payment of costs as defined in section 2(2)(h); the rate or  
1448 rates of interest, not to exceed the maximum rate allowed by  
1449 general law; the denomination of the bonds; whether or not the  
1450 bonds are to be issued in one or more series; the date or dates

1451 of maturity, which shall not exceed 40 years from their  
1452 respective dates of issuance; the medium of payment; the place  
1453 or places within or without the state at which payment shall be  
1454 made; registration privileges; redemption terms and privileges,  
1455 whether with or without premium; the manner of execution; the  
1456 form of the bonds, including any interest coupons to be attached  
1457 thereto; the manner of execution of bonds and coupons; and any  
1458 and all other terms, covenants, and conditions thereof and the  
1459 establishment of revenue or other funds. Such authorizing  
1460 resolution or resolutions may further provide for the contracts  
1461 authorized by s. 159.825(1)(f) and (g), Florida Statutes,  
1462 regardless of the tax treatment of such bonds being authorized,  
1463 subject to the finding by the board of a net saving to the  
1464 district resulting by reason thereof. Such authorizing  
1465 resolution may further provide that such bonds may be executed  
1466 in accordance with the Registered Public Obligations Act, except  
1467 that bonds not issued in registered form shall be valid if  
1468 manually countersigned by an officer designated by appropriate  
1469 resolution of the board. The seal of the district may be  
1470 affixed, lithographed, engraved, or otherwise reproduced in  
1471 facsimile on such bonds. In case any officer whose signature  
1472 shall appear on any bonds or coupons shall cease to be such  
1473 officer before the delivery of such bonds, such signature or  
1474 facsimile shall nevertheless be valid and sufficient for all  
1475 purposes the same as if he or she had remained in office until

1476 such delivery.

1477 (c) Interim certificates; replacement certificates.—  
1478 Pending the preparation of definitive bonds, the board may issue  
1479 interim certificates or receipts or temporary bonds, in such  
1480 form and with such provisions as the board may determine,  
1481 exchangeable for definitive bonds when such bonds have been  
1482 executed and are available for delivery. The board may also  
1483 provide for the replacement of any bonds which become mutilated,  
1484 lost, or destroyed.

1485 (d) Negotiability of bonds.—Any bond issued under this act  
1486 or any temporary bond, in the absence of an express recital on  
1487 the face thereof that it is nonnegotiable, shall be fully  
1488 negotiable and shall be and constitute a negotiable instrument  
1489 within the meaning and for all purposes of the law merchant and  
1490 the laws of the state.

1491 (e) Defeasance.—The board may make such provision with  
1492 respect to the defeasance of the right, title, and interest of  
1493 the holders of any of the bonds and obligations of the district  
1494 in any revenues, funds, or other properties by which such bonds  
1495 are secured as the board deems appropriate and, without  
1496 limitation on the foregoing, may provide that when such bonds or  
1497 obligations become due and payable or shall have been called for  
1498 redemption and the whole amount of the principal and interest  
1499 and premium, if any, due and payable upon the bonds or  
1500 obligations then outstanding shall be held in trust for such

purpose, and provision shall also be made for paying all other  
sums payable in connection with such bonds or other obligations,  
then and in such event the right, title, and interest of the  
holders of the bonds in any revenues, funds, or other properties  
by which such bonds are secured shall thereupon cease,  
terminate, and become void; and the board may apply any surplus  
in any sinking fund established in connection with such bonds or  
obligations and all balances remaining in all other funds or  
accounts other than moneys held for the redemption or payment of  
the bonds or other obligations to any lawful purpose of the  
district as the board shall determine.

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

(g) Refunding bonds.—The district shall have the power to  
issue bonds to provide for the retirement or refunding of any  
bonds or obligations of the district that at the time of such  
issuance are or subsequent thereto become due and payable, or  
that at the time of issuance have been called or are, or will  
be, subject to call for redemption within 10 years thereafter,

1526 or the surrender of which can be procured from the holders  
1527 thereof at prices satisfactory to the board. Refunding bonds may  
1528 be issued at any time that, in the judgment of the board, such  
1529 issuance will be advantageous to the district. No approval of  
1530 the qualified electors residing in the district shall be  
1531 required for the issuance of refunding bonds except in cases in  
1532 which such approval is required by the State Constitution. The  
1533 board may by resolution confer upon the holders of such  
1534 refunding bonds all rights, powers, and remedies to which the  
1535 holders would be entitled if they continued to be the owners and  
1536 had possession of the bonds for the refinancing of which such  
1537 refunding bonds are issued, including, but not limited to, the  
1538 preservation of the lien of such bonds on the revenues of any  
1539 project or on pledged funds, without extinguishment, impairment,  
1540 or diminution thereof. The provisions of this act pertaining to  
1541 bonds of the district shall, unless the context otherwise  
1542 requires, govern the issuance of refunding bonds, the form and  
1543 other details thereof, the rights of the holders thereof, and  
1544 the duties of the board with respect thereto.

1545 (h) Revenue bonds.—

1546 1. The district shall have the power to issue revenue  
1547 bonds from time to time without limitation as to amount. Such  
1548 revenue bonds may be secured by, or payable from, the gross or  
1549 net pledge of the revenues to be derived from any project or  
1550 combination of projects; from the rates, fees, or other charges

1551 to be collected from the users of any project or projects; from  
1552 any revenue-producing undertaking or activity of the district;  
1553 from special assessments; from benefit special assessments; or  
1554 from any other source or pledged security. Such bonds shall not  
1555 constitute an indebtedness of the district, and the approval of  
1556 the qualified electors shall not be required unless such bonds  
1557 are additionally secured by the full faith and credit and taxing  
1558 power of the district.

1559 2. Any two or more projects may be combined and  
1560 consolidated into a single project and may hereafter be operated  
1561 and maintained as a single project. The revenue bonds authorized  
1562 herein may be issued to finance any one or more of such  
1563 projects, regardless of whether such projects have been combined  
1564 and consolidated into a single project. If the board deems it  
1565 advisable, the proceedings authorizing such revenue bonds may  
1566 provide that the district may thereafter combine the projects  
1567 then being financed or theretofore financed with other projects  
1568 to be subsequently financed by the district and that revenue  
1569 bonds to be thereafter issued by the district shall be on parity  
1570 with the revenue bonds then being issued, all on such terms,  
1571 conditions, and limitations as shall have been provided in the  
1572 proceeding which authorized the original bonds.

1573 (i) General obligation bonds.—

1574 1. Subject to the limitations of this charter, the  
1575 district shall have the power from time to time to issue general

obligation bonds to finance or refinance capital projects or to  
refund outstanding bonds in an aggregate principal amount of  
bonds outstanding at any one time not in excess of 35 percent of  
the assessed value of the taxable property within the district  
as shown on the pertinent tax records at the time of the  
authorization of the general obligation bonds for which the full  
faith and credit of the district is pledged. Except for  
refunding bonds, no general obligation bonds shall be issued  
unless the bonds are issued to finance or refinance a capital  
project and the issuance has been approved at an election held  
in accordance with the requirements for such election as  
prescribed by the State Constitution. Such elections shall be  
called to be held in the district by the Supervisor of Elections  
of Marion County upon the request of the board of the district.  
The expenses of calling and holding an election shall be at the  
expense of the district and the district shall reimburse the  
county for any expenses incurred in calling or holding such  
election.

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



1601       3. If the board determines to issue general obligation  
1602 bonds for more than one capital project, the approval of the  
1603 issuance of the bonds for each and all such projects may be  
1604 submitted to the electors on one and the same ballot. The  
1605 failure of the electors to approve the issuance of bonds for any  
1606 one or more capital projects shall not defeat the approval of  
1607 bonds for any capital project which has been approved by the  
1608 electors.

1609       4. In arriving at the amount of general obligation bonds  
1610 permitted to be outstanding at any one time pursuant to  
1611 subparagraph 1., there shall not be included any general  
1612 obligation bonds that are additionally secured by the pledge of:

1613       a. Any assessments levied in an amount sufficient to pay  
1614 the principal and interest on the general obligation bonds so  
1615 additionally secured, which assessments have been equalized and  
1616 confirmed by resolution of the board pursuant to this act or s.  
1617 170.08, Florida Statutes.

1618       b. Water revenues, sewer revenues, or water and sewer  
1619 revenues of the district to be derived from user fees in an  
1620 amount sufficient to pay the principal and interest on the  
1621 general obligation bonds so additionally secured.

1622       c. Any combination of assessments and revenues described  
1623 in sub-subparagraphs a. and b.

1624       (j) Bonds as legal investment or security.—

1625       1. Notwithstanding any other law to the contrary, all

bonds issued under this act shall constitute legal investments for savings banks, banks, trust companies, insurance companies, executors, administrators, trustees, guardians, and other fiduciaries and for any board, body, agency, instrumentality, county, municipality, or other political subdivision of the state and shall be and constitute security which may be deposited by banks or trust companies as security for deposits of state, county, municipal, or other public funds or by insurance companies as required or voluntary statutory deposits.

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

(k) Covenants.—Any resolution authorizing the issuance of bonds may contain such covenants as the board may deem advisable, and all such covenants shall constitute valid and legally binding and enforceable contracts between the district and the bondholders, regardless of the time of issuance thereof. Such covenants may include, without limitation, covenants concerning the disposition of the bond proceeds; the use and disposition of project revenues; the pledging of revenues, taxes, and assessments; the obligations of the district with respect to the operation of the project and the maintenance of adequate project revenues; the issuance of additional bonds; the appointment, powers, and duties of trustees and receivers; the

acquisition of outstanding bonds and obligations; restrictions on the establishing of competing projects or facilities; restrictions on the sale or disposal of the assets and property of the district; the priority of assessment liens; the priority of claims by bondholders on the taxing power of the district; the maintenance of deposits to ensure the payment of revenues by users of district facilities and services; the discontinuance of district services by reason of delinquent payments; acceleration upon default; the execution of necessary instruments; the procedure for amending or abrogating covenants with the bondholders; and such other covenants as may be deemed necessary or desirable for the security of the bondholders.

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

(m) Tax exemption.—To the extent allowed by general law, all bonds issued hereunder and interest paid thereon and all fees, charges, and other revenues derived by the district from the projects provided by this act are exempt from all taxes by the state or by any political subdivision, agency, or instrumentality thereof; however, any interest, income, or profits on debt obligations issued hereunder are not exempt from

the tax imposed by chapter 220, Florida Statutes. Further, the district is not exempt from chapter 212, Florida Statutes.

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

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

(p) Pledge by the state to the bondholders of the district.—The state pledges to the holders of any bonds issued under this act that it will not limit or alter the rights of the district to own, acquire, construct, reconstruct, improve, maintain, operate, or furnish the projects or to levy and collect the taxes, assessments, rentals, rates, fees, and other charges provided for herein and to fulfill the terms of any

1701 agreement made with the holders of such bonds or other  
1702 obligations and that it will not in any way impair the rights or  
1703 remedies of such holders.

1704 (q) Default.—A default on the bonds or obligations of the  
1705 district shall not constitute a debt or obligation of the state  
1706 or any general-purpose local government of the state. In the  
1707 event of a default or dissolution of the district, no general-  
1708 purpose local government shall be required to assume the  
1709 property of the district, the debts of the district, or the  
1710 district's obligations to complete any infrastructure  
1711 improvements or provide any services to the district. Section  
1712 189.076(2), Florida Statutes, shall not apply to the district.

1713 (11) TRUST AGREEMENTS.—Any issue of bonds shall be secured  
1714 by a trust agreement or resolution by and between the district  
1715 and a corporate trustee or trustees, which may be any trust  
1716 company or bank having the powers of a trust company within or  
1717 without the state. The resolution authorizing the issuance of  
1718 the bonds or such trust agreement may pledge the revenues to be  
1719 received from any projects of the district and may contain such  
1720 provisions for protecting and enforcing the rights and remedies  
1721 of the bondholders as the board may approve, including, without  
1722 limitation, covenants setting forth the duties of the district  
1723 in relation to: the acquisition, construction, reconstruction,  
1724 improvement, maintenance, repair, operation, and insurance of  
1725 any projects; the fixing and revising of the rates, fees, and

1726 charges; and the custody, safeguarding, and application of all  
1727 moneys and for the employment of consulting engineers in  
1728 connection with such acquisition, construction, reconstruction,  
1729 improvement, maintenance, repair, or operation. It shall be  
1730 lawful for any bank or trust company within or without the state  
1731 which may act as a depository of the proceeds of bonds or of  
1732 revenues to furnish such indemnifying bonds or to pledge such  
1733 securities as may be required by the district. Such resolution  
1734 or trust agreement may set forth the rights and remedies of the  
1735 bondholders and of the trustee, if any, and may restrict the  
1736 individual right of action by bondholders. The board may provide  
1737 for the payment of proceeds of the sale of the bonds and the  
1738 revenues of any project to such officer, board, or depository as  
1739 it may designate for the custody thereof and may provide for the  
1740 method of disbursement thereof with such safeguards and  
1741 restrictions as it may determine. All expenses incurred in  
1742 carrying out the provisions of such resolution or trust  
1743 agreement may be treated as part of the cost of operation of the  
1744 project to which such resolution or trust agreement pertains.

1745 (12) AD VALOREM TAXES; ASSESSMENTS, BENEFIT SPECIAL  
1746 ASSESSMENTS, MAINTENANCE SPECIAL ASSESSMENTS, AND SPECIAL  
1747 ASSESSMENTS; MAINTENANCE TAXES.—

1748 (a) Ad valorem taxes.—At such time as all members of the  
1749 board are qualified electors who are elected by qualified  
1750 electors of the district, the board shall have the power to levy

1751 and assess an ad valorem tax on all the taxable property in the  
1752 district to construct, operate, and maintain assessable  
1753 improvements; to pay the principal of, and interest on, any  
1754 general obligation bonds of the district; and to provide for any  
1755 sinking or other funds established in connection with any such  
1756 bonds. An ad valorem tax levied by the board for operating  
1757 purposes, exclusive of debt service on bonds, shall not exceed 3  
1758 mills. The ad valorem tax provided for herein shall be in  
1759 addition to county and all other ad valorem taxes provided for  
1760 by law. Such tax shall be assessed, levied, and collected in the  
1761 same manner and at the same time as county taxes. The levy of ad  
1762 valorem taxes must be approved by referendum as required by s.  
1763 9, Article VII of the State Constitution.

1764 (b) Benefit special assessments.—The board annually shall  
1765 determine, order, and levy the annual installment of the total  
1766 benefit special assessments for bonds issued and related  
1767 expenses to finance assessable improvements. These assessments  
1768 may be due and collected during each year county taxes are due  
1769 and collected, in which case such annual installment and levy  
1770 shall be evidenced to and certified to the property appraiser by  
1771 the board not later than August 31 of each year. Such assessment  
1772 shall be entered by the property appraiser on the county tax  
1773 rolls and shall be collected and enforced by the tax collector  
1774 in the same manner and at the same time as county taxes, and the  
1775 proceeds thereof shall be paid to the district. However, this

1776 paragraph shall not prohibit the district in its discretion from  
1777 using the method prescribed in s. 197.3632, Florida Statutes, or  
1778 chapter 173, Florida Statutes, as each may be amended from time  
1779 to time, for collecting and enforcing these assessments. Each  
1780 annual installment of benefit special assessments shall be a  
1781 lien on the property against which assessed until paid and shall  
1782 be enforceable in like manner as county taxes. The amount of the  
1783 assessment for the exercise of the district's powers under  
1784 subsections (6) and (7) shall be determined by the board based  
1785 upon a report of the district's engineer and assessed by the  
1786 board upon such lands, which may be part or all of the lands  
1787 within the district benefited by the improvement, apportioned  
1788 between benefited lands in proportion to the benefits received  
1789 by each tract of land. The board may, if it determines it is in  
1790 the best interests of the district, set forth in the proceedings  
1791 initially levying such benefit special assessments or in  
1792 subsequent proceedings a formula for the determination of an  
1793 amount, which when paid by a taxpayer with respect to any tax  
1794 parcel, shall constitute a prepayment of all future annual  
1795 installments of such benefit special assessments and that the  
1796 payment of which amount with respect to such tax parcel shall  
1797 relieve and discharge such tax parcel of the lien of such  
1798 benefit special assessments and any subsequent annual  
1799 installment thereof. The board may provide further that upon  
1800 delinquency in the payment of any annual installment of benefit



1801 special assessments, the prepayment amount of all future annual  
1802 installments of benefit special assessments as determined in the  
1803 preceding sentence shall be and become immediately due and  
1804 payable together with such delinquent annual installment.

1805 (c) Non-ad valorem maintenance taxes.—If and when  
1806 authorized by general law, to maintain and to preserve the  
1807 physical facilities and services constituting the works,  
1808 improvements, or infrastructure owned by the district pursuant  
1809 to this act, to repair and restore any one or more of them, when  
1810 needed, and to defray the current expenses of the district,  
1811 including any sum which may be required to pay state and county  
1812 ad valorem taxes on any lands which may have been purchased and  
1813 which are held by the district under this act, the board of  
1814 supervisors may, upon the completion of said systems,  
1815 facilities, services, works, improvements, or infrastructure, in  
1816 whole or in part, as may be certified to the board by the  
1817 engineer of the board, levy annually a non-ad valorem and  
1818 nonmillage tax upon each tract or parcel of land within the  
1819 district, to be known as a "maintenance tax." This non-ad  
1820 valorem maintenance tax shall be apportioned upon the basis of  
1821 the net assessments of benefits assessed as accruing from the  
1822 original construction and shall be evidenced to and certified by  
1823 the board of supervisors of the district not later than June 1  
1824 of each year to the Marion County tax collector and shall be  
1825 extended on the tax rolls and collected by the tax collector on

1826 the merged collection roll of the tax collector in the same  
1827 manner and at the same time as county ad valorem taxes, and the  
1828 proceeds therefrom shall be paid to the district. This non-ad  
1829 valorem maintenance tax shall be a lien until paid on the  
1830 property against which assessed and enforceable in like manner  
1831 and of the same dignity as county ad valorem taxes.

1832 (d) Maintenance special assessments.—To maintain and  
1833 preserve the facilities and projects of the district, the board  
1834 may levy a maintenance special assessment. This assessment may  
1835 be evidenced to and certified to the tax collector by the board  
1836 of supervisors not later than August 31 of each year and shall  
1837 be entered by the property appraiser on the county tax rolls and  
1838 shall be collected and enforced by the tax collector in the same  
1839 manner and at the same time as county taxes, and the proceeds  
1840 therefrom shall be paid to the district. However, this paragraph  
1841 shall not prohibit the district in its discretion from using the  
1842 method prescribed in s. 197.363, s. 197.3631, or s. 197.3632,  
1843 Florida Statutes, for collecting and enforcing these  
1844 assessments. These maintenance special assessments shall be a  
1845 lien on the property against which assessed until paid and shall  
1846 be enforceable in like manner as county taxes. The amount of the  
1847 maintenance special assessment for the exercise of the  
1848 district's powers under this section shall be determined by the  
1849 board based upon a report of the district's engineer and  
1850 assessed by the board upon such lands, which may be all of the

1851 lands within the district benefited by the maintenance thereof,  
1852 apportioned between the benefited lands in proportion to the  
1853 benefits received by each tract of land.

1854 (e) Special assessments.—The board may levy and impose any  
1855 special assessments pursuant to this subsection.

1856 (f) Enforcement of taxes.—The collection and enforcement  
1857 of all taxes levied by the district shall be at the same time  
1858 and in like manner as county taxes, and the general law relating  
1859 to the sale of lands for unpaid and delinquent county taxes; the  
1860 issuance, sale, and delivery of tax certificates for such unpaid  
1861 and delinquent county taxes; the redemption thereof; the  
1862 issuance to individuals of tax deeds based thereon; and all  
1863 other procedures in connection therewith shall be applicable to  
1864 the district to the same extent as if such statutory provisions  
1865 were expressly set forth herein. All taxes shall be subject to  
1866 the same discounts as county taxes.

1867 (g) When unpaid tax is delinquent; penalty.—All taxes  
1868 provided for in this act shall become delinquent and bear  
1869 penalties on the amount of such taxes in the same manner as  
1870 county taxes.

1871 (h) Status of assessments.—Benefit special assessments,  
1872 maintenance special assessments, and special assessments are  
1873 hereby found and determined to be non-ad valorem assessments as  
1874 defined by s. 197.3632, Florida Statutes. Maintenance taxes are  
1875 non-ad valorem taxes and are not special assessments.

1876        (i) Assessments constitute liens; collection.—Any and all  
1877        assessments, including special assessments, benefit special  
1878        assessments, and maintenance special assessments authorized by  
1879        this section, and including special assessments as defined by  
1880        section 2(2)(aa) and granted and authorized by this subsection,  
1881        and including maintenance taxes if authorized by general law,  
1882        shall constitute a lien on the property against which assessed  
1883        from the date of levy and imposition thereof until paid, coequal  
1884        with the lien of state, county, municipal, and school board  
1885        taxes. These assessments may be collected, at the district's  
1886        discretion, under authority of s. 197.3631, Florida Statutes, as  
1887        amended from time to time, by the tax collector pursuant to ss.  
1888        197.3632 and 197.3635, Florida Statutes, as amended from time to  
1889        time, or in accordance with other collection measures provided  
1890        by law. In addition to, and not in limitation of, any powers  
1891        otherwise set forth herein or in general law, these assessments  
1892        may also be enforced pursuant to chapter 173, Florida Statutes,  
1893        as amended from time to time.

1894        (j) Land owned by governmental entity.—Except as otherwise  
1895        provided by law, no levy of ad valorem taxes or non-ad valorem  
1896        assessments under this act or chapter 170 or chapter 197,  
1897        Florida Statutes, as each may be amended from time to time, or  
1898        otherwise, by a board of the district, on property of a  
1899        governmental entity that is subject to a ground lease as  
1900        described in s. 190.003(14), Florida Statutes, shall constitute

1901 a lien or encumbrance on the underlying fee interest of such  
1902 governmental entity.

1903 (13) SPECIAL ASSESSMENTS.—

1904 (a) As an alternative method to the levy and imposition of  
1905 special assessments pursuant to chapter 170, Florida Statutes,  
1906 pursuant to the authority of s. 197.3631, Florida Statutes, or  
1907 pursuant to general law, now or hereafter enacted, which  
1908 provides a supplemental means or authority to impose, levy, and  
1909 collect special assessments as otherwise authorized under this  
1910 act, the board may levy and impose special assessments to  
1911 finance the exercise of any of its powers permitted under this  
1912 act using the following uniform procedures:

1913 1. At a noticed meeting, the board of supervisors of the  
1914 district may consider and review an engineer's report on the  
1915 costs of the systems, facilities, and services to be provided, a  
1916 preliminary special assessment methodology, and a preliminary  
1917 roll based on acreage or platted lands, depending upon whether  
1918 platting has occurred.

1919 a. The special assessment methodology shall address and  
1920 discuss and the board shall consider whether the systems,  
1921 facilities, and services being contemplated will result in  
1922 special benefits peculiar to the property, different in kind and  
1923 degree than general benefits, as a logical connection between  
1924 the systems, facilities, and services themselves and the  
1925 property, and whether the duty to pay the special assessments by

1926 the property owners is apportioned in a manner that is fair and  
1927 equitable and not in excess of the special benefit received. It  
1928 shall be fair and equitable to designate a fixed proportion of  
1929 the annual debt service, together with interest thereon, on the  
1930 aggregate principal amount of bonds issued to finance such  
1931 systems, facilities, and services which give rise to unique,  
1932 special, and peculiar benefits to property of the same or  
1933 similar characteristics under the special assessment methodology  
1934 so long as such fixed proportion does not exceed the unique,  
1935 special, and peculiar benefits enjoyed by such property from  
1936 such systems, facilities, and services.

1937 b. The engineer's cost report shall identify the nature of  
1938 the proposed systems, facilities, and services, their location,  
1939 a cost breakdown plus a total estimated cost, including cost of  
1940 construction or reconstruction, labor, and materials, lands,  
1941 property, rights, easements, franchises, or systems, facilities,  
1942 and services to be acquired, cost of plans and specifications,  
1943 surveys of estimates of costs and revenues, costs of  
1944 engineering, legal, and other professional consultation  
1945 services, and other expenses or costs necessary or incidental to  
1946 determining the feasibility or practicability of such  
1947 construction, reconstruction, or acquisition, administrative  
1948 expenses, relationship to the authority and power of the  
1949 district in its charter, and such other expenses or costs as may  
1950 be necessary or incidental to the financing to be authorized by

1951 the board of supervisors.

1952 c. The preliminary special assessment roll will be in  
1953 accordance with the assessment methodology as may be adopted by  
1954 the board of supervisors; the special assessment roll shall be  
1955 completed as promptly as possible and shall show the acreage,  
1956 lots, lands, or plats assessed and the amount of the fairly and  
1957 reasonably apportioned assessment based on special and peculiar  
1958 benefit to the property, lot, parcel, or acreage of land; and,  
1959 if the special assessment against such lot, parcel, acreage, or  
1960 portion of land is to be paid in installments, the number of  
1961 annual installments in which the special assessment is divided  
1962 shall be entered into and shown upon the special assessment  
1963 roll.

1964 2. The board of supervisors of the district may determine  
1965 and declare by an initial special assessment resolution to levy  
1966 and assess the special assessments with respect to assessable  
1967 improvements stating the nature of the systems, facilities, and  
1968 services, improvements, projects, or infrastructure constituting  
1969 such assessable improvements, the information in the engineer's  
1970 cost report, the information in the special assessment  
1971 methodology as determined by the board at the noticed meeting  
1972 and referencing and incorporating as part of the resolution the  
1973 engineer's cost report, the preliminary special assessment  
1974 methodology, and the preliminary special assessment roll as  
1975 referenced exhibits to the resolution by reference. If the board

1976 determines to declare and levy the special assessments by the  
1977 initial special assessment resolution, the board shall also  
1978 adopt and declare a notice resolution which shall provide and  
1979 cause the initial special assessment resolution to be published  
1980 once a week for a period of 2 weeks in newspapers of general  
1981 circulation published in Marion County and said board shall by  
1982 the same resolution fix a time and place at which the owner or  
1983 owners of the property to be assessed or any other persons  
1984 interested therein may appear before said board and be heard as  
1985 to the propriety and advisability of making such improvements,  
1986 as to the costs thereof, as to the manner of payment therefor,  
1987 and as to the amount thereof to be assessed against each  
1988 property so improved. Thirty days' notice in writing of such  
1989 time and place shall be given to such property owners. The  
1990 notice shall include the amount of the special assessment and  
1991 shall be served by mailing a copy to each assessed property  
1992 owner at his or her last known address, the names and addresses  
1993 of such property owners to be obtained from the record of the  
1994 property appraiser of the county political subdivision in which  
1995 the land is located or from such other sources as the district  
1996 manager or engineer deems reliable, and proof of such mailing  
1997 shall be made by the affidavit of the district manager or by the  
1998 engineer, said proof to be filed with the district manager,  
1999 provided that failure to mail said notice or notices shall not  
2000 invalidate any of the proceedings hereunder. It is provided



2001 further that the last publication shall be at least 1 week prior  
2002 to the date of the hearing on the final special assessment  
2003 resolution. Said notice shall describe the general areas to be  
2004 improved and advise all persons interested that the description  
2005 of each property to be assessed and the amount to be assessed to  
2006 each piece, parcel, lot, or acre of property may be ascertained  
2007 at the office of the district manager. Such service by  
2008 publication shall be verified by the affidavit of the publisher  
2009 and filed with the district manager. Moreover, the initial  
2010 special assessment resolution with its attached, referenced, and  
2011 incorporated engineer's cost report, preliminary special  
2012 assessment methodology, and preliminary special assessment roll,  
2013 along with the notice resolution, shall be available for public  
2014 inspection at the office of the district manager and the office  
2015 of the engineer or any other office designated by the board of  
2016 supervisors in the notice resolution. Notwithstanding the  
2017 foregoing, the landowners of all of the property which is  
2018 proposed to be assessed may give the district written notice of  
2019 waiver of any notice and publication provided for in this  
2020 subparagraph and such notice and publication shall not be  
2021 required, provided, however, that any meeting of the board of  
2022 supervisors to consider such resolution shall be a publicly  
2023 noticed meeting.

2024 3. At the time and place named in the noticed resolution  
2025 as provided for in subparagraph 2., the board of supervisors of

the district shall meet and hear testimony from affected property owners as to the propriety and advisability of making the systems, facilities, services, projects, works, improvements, or infrastructure and funding them with assessments referenced in the initial special assessment resolution on the property. Following the testimony and questions from the members of the board or any professional advisors to the district of the preparers of the engineer's cost report, the special assessment methodology, and the special assessment roll, the board of supervisors shall make a final decision on whether to levy and assess the particular special assessments. Thereafter, the board of supervisors shall meet as an equalizing board to hear and to consider any and all complaints as to the particular special assessments and shall adjust and equalize the special assessments to ensure proper assessment based on the benefit conferred on the property.

4. When so equalized and approved by resolution or ordinance by the board of supervisors, to be called the final special assessment resolution, a final special assessment roll shall be filed with the clerk of the board and such special assessment shall stand confirmed and remain legal, valid, and binding first liens on the property against which such special assessments are made until paid, equal in dignity to the first liens of ad valorem taxation of county and municipal governments and school boards. However, upon completion of the systems,

facilities, services, projects, improvements, works, or  
infrastructure, the district shall credit to each of the  
assessments the difference in the special assessment as  
originally made, approved, levied, assessed, and confirmed and  
the proportionate part of the actual cost of the improvement to  
be paid by the particular special assessments as finally  
determined upon the completion of the improvement; but in no  
event shall the final special assessment exceed the amount of  
the special and peculiar benefits as apportioned fairly and  
reasonably to the property from the system, facility, or service  
being provided as originally assessed. Promptly after such  
confirmation, the special assessment shall be recorded by the  
clerk of the district in the minutes of the proceedings of the  
district, and the record of the lien in this set of minutes  
shall constitute prima facie evidence of its validity. The board  
of supervisors, in its sole discretion, may by resolution grant  
a discount equal to all or a part of the payee's proportionate  
share of the cost of the project consisting of bond financing  
cost, such as capitalized interest, funded reserves, and bond  
discounts included in the estimated cost of the project, upon  
payment in full of any special assessments during such period  
prior to the time such financing costs are incurred as may be  
specified by the board of supervisors in such resolution.

5. District special assessments may be made payable in  
installments over no more than 40 years from the date of the

2076 payment of the first installment thereof and may bear interest  
2077 at fixed or variable rates.

2078 (b) Notwithstanding any provision of this act or chapter  
2079 170, Florida Statutes, that portion of s. 170.09, Florida  
2080 Statutes, that provides that special assessments may be paid  
2081 without interest at any time within 30 days after the  
2082 improvement is completed and a resolution accepting the same has  
2083 been adopted by the governing authority shall not be applicable  
2084 to any district special assessments, whether imposed, levied,  
2085 and collected pursuant to this act or other general laws,  
2086 including, but not limited to, chapter 170, Florida Statutes.

2087 (c) In addition, the district is authorized expressly in  
2088 the exercise of its rulemaking power to adopt a rule or rules  
2089 which provide for notice, levy, imposition, equalization, and  
2090 collection of assessments.

2091 (14) ISSUANCE OF CERTIFICATES OF INDEBTEDNESS BASED ON  
2092 ASSESSMENTS FOR ASSESSABLE IMPROVEMENTS; ASSESSMENT BONDS.—

2093 (a) The board may, after any special assessments or  
2094 benefit special assessments for assessable improvements are  
2095 made, determined, and confirmed as provided in this act, issue  
2096 certificates of indebtedness for the amount so assessed against  
2097 the abutting property or property otherwise benefited, as the  
2098 case may be, and separate certificates shall be issued against  
2099 each part or parcel of land or property assessed, which  
2100 certificates shall state the general nature of the improvement

2101 for which the assessment is made. The certificates shall be  
2102 payable in annual installments in accordance with the  
2103 installments of the special assessment for which they are  
2104 issued. The board may determine the interest to be borne by such  
2105 certificates, not to exceed the maximum rate allowed by general  
2106 law, and may sell such certificates at either private or public  
2107 sale and determine the form, manner of execution, and other  
2108 details of such certificates. The certificates shall recite that  
2109 they are payable only from the special assessments levied and  
2110 collected from the part or parcel of land or property against  
2111 which they are issued. The proceeds of such certificates may be  
2112 pledged for the payment of principal of and interest on any  
2113 revenue bonds or general obligation bonds issued to finance in  
2114 whole or in part such assessable improvement, or, if not so  
2115 pledged, may be used to pay the cost or part of the cost of such  
2116 assessable improvements.

2117 (b) The district may also issue assessment bonds, revenue  
2118 bonds, or other obligations payable from a special fund into  
2119 which such certificates of indebtedness referred to in paragraph  
2120 (a) may be deposited or, if such certificates of indebtedness  
2121 have not been issued, the district may assign to such special  
2122 fund for the benefit of the holders of such assessment bonds or  
2123 other obligations, or to a trustee for such bondholders, the  
2124 assessment liens provided for in this act unless such  
2125 certificates of indebtedness or assessment liens have been

2126 theretofore pledged for any bonds or other obligations  
2127 authorized hereunder. In the event of the creation of such  
2128 special fund and the issuance of such assessment bonds or other  
2129 obligations, the proceeds of such certificates of indebtedness  
2130 or assessment liens deposited therein shall be used only for the  
2131 payment of the assessment bonds or other obligations issued as  
2132 provided in this section. The district is authorized to covenant  
2133 with the holders of such assessment bonds, revenue bonds, or  
2134 other obligations that it will diligently and faithfully enforce  
2135 and collect all the special assessments, and interest and  
2136 penalties thereon, for which such certificates of indebtedness  
2137 or assessment liens have been deposited in or assigned to such  
2138 fund; to foreclose such assessment liens so assigned to such  
2139 special fund or represented by the certificates of indebtedness  
2140 deposited in the special fund, after such assessment liens have  
2141 become delinquent, and deposit the proceeds derived from such  
2142 foreclosure, including interest and penalties, in such special  
2143 fund; and to make any other covenants deemed necessary or  
2144 advisable in order to properly secure the holders of such  
2145 assessment bonds or other obligations.

2146 (c) The assessment bonds, revenue bonds, or other  
2147 obligations issued pursuant to this section shall have such  
2148 dates of issue and maturity as shall be deemed advisable by the  
2149 board; however, the maturities of such assessment bonds or other  
2150 obligations shall not be more than 2 years after the due date of

2151 the last installment which will be payable on any of the special  
2152 assessments for which such assessment liens, or the certificates  
2153 of indebtedness representing such assessment liens, are assigned  
2154 to or deposited in such special fund.

2155 (d) Such assessment bonds, revenue bonds, or other  
2156 obligations issued under this section shall bear such interest  
2157 as the board may determine, not to exceed the maximum rate  
2158 allowed by general law, and shall be executed, shall have such  
2159 provisions for redemption prior to maturity, shall be sold in  
2160 the manner, and shall be subject to all of the applicable  
2161 provisions contained in this act for revenue bonds, except as  
2162 the same may be inconsistent with this section.

2163 (e) All assessment bonds, revenue bonds, or other  
2164 obligations issued under this section shall be, shall  
2165 constitute, and shall have all the qualities and incidents of  
2166 negotiable instruments under the law merchant and the laws of  
2167 the state.

2168 (15) TAX LIENS.—All taxes of the district provided for in  
2169 this act, together with all penalties for default in the payment  
2170 of the same and all costs in collecting the same, including a  
2171 reasonable attorney fee fixed by the court and taxed as a cost  
2172 in the action brought to enforce payment, shall, from January 1  
2173 for each year the property is liable to assessment and until  
2174 paid, constitute a lien of equal dignity with the liens for  
2175 state and county taxes and other taxes of equal dignity with

state and county taxes upon all the lands against which such  
taxes shall be levied. A sale of any of the real property within  
the district for state and county or other taxes shall not  
operate to relieve or release the property so sold from the lien  
for subsequent district taxes or installments of district taxes,  
which lien may be enforced against such property as though no  
such sale thereof had been made. In addition to, and not in  
limitation of, the preceding sentence, for purposes of s.  
197.552, Florida Statutes, the lien of all special assessments  
levied by the district shall constitute a lien of record held by  
a municipal or county governmental unit. Sections 194.171,  
197.122, 197.333, and 197.432, Florida Statutes, shall be  
applicable to district taxes with the same force and effect as  
if such sections were expressly set forth in this act.

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

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

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

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

(b) Delinquent taxes paid, or tax sales certificates



2201 redeemed or purchased, by the district, together with all  
2202 penalties for the default in payment of the same and all costs  
2203 in collecting the same and a reasonable attorney fee, shall  
2204 constitute a lien in favor of the district of equal dignity with  
2205 the liens of state and county taxes and other taxes of equal  
2206 dignity with state and county taxes upon all the real property  
2207 against which the taxes were levied. The lien of the district  
2208 may be foreclosed in the manner provided in this act.

2209 (c) In any sale of land pursuant to s. 197.542, Florida  
2210 Statutes, as may be amended from time to time, the district may  
2211 certify to the clerk of the circuit court of the county holding  
2212 such sale the amount of taxes due to the district upon the lands  
2213 sought to be sold, and the district shall share in the  
2214 disbursement of the sales proceeds in accordance with this act  
2215 and under the laws of the state.

2216 (17) FORECLOSURE OF LIENS.—Any lien in favor of the  
2217 district arising under this act may be foreclosed by the  
2218 district by foreclosure proceedings in the name of the district  
2219 in a court of competent jurisdiction as provided by general law  
2220 in like manner as is provided in chapter 170 or chapter 173,  
2221 Florida Statutes, and amendments thereto, and those chapters  
2222 shall be applicable to such proceedings with the same force and  
2223 effect as if those chapters were expressly set forth in this  
2224 act. Any act required or authorized to be done by or on behalf  
2225 of a municipality in foreclosure proceedings under chapter 170

2226 or chapter 173, Florida Statutes, may be performed by such  
2227 officer or agent of the district as the board of supervisors may  
2228 designate. Such foreclosure proceedings may be brought at any  
2229 time after the expiration of 1 year from the date any tax, or  
2230 installment thereof, becomes delinquent; however, no lien shall  
2231 be foreclosed against any political subdivision or agency of the  
2232 state. Other legal remedies shall remain available.

2233 (18) MANDATORY USE OF CERTAIN DISTRICT FACILITIES.—To the  
2234 full extent permitted by law, the district shall require all  
2235 lands, buildings, premises, persons, firms, and corporations  
2236 within the district to use the facilities of the district.

2237 (19) COMPETITIVE PROCUREMENT; BIDS; NEGOTIATIONS; RELATED  
2238 PROVISIONS REQUIRED.—

2239 (a) No contract shall be let by the board for any goods,  
2240 supplies, or materials to be purchased when the amount thereof  
2241 to be paid by the district shall exceed the amount provided in  
2242 s. 287.017, Florida Statutes, as amended from time to time, for  
2243 category four, unless notice of bids shall be advertised once in  
2244 a newspaper in general circulation in Marion County. Any board  
2245 seeking to construct or improve a public building, structure, or  
2246 other public works shall comply with the bidding procedures of  
2247 s. 255.20, Florida Statutes, as amended from time to time, and  
2248 other applicable general law. In each case, the bid of the  
2249 lowest responsive and responsible bidder shall be accepted  
2250 unless all bids are rejected because the bids are too high or

2251 the board determines it is in the best interests of the district  
2252 to reject all bids. The board may require the bidders to furnish  
2253 bond with a responsible surety to be approved by the board.

2254 Nothing in this subsection shall prevent the board from  
2255 undertaking and performing the construction, operation, and  
2256 maintenance of any project or facility authorized by this act by  
2257 the employment of labor, material, and machinery.

2258 (b) The provisions of the Consultants' Competitive  
2259 Negotiation Act, s. 287.055, Florida Statutes, apply to  
2260 contracts for engineering, architecture, landscape architecture,  
2261 or registered surveying and mapping services let by the board.

2262 (c) Contracts for maintenance services for any district  
2263 facility or project shall be subject to competitive bidding  
2264 requirements when the amount thereof to be paid by the district  
2265 exceeds the amount provided in s. 287.017, Florida Statutes, as  
2266 amended from time to time, for category four. The district shall  
2267 adopt rules, policies, or procedures establishing competitive  
2268 bidding procedures for maintenance services. Contracts for other  
2269 services shall not be subject to competitive bidding unless the  
2270 district adopts a rule, policy, or procedure applying  
2271 competitive bidding procedures to said contracts. Nothing herein  
2272 shall preclude the use of requests for proposal instead of  
2273 invitations to bid as determined by the district to be in its  
2274 best interest.

2275 (20) FEES, RENTALS, AND CHARGES; PROCEDURE FOR ADOPTION

2276 AND MODIFICATIONS; MINIMUM REVENUE REQUIREMENTS.—

2277 (a) The district is authorized to prescribe, fix,  
2278 establish, and collect rates, fees, rentals, or other charges,  
2279 hereinafter sometimes referred to as "revenues," and to revise  
2280 the same from time to time, for the systems, facilities, and  
2281 services furnished by the district, including, but not limited  
2282 to, recreational facilities, water management and control  
2283 facilities, and water and sewer systems; to recover the costs of  
2284 making connection with any district service, facility, or  
2285 system; and to provide for reasonable penalties against any user  
2286 or property for any such rates, fees, rentals, or other charges  
2287 that are delinquent.

2288 (b) No such rates, fees, rentals, or other charges for any  
2289 of the facilities or services of the district shall be fixed  
2290 until after a public hearing at which all the users of the  
2291 proposed facility or services or owners, tenants, or occupants  
2292 served or to be served thereby and all other interested persons  
2293 shall have an opportunity to be heard concerning the proposed  
2294 rates, fees, rentals, or other charges. Rates, fees, rentals,  
2295 and other charges shall be adopted under the administrative  
2296 rulemaking authority of the district, but shall not apply to  
2297 district leases. Notice of such public hearing setting forth the  
2298 proposed schedule or schedules of rates, fees, rentals, and  
2299 other charges shall have been published in a newspaper of  
2300 general circulation in Marion County at least once and at least

2301 10 days prior to such public hearing. The rulemaking hearing may  
2302 be adjourned from time to time. After such hearing, such  
2303 schedule or schedules, either as initially proposed or as  
2304 modified or amended, may be finally adopted. A copy of the  
2305 schedule or schedules of such rates, fees, rentals, or charges  
2306 as finally adopted shall be kept on file in an office designated  
2307 by the board and shall be open at all reasonable times to public  
2308 inspection. The rates, fees, rentals, or charges so fixed for  
2309 any class of users or property served shall be extended to cover  
2310 any additional users or properties thereafter served which shall  
2311 fall in the same class, without the necessity of any notice or  
2312 hearing.

2313 (c) Such rates, fees, rentals, and other charges shall be  
2314 just and equitable and uniform for users of the same class, and  
2315 when appropriate may be based or computed either upon the amount  
2316 of service furnished, upon the average number of persons  
2317 residing or working in or otherwise occupying the premises  
2318 served, or upon any other factor affecting the use of the  
2319 facilities furnished, or upon any combination of the foregoing  
2320 factors, as may be determined by the board on an equitable  
2321 basis.

2322 (d) The rates, fees, rentals, or other charges prescribed  
2323 shall be such as will produce revenues, together with any other  
2324 assessments, taxes, revenues, or funds available or pledged for  
2325 such purpose, at least sufficient to provide for the items

hereinafter listed, but not necessarily in the order stated:

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

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

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

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

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

(22) DISCONTINUANCE OF SERVICE.—In the event the fees, rentals, or other charges for district services or facilities are not paid when due, the board shall have the power, under such reasonable rules and regulations as the board may adopt, to discontinue and shut off such services until such fees, rentals, or other charges, including interest, penalties, and charges for

2351 the shutting off and discontinuance and the restoration of such  
2352 services, are fully paid; and, for such purposes, the board may  
2353 enter on any lands, waters, or premises of any person, firm,  
2354 corporation, or body, public or private, within the district  
2355 limits. Such delinquent fees, rentals, or other charges,  
2356 together with interest, penalties, and charges for the shutting  
2357 off and discontinuance and the restoration of such services and  
2358 facilities and reasonable attorney fees and other expenses, may  
2359 be recovered by the district, which may also enforce payment of  
2360 such delinquent fees, rentals, or other charges by any other  
2361 lawful method of enforcement.

2362 (23) ENFORCEMENT AND PENALTIES.—The board or any aggrieved  
2363 person may have recourse to such remedies in law and at equity  
2364 as may be necessary to ensure compliance with this act,  
2365 including injunctive relief to enjoin or restrain any person  
2366 violating this act or any bylaws, resolutions, regulations,  
2367 rules, codes, or orders adopted under this act. In case any  
2368 building or structure is erected, constructed, reconstructed,  
2369 altered, repaired, converted, or maintained, or any building,  
2370 structure, land, or water is used, in violation of this act or  
2371 of any code, order, resolution, or other regulation made under  
2372 authority conferred by this act or under law, the board or any  
2373 citizen residing in the district may institute any appropriate  
2374 action or proceeding to prevent such unlawful erection,  
2375 construction, reconstruction, alteration, repair, conversion,

2376 maintenance, or use; to restrain, correct, or avoid such  
2377 violation; to prevent the occupancy of such building, structure,  
2378 land, or water; and to prevent any illegal act, conduct,  
2379 business, or use in or about such premises, land, or water.

2380 (24) SUITS AGAINST THE DISTRICT.—Any suit or action  
2381 brought or maintained against the district for damages arising  
2382 out of tort, including, without limitation, any claim arising  
2383 upon account of an act causing an injury or loss of property,  
2384 personal injury, or death, shall be subject to the limitations  
2385 provided in s. 768.28, Florida Statutes.

2386 (25) EXEMPTION OF DISTRICT PROPERTY FROM EXECUTION.—All  
2387 district property shall be exempt from levy and sale by virtue  
2388 of an execution, and no execution or other judicial process  
2389 shall issue against such property, nor shall any judgment  
2390 against the district be a charge or lien on its property or  
2391 revenues; however, nothing contained herein shall apply to or  
2392 limit the rights of bondholders to pursue any remedy for the  
2393 enforcement of any lien or pledge given by the district in  
2394 connection with any of the bonds or obligations of the district.

2395 (26) TERMINATION, CONTRACTION, OR EXPANSION OF DISTRICT.—

2396 (a) The board of supervisors of the district may ask the  
2397 Legislature to repeal or amend this act to expand or to contract  
2398 the boundaries of the district or otherwise cause the merger or  
2399 termination of the district, and the district's consent may be  
2400 evidenced by a resolution or other official written statement of



2401 the district.

2402 (b) The district shall remain in existence until:

2403 1. The district is terminated and dissolved pursuant to  
2404 amendment to this act by the Legislature.

2405 2. The district has become inactive pursuant to s.  
2406 189.062, Florida Statutes.

2407 (27) MERGER WITH COMMUNITY DEVELOPMENT DISTRICTS.—The  
2408 district may merge with one or more community development  
2409 districts situated wholly within its boundaries. The district  
2410 shall be the surviving entity of the merger. Any mergers shall  
2411 commence upon each such community development district filing a  
2412 written request for merger with the district. A copy of the  
2413 written request shall also be filed with Marion County. The  
2414 district, subject to the direction of its board of supervisors,  
2415 shall enter into a merger agreement which shall provide for the  
2416 proper allocation of debt, the manner in which such debt shall  
2417 be retired, the transition of the community development district  
2418 board, and the transfer of all financial obligations and  
2419 operating and maintenance responsibilities to the district. The  
2420 execution of the merger agreement by the district and each  
2421 community development district constitutes consent of the  
2422 landowners within each district. The district and each community  
2423 development district requesting merger shall hold a public  
2424 hearing within its boundaries to provide information about and  
2425 take public comment on the proposed merger in the merger

2426 agreement. The public hearing shall be held within 45 days after  
2427 the initial consideration and approval of the merger agreement  
2428 by all parties thereto. Notice of the public hearing shall be  
2429 published at least 14 days before the hearing in a newspaper of  
2430 general circulation in Marion County. At the conclusion of the  
2431 public hearing, each district shall consider a resolution either  
2432 approving or disapproving the proposed merger. If the district  
2433 and each community development district which is a party to the  
2434 merger agreement adopt a resolution approving the proposed  
2435 merger, the resolutions and the executed merger agreement shall  
2436 be filed with Marion County. Upon receipt of the resolutions  
2437 approving the merger and the merger agreement, Marion County  
2438 shall adopt a non-emergency ordinance dissolving each community  
2439 development district pursuant to s. 190.046(10), Florida  
2440 Statutes.

2441 (28) INCLUSION OF TERRITORY.—The inclusion of any or all  
2442 territory of the district within a municipality does not change,  
2443 alter, or affect the boundary, territory, existence, or  
2444 jurisdiction of the district.

2445 (29) SALE OF REAL ESTATE WITHIN THE DISTRICT; REQUIRED  
2446 DISCLOSURE TO PURCHASER.—Subsequent to the creation of this  
2447 district under this act, each contract for the initial sale of a  
2448 parcel of real property and each contract for the initial sale  
2449 of a residential unit within the district shall include,  
2450 immediately prior to the space reserved in the contract for the

signature of the purchaser, the following disclosure statement  
in boldfaced and conspicuous type which is larger than the type  
in the remaining text of the contract: "THE UPLANDS STEWARDSHIP  
DISTRICT MAY IMPOSE AND LEVY TAXES OR ASSESSMENTS, OR BOTH TAXES  
AND ASSESSMENTS, ON THIS PROPERTY. THESE TAXES AND ASSESSMENTS  
PAY FOR THE CONSTRUCTION, OPERATION, AND MAINTENANCE COSTS OF  
CERTAIN PUBLIC SYSTEMS, FACILITIES, AND SERVICES OF THE DISTRICT  
AND ARE SET ANNUALLY BY THE GOVERNING BOARD OF THE DISTRICT.  
THESE TAXES AND ASSESSMENTS ARE IN ADDITION TO COUNTY AND OTHER  
LOCAL GOVERNMENTAL TAXES AND ASSESSMENTS AND ALL OTHER TAXES AND  
ASSESSMENTS PROVIDED FOR BY LAW."

(30) NOTICE OF CREATION AND ESTABLISHMENT.—Within 30 days  
after the election of the first board of supervisors creating  
this district, the district shall cause to be recorded in the  
grantor-grantee index of the property records in Marion County a  
"Notice of Creation and Establishment of the Uplands Stewardship  
District." The notice shall, at a minimum, include the legal  
description of the property covered by this act.

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

2476     reasonable access.

2477            **Section 7.**   If any provision of this act is determined  
2478     unconstitutional or otherwise determined invalid by a court of  
2479     law, all the rest and remainder of the act shall remain in full  
2480     force and effect as the law of this state.

2481            **Section 8.**   This act shall take effect upon becoming a law,  
2482     except that the provisions of this act which authorize the levy  
2483     of ad valorem taxation shall take effect only upon express  
2484     approval by a majority vote of those qualified electors of the  
2485     Uplands Stewardship District, as required by Section 9 of  
2486     Article VII of the State Constitution, voting in a referendum  
2487     election held during a general election at such time as all  
2488     members of the board are qualified electors who are elected by  
2489     qualified electors of the district as provided in this act.