

CS/HB 4093

2026

A bill to be entitled
An act relating to the Fellsmere Water Control
District, Indian River County; amending chapter 2017-
203, Laws of Florida; providing that the district is a
dependent district of Indian River County; providing
that the Board of County Commissioners of Indian River
County shall be the governing board of the district;
revising the boundaries of the district; providing for
maintenance and use of certain canals; providing for
certain access to public records; providing a
contingent effective date.

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

Section 1. Chapter 2017-203, Laws of Florida, is amended to read:

Section 1. Status and boundaries of Fellsmere Water Control District.—The Fellsmere Water Control District is declared to be a dependent ~~an independent~~ water control district and a public corporation of the state pursuant to chapters 189 and 298, Florida Statutes, and the lands lying within the area described as follows in Indian River County shall constitute the Fellsmere Water Control District:

ALL THAT PART OF THE LANDS SITUATED AND BEING IN
UNSURVEYED TOWNSHIP 31 SOUTH, RANGE 37 EAST AND
UNSURVEYED TOWNSHIP 32 SOUTH, RANGE 37 EAST, INDIAN
RIVER COUNTY FLORIDA, EMBRACED WITHIN THE FOLLOWING
BOUNDARY LINES:

BEGIN AT THE NORTHEAST CORNER OF TRACT 123 OF THE
"PLAT OF FELLSMERE FARMS COMPANY'S SUBDIVISION OF
UNSURVEYED TOWNSHIP 32 SOUTH, RANGE 37 EAST, IN ST.
LUCIE COUNTY, STATE OF FLORIDA" AS RECORDED IN PLAT
BOOK 2, PAGE 8 OF THE PUBLIC RECORDS OF ST. LUCIE
COUNTY, NOW INDIAN RIVER COUNTY, FLORIDA; SAID CORNER
ALSO BEING ON THE SOUTH RIGHT OF WAY LINE OF DITCH AND
ROAD 24 AS SHOWN ON SAID "PLAT OF FELLSMERE FARMS
COMPANY'S SUBDIVISION OF UNSURVEYED TOWNSHIP 32 SOUTH,
RANGE 37 EAST, IN ST. LUCIE COUNTY, STATE OF FLORIDA"
AND ON THE "PLAT OF FELLSMERE FARMS COMPANY'S
SUBDIVISION OF ALL UNSURVEYED TOWNSHIP 31 SOUTH, RANGE
37 EAST, IN ST. LUCIE COUNTY, STATE OF FLORIDA" AS
RECORDED IN PLAT BOOK 2, PAGES 1 AND 2 OF THE PUBLIC
RECORDS OF ST. LUCIE COUNTY, NOW INDIAN RIVER COUNTY,
FLORIDA;

THENCE RUN WESTERLY, ALONG SAID SOUTH RIGHT OF WAY
LINE OF SAID DITCH AND ROAD 24, APPROXIMATELY 2.32

50 MILES TO THE EAST RIGHT OF WAY LINE OF PARK LATERAL
51 CANAL, A 125-FOOT-WIDE RIGHT OF WAY AS RECORDED IN
52 DEED BOOK 10, PAGE 15, INDIAN RIVER COUNTY, FLORIDA
53 PUBLIC RECORDS;

54
55 THENCE RUN NORTHERLY, ALONG SAID EAST RIGHT OF WAY
56 LINE OF PARK LATERAL CANAL, APPROXIMATELY 0.01 MILES
57 TO THE NORTH RIGHT OF WAY LINE OF SAID DITCH AND ROAD
58 24;

59
60 THENCE RUN WESTERLY, ALONG SAID NORTH RIGHT OF WAY
61 LINE OF DITCH AND ROAD 24, APPROXIMATELY 0.02 MILES TO
62 THE WEST RIGHT OF WAY LINE OF SAID PARK LATERAL CANAL;

63
64 THENCE RUN NORTHERLY, ALONG SAID WEST RIGHT OF WAY
65 LINE OF PARK LATERAL CANAL, APPROXIMATELY 0.99 MILES
66 TO THE NORTH LINE OF TRACT 2128, ALSO BEING THE SOUTH
67 RIGHT OF WAY LINE OF DITCH AND ROAD 20, OF SAID "PLAT
68 OF FELLSMERE FARMS COMPANY'S SUBDIVISION OF ALL
69 UNSURVEYED TOWNSHIP 31 SOUTH, RANGE 37 EAST, IN ST.
70 LUCIE COUNTY, STATE OF FLORIDA";

71
72 THENCE RUN WESTERLY ALONG SAID NORTH LINE OF TRACT
73 2128, APPROXIMATELY 0.03 MILES, TO THE EAST LINE OF
74 THE WEST 405.5 FEET OF SAID TRACT 2128;

75
76 THENCE RUN SOUTHERLY ALONG SAID EAST LINE OF THE WEST
77 405.5 FEET OF TRACT 2128, APPROXIMATELY 0.12 MILES, TO
78 THE SOUTH LINE OF SAID TRACT 2128;

79
80 THENCE RUN WESTERLY ALONG THE SOUTH LINE OF SAID TRACT
81 2128 AND THE SOUTH LINE OF TRACTS 2127, 2126 AND 2125,
82 APPROXIMATELY 0.46 MILES, TO THE WEST LINE OF SAID
83 TRACT 2125, AS SHOWN ON SAID "PLAT OF FELLSMERE FARMS
84 COMPANY'S SUBDIVISION OF ALL UNSURVEYED TOWNSHIP 31
85 SOUTH, RANGE 37 EAST, IN ST. LUCIE COUNTY, STATE OF
86 FLORIDA";

87
88 THENCE RUN NORTHERLY ALONG SAID WEST LINE OF TRACT
89 2125, APPROXIMATELY 0.12 MILES, TO THE NORTHWEST
90 CORNER OF SAID TRACT 2125 AND THE SOUTH RIGHT OF WAY
91 LINE OF SAID DITCH AND ROAD 20 AS SHOWN ON SAID "PLAT
92 OF FELLSMERE FARMS COMPANY'S SUBDIVISION OF UNSURVEYED
93 TOWNSHIP 31 SOUTH, RANGE 37 EAST, IN ST. LUCIE COUNTY,
94 STATE OF FLORIDA";

95
96 THENCE RUN WESTERLY ALONG SAID SOUTH LINE OF DITCH AND
97 ROAD 20, APPROXIMATELY 1.16 MILES, TO THE CENTERLINE
98 OF LATERAL "U" CANAL AS LAID OUT AND IN USE; SAID
99 CANAL CENTERLINE ALSO BEING THE APPROXIMATE CENTERLINE

100 OF THE LATERAL "U" RIGHT OF WAY OF SAID "PLAT OF
101 FELLSMERE FARMS COMPANY'S SUBDIVISION OF ALL
102 UNSURVEYED TOWNSHIP 31 SOUTH, RANGE 37 EAST, IN ST.
103 LUCIE COUNTY, STATE OF FLORIDA";
104
105 THENCE RUN NORTHERLY ALONG SAID CENTERLINE OF LATERAL
106 "U" CANAL, APPROXIMATELY 4.98 MILES TO THE NORTHERLY
107 LIMITS OF SAID "PLAT OF FELLSMERE FARMS COMPANY'S
108 SUBDIVISION OF ALL UNSURVEYED TOWNSHIP 31 SOUTH, RANGE
109 37 EAST, IN ST. LUCIE COUNTY, STATE OF FLORIDA"; SAID
110 NORTHERLY LIMITS ALSO BEING THE COMMON TOWNSHIP LINE
111 OF TOWNSHIP 30 AND 31 SOUTH, RANGE 37 EAST AND THE
112 NORTH LIMITS OF INDIAN RIVER COUNTY, FLORIDA;
113
114 THENCE RUN EASTERLY ALONG SAID NORTHERLY LIMITS OF
115 "PLAT OF FELLSMERE FARMS COMPANY'S SUBDIVISION OF ALL
116 UNSURVEYED TOWNSHIP 31 SOUTH, RANGE 37 EAST, IN ST.
117 LUCIE COUNTY, STATE OF FLORIDA", SAID COMMON TOWNSHIP
118 LINE OF TOWNSHIP 30 AND 31 SOUTH, RANGE 37 EAST, AND
119 SAID NORTH COUNTY LINE, APPROXIMATELY 3.14 MILES TO
120 THE INTERSECTION WITH THE SOUTHWESTERLY LINE OF THE
121 FLEMING GRANT;
122
123 THENCE RUN SOUTHEASTERLY ALONG SAID SOUTHWESTERLY LINE
124 OF THE FLEMING GRANT, APPROXIMATELY 1.21 MILES TO THE

125 INTERSECTION WITH THE EAST LINE OF UNSURVEYED TOWNSHIP
126 31 SOUTH, RANGE 37 EAST, ALSO BEING THE COMMON RANGE
127 LINE OF RANGE 37 AND 38 EAST AS SHOWN ON SAID "PLAT OF
128 FELLSMERE FARMS COMPANY'S SUBDIVISION OF ALL
129 UNSURVEYED TOWNSHIP 31 SOUTH, RANGE 37 EAST, IN ST.
130 LUCIE COUNTY, STATE OF FLORIDA";
131
132 THENCE RUN SOUTHERLY ALONG SAID EAST LINE OF
133 UNSURVEYED TOWNSHIP 31 SOUTH, RANGE 37 EAST, AND THE
134 EAST LINE OF UNSURVEYED TOWNSHIP 32 SOUTH, RANGE 37
135 EAST, APPROXIMATELY 5.15 MILES TO THE POINT OF
136 BEGINNING.
137
138 SAID DESCRIBED DISTRICT LIMITS CONTAINING 14,090 ACRES
139 MORE OR LESS.
140
141 THE SURVEYOR NOTES THAT THE DITCH AND ROAD NUMBERS
142 UTILIZED ABOVE ARE DEPICTED ON THE FELLSMERE DRAINAGE
143 DISTRICT PLAN OF RECLAMATION DATED JANUARY 28TH, 1920
144 AND ON AN UNNAMED PAGE RECORDED TOGETHER WITH "ESPY'S
145 SUBDIVISION" IN PLAT BOOK 2, PAGE 36, OF THE PUBLIC
146 RECORDS OF ST. LUCIE COUNTY, NOW INDIAN RIVER COUNTY,
147 FLORIDA, BUT ARE NOT DEPICTED ON AFORESAID PLATS
148 RECITED IN THE DESCRIPTION.

149 ALL LANDS SITUATED AND BEING IN PART OF THE UNSURVEYED
150 TOWNSHIP 31 SOUTH, RANGE 36 EAST; UNSURVEYED TOWNSHIP
151 32 SOUTH, RANGE 36 EAST; UNSURVEYED TOWNSHIP 31 SOUTH,
152 RANGE 37 EAST; AND UNSURVEYED TOWNSHIP 32 SOUTH, RANGE
153 37 EAST; INDIAN RIVER COUNTY, FLORIDA, EMBRACED WITHIN
154 THE FOLLOWING BOUNDARY LINES:

155
156 BEGINNING AT A POINT ON THE EAST BOUNDARY LINE OF
157 TRACT 1122 OF THE "PLAT OF FELLSMERE FARMS COMPANY'S
158 SUBDIVISION OF UNSURVEYED TOWNSHIP 32 SOUTH, RANGE 36
159 EAST, IN ST. LUCIE COUNTY, STATE OF FLORIDA" AS
160 RECORDED IN PLAT BOOK 2, PAGE 18 OF THE PUBLIC RECORDS
161 OF ST. LUCIE COUNTY, NOW INDIAN RIVER COUNTY, FLORIDA,
162 SAID LINE ALSO BEING THE WEST RIGHT OF WAY LINE OF
163 LATERAL "S" CANAL (225' WIDE RIGHT OF WAY), SAID POINT
164 BEING DISTANT 200 FEET SOUTHERLY FROM THE NORTHEAST
165 CORNER OF SAID TRACT 1122;

166
167 THENCE RUN WESTERLY ALONG THE LINE BEING 200 FEET
168 SOUTH OF, NORMAL TO, AND PARALLEL WITH THE NORTH
169 BOUNDARY LINE OF SAID TRACT 1122, APPROXIMATELY 0.13
170 MILES TO THE INTERSECTION WITH A LINE BEING 680 FEET
171 WEST OF, NORMAL TO, AND PARALLEL WITH THE EAST
172 BOUNDARY LINE OF SAID TRACT 1122, AND TRACT 1022 OF

173 ~~SAID "PLAT OF FELLSMERE FARMS COMPANY'S SUBDIVISION OF~~
174 ~~UNSURVEYED TOWNSHIP 32 SOUTH, RANGE 36 EAST";~~
175
176 ~~THENCE RUN NORTHERLY ALONG SAID PARALLEL LINE,~~
177 ~~APPROXIMATELY 0.12 MILES, ACROSS SAID TRACTS 1122,~~
178 ~~"DITCH AND ROAD 34", TRACT 1022 TO THE INTERSECTION~~
179 ~~WITH THE NORTH LINE OF THE SOUTH 400 FEET OF SAID~~
180 ~~TRACT 1022, SAID NORTH LINE BEING A PORTION OF THOSE~~
181 ~~CERTAIN PARCELS OF LAND OF THE ST. JOHNS RIVER WATER~~
182 ~~MANAGEMENT DISTRICT "QUIT CLAIM DEED" RECORDED IN~~
183 ~~OFFICIAL RECORDS BOOK 2042, PAGE 2262, PUBLIC RECORDS~~
184 ~~OF INDIAN RIVER COUNTY, FLORIDA, AS MENTIONED IN~~
185 ~~"SPECIAL WARRANTY DEED", OFFICIAL RECORDS BOOK 722,~~
186 ~~PAGE 1151, PUBLIC RECORDS OF INDIAN RIVER COUNTY,~~
187 ~~FLORIDA;~~
188
189 ~~THENCE RUN WESTERLY ALONG SAID NORTH LINE~~
190 ~~APPROXIMATELY 0.13 MILES TO THE WEST BOUNDARY LINE OF~~
191 ~~SAID TRACT 1022;~~
192
193 ~~THENCE RUN SOUTHERLY ALONG SAID WEST BOUNDARY LINE OF~~
194 ~~TRACT 1022, ALSO BEING THE EAST BOUNDARY LINE OF TRACT~~
195 ~~1021 OF SAID PLAT OF FELLSMERE FARMS COMPANY'S~~
196 ~~SUBDIVISION OF UNSURVEYED TOWNSHIP 32 SOUTH, RANGE 36~~
197 ~~EAST, APPROXIMATELY 0.02 MILES TO THE INTERSECTION~~

198 WITH THE NORTH LINE OF THE SOUTH 310 FEET OF SAID
199 TRACT 1021, AND TRACTS 1020, 1019, 1018, 1017, 1016
200 AND 1015 OF SAID PLAT OF FELLSMERE FARMS COMPANY'S
201 SUBDIVISION OF UNSURVEYED TOWNSHIP 32 SOUTH, RANGE 36
202 EAST, APPROXIMATELY 1.73 MILES, ACROSS SAID TRACTS
203 1021, 1020, 1019, "50 FEET ROAD RIGHT OF WAY", 1018,
204 1017, 1016 AND 1015 TO THE INTERSECTION WITH A LINE
205 BEING 430 FEET EAST OF, NORMAL TO, AND PARALLEL WITH
206 THE WEST BOUNDARY LINE OF SAID TRACT 1015;
207
208 THENCE RUN NORTHERLY ALONG SAID PARALLEL LINE,
209 APPROXIMATELY 0.04 MILES, ACROSS SAID TRACT 1015 TO
210 THE INTERSECTION WITH A LINE BEING THE SOUTH LINE OF
211 THE NORTH 770 FEET OF SAID TRACT 1015;
212
213 THENCE RUN WESTERLY ALONG SAID SOUTH LINE TO THE
214 INTERSECTION WITH A LINE BEING 230 FEET EAST OF,
215 NORMAL TO, AND PARALLEL WITH THE WEST BOUNDARY LINE OF
216 SAID TRACT 1015;
217
218 THENCE RUN NORTHERLY ALONG SAID PARALLEL LINE, AND
219 EAST LINE OF THAT CERTAIN PARCEL OF LAND DESCRIBED AS
220 "L-75 LEVEE", OFFICIAL RECORDS BOOK 1472, PAGE 547,
221 PUBLIC RECORDS OF INDIAN RIVER COUNTY, FLORIDA,
222 APPROXIMATELY 0.42 MILES ACROSS SAID TRACT 1015, AND

223 ~~"DITCH AND ROAD 33", TRACT 915, "DITCH AND ROAD 32",~~
224 ~~AND TRACT 815 OF SAID "PLAT OF FELLSMERE FARMS~~
225 ~~COMPANY'S SUBDIVISION OF UNSURVEYED TOWNSHIP 32 SOUTH,~~
226 ~~RANGE 36 EAST" TO A POINT OF CUSP;~~
227
228 ~~THENCE RUN SOUTHEASTERLY ALONG THE CURVE CONCAVE TO~~
229 ~~THE NORTH OF THAT CERTAIN SOUTHERLY BOUNDARY PORTION~~
230 ~~OF PARCEL OF THE ST. JOHNS RIVER WATER MANAGEMENT "LA~~
231 ~~2001-58 B", HAVING A PARCEL ID NO. OF~~
232 ~~31360000001141800001.0 BY THE INDIAN RIVER COUNTY~~
233 ~~PROPERTY APPRAISER'S, A RADIUS OF 4,044.41 FEET AND AN~~
234 ~~ARC LENGTH OF APPROXIMATELY 1.06 MILES ACROSS SAID~~
235 ~~"DITCH AND ROAD 32", TRACT 915, 916, 917, 918 OF SAID~~
236 ~~"PLAT OF FELLSMERE FARMS COMPANY'S SUBDIVISION OF~~
237 ~~UNSURVEYED TOWNSHIP 32 SOUTH, RANGE 36 EAST" TO A~~
238 ~~POINT OF REVERSE CURVATURE;~~
239
240 ~~THENCE CONTINUE AND RUN NORTHEASTERLY ALONG THE CURVE~~
241 ~~CONCAVE TO THE SOUTH AND SAID CERTAIN SOUTHERLY~~
242 ~~BOUNDARY PORTION OF PARCEL OF THE ST. JOHNS RIVER~~
243 ~~WATER MANAGEMENT "LA 2001-58 B", HAVING A RADIUS OF~~
244 ~~170.01 FEET AND AN ARC LENGTH OF APPROXIMATELY 0.02~~
245 ~~MILES, ACROSS SAID TRACT 918 AND "50 FEET ROAD RIGHT~~
246 ~~OF WAY" OF SAID "PLAT OF FELLSMERE FARMS COMPANY'S~~

247 ~~SUBDIVISION OF UNSURVEYED TOWNSHIP 32 SOUTH, RANGE 36~~
248 ~~EAST" TO THE POINT OF TANGENCY;~~
249
250 ~~THENCE RUN EASTERLY ALONG THE LINE BEING APPROXIMATELY~~
251 ~~883 FEET NORTH OF, NORMAL TO AND PARALLEL WITH THE~~
252 ~~SOUTH BOUNDARY LINE OF TRACTS 919, 920, 921 AND 922 OF~~
253 ~~SAID "PLAT OF FELLSMERE FARMS COMPANY'S SUBDIVISION OF~~
254 ~~UNSURVEYED TOWNSHIP 32 SOUTH, RANGE 36 EAST" TO THE~~
255 ~~INTERSECTION WITH A LINE BEING 680 FEET WEST OF THE~~
256 ~~EAST BOUNDARY LINE OF SAID TRACT 922;~~
257
258 ~~THENCE RUN NORTHERLY ALONG SAID PARALLEL LINE,~~
259 ~~APPROXIMATELY 0.71 MILES, ACROSS SAID TRACT 922, 822,~~
260 ~~722, 622, "DITCH AND ROAD 32", "DITCH AND ROAD 31",~~
261 ~~AND "DITCH AND ROAD 30" OF SAID "PLAT OF FELLSMERE~~
262 ~~FARMS COMPANY'S SUBDIVISION OF UNSURVEYED TOWNSHIP 32~~
263 ~~SOUTH, RANGE 36 EAST" TO THE INTERSECTION WITH A LINE~~
264 ~~BEING 640 FEET SOUTH OF, NORMAL TO, AND PARALLEL WITH~~
265 ~~THE NORTH BOUNDARY LINE OF SAID TRACT 622;~~
266
267 ~~THENCE RUN WESTERLY ALONG SAID PARALLEL LINE,~~
268 ~~APPROXIMATELY 0.58 MILES, ACROSS TRACTS 622, 621 AND~~
269 ~~620 OF SAID "PLAT OF FELLSMERE FARMS COMPANY'S~~
270 ~~SUBDIVISION OF UNSURVEYED TOWNSHIP 32 SOUTH, RANGE 36~~
271 ~~EAST" TO THE INTERSECTION WITH A LINE BEING 1,021 FEET~~

272 ~~WEST OF, NORMAL TO, AND PARALLEL WITH THE EAST~~
273 ~~BOUNDARY LINE OF SAID TRACT 620;~~
274
275 ~~THENCE RUN NORTHERLY ALONG SAID PARALLEL LINE,~~
276 ~~APPROXIMATELY 0.25 MILES, ACROSS SAID TRACT 620, TRACT~~
277 ~~520 AND "DITCH AND ROAD 29" OF SAID "PLAT OF FELLSMERE~~
278 ~~F FARMS COMPANY'S SUBDIVISION OF UNSURVEYED TOWNSHIP 32~~
279 ~~SOUTH, RANGE 36 EAST" TO THE INTERSECTION WITH A LINE~~
280 ~~BEING 640 FEET SOUTH OF, NORMAL TO, AND PARALLEL WITH~~
281 ~~THE NORTH BOUNDARY LINE OF SAID TRACT 520;~~
282
283 ~~THENCE RUN WESTERLY ALONG SAID PARALLEL LINE,~~
284 ~~APPROXIMATELY 0.46 MILES, ACROSS SAID TRACT 520, TRACT~~
285 ~~519, 50 FEET WIDE ROAD RIGHT OF WAY AND TRACT 518 OF~~
286 ~~SAID "PLAT OF FELLSMERE FARMS COMPANY'S SUBDIVISION OF~~
287 ~~UNSURVEYED TOWNSHIP 32 SOUTH, RANGE 36 EAST" TO THE~~
288 ~~INTERSECTION WITH A LINE BEING 680 FEET WEST OF,~~
289 ~~NORMAL TO, AND PARALLEL WITH THE EAST BOUNDARY LINE OF~~
290 ~~SAID TRACT 518;~~
291
292 ~~THENCE RUN NORTHERLY ALONG SAID PARALLEL LINE,~~
293 ~~APPROXIMATELY 0.38 MILES, ACROSS SAID TRACT 518, TRACT~~
294 ~~418, "DITCH AND ROAD 28" AND "DITCH AND ROAD NO 27 OF~~
295 ~~SAID "PLAT OF FELLSMERE FARMS COMPANY'S SUBDIVISION OF~~
296 ~~UNSURVEYED TOWNSHIP 32 SOUTH, RANGE 36 EAST" TO THE~~

297 NORTH RIGHT OF WAY LINE OF SAID "DITCH AND ROAD NO.
298 27", SAID NORTH RIGHT OF WAY LINE ALSO BEING THE SOUTH
299 BOUNDARY LINE OF TRACT 318 OF SAID "PLAT OF FELLSMERE
300 F FARMS COMPANY'S SUBDIVISION OF UNSURVEYED TOWNSHIP 32
301 SOUTH, RANGE 36 EAST";
302
303 THENCE RUN WESTERLY ALONG SAID SOUTH BOUNDARY LINE OF
304 TRACT 318, APPROXIMATELY 0.06 MILES TO THE
305 INTERSECTION WITH A LINE BEING 1,021 FEET WEST OF,
306 NORMAL TO, AND PARALLEL WITH THE EAST BOUNDARY LINE OF
307 SAID TRACT 318;
308
309 THENCE RUN NORTHERLY ALONG SAID PARALLEL LINE,
310 APPROXIMATELY 0.25 MILES, ACROSS SAID TRACT 318 AND
311 "DITCH AND ROAD 26" TO THE NORTH RIGHT OF WAY LINE OF
312 SAID "DITCH AND ROAD 26", SAID NORTH RIGHT OF WAY LINE
313 ALSO BEING THE SOUTH BOUNDARY LINE OF TRACT 218 OF
314 SAID "PLAT OF FELLSMERE FARMS COMPANY'S SUBDIVISION OF
315 UNSURVEYED TOWNSHIP 32 SOUTH, RANGE 36 EAST";
316
317 THENCE RUN WESTERLY ALONG SAID SOUTH BOUNDARY LINE OF
318 TRACT 218 AND TRACT 217 OF SAID "PLAT OF FELLSMERE
319 F FARMS COMPANY'S SUBDIVISION OF UNSURVEYED TOWNSHIP 32
320 SOUTH, RANGE 36 EAST", APPROXIMATELY 0.19 MILES TO THE
321 INTERSECTION WITH A LINE BEING 680 FEET WEST OF,

322 NORMAL TO, AND PARALLEL WITH THE EAST BOUNDARY LINE OF
323 SAID TRACT 217;
324
325 THENCE RUN NORTHERLY ALONG SAID PARALLEL LINE,
326 APPROXIMATELY 0.25 MILES, ACROSS SAID TRACT 217 AND
327 "DITCH AND ROAD 25" TO THE NORTH RIGHT OF WAY LINE OF
328 SAID "DITCH AND ROAD 25", SAID NORTH RIGHT OF WAY LINE
329 ALSO BEING THE SOUTH BOUNDARY LINE OF TRACT 117 OF
330 SAID "PLAT OF FELLSMERE FARMS COMPANY'S SUBDIVISION OF
331 UNSURVEYED TOWNSHIP 32 SOUTH, RANGE 36 EAST";
332
333 THENCE RUN WESTERLY ALONG SAID SOUTH BOUNDARY LINE OF
334 TRACT 117, APPROXIMATELY 0.06 MILES TO THE
335 INTERSECTION WITH A LINE BEING 1,021 FEET WEST OF,
336 NORMAL TO, AND PARALLEL WITH THE EAST BOUNDARY LINE OF
337 SAID TRACT 117;
338
339 THENCE RUN NORTHERLY ALONG SAID PARALLEL LINE,
340 APPROXIMATELY 0.25 MILES, ACROSS SAID TRACT 117 AND
341 THE SOUTH ONE HALF RIGHT OF WAY OF "DITCH AND ROAD 24"
342 (60' WIDE R.O.W.) TO THE NORTH BOUNDARY LIMITS OF THE
343 "PLAT OF FELLSMERE FARMS COMPANY'S SUBDIVISION OF
344 UNSURVEYED TOWNSHIP 32 SOUTH, RANGE 36 EAST, IN ST.
345 LUCIE COUNTY, STATE OF FLORIDA" AS RECORDED IN PLAT
346 BOOK 2, PAGE 18 OF THE PUBLIC RECORDS OF ST. LUCIE

347 COUNTY, NOW INDIAN RIVER COUNTY, FLORIDA, SAID NORTH
348 BOUNDARY LIMITS ALSO BEING THE SOUTH BOUNDARY LIMITS
349 OF THE "PLAT OF FELLSMERE FARMS COMPANY'S SUBDIVISION
350 OF UNSURVEYED TOWNSHIP 31 SOUTH, RANGE 36 EAST, IN ST.
351 LUCIE COUNTY, STATE OF FLORIDA" AS RECORDED IN PLAT
352 BOOK 2, PAGE 9 OF THE PUBLIC RECORDS OF ST. LUCIE
353 COUNTY, NOW INDIAN RIVER COUNTY, FLORIDA;
354
355 THENCE CONTINUE NORTHERLY ALONG THE PARALLEL LINE
356 BEING 1,021 FEET WEST OF, NORMAL TO, AND PARALLEL WITH
357 THE EAST BOUNDARY LINES OF TRACTS 2417, 2317, 2217,
358 2117, 2017 OF SAID "PLAT OF FELLSMERE FARMS COMPANY'S
359 SUBDIVISION OF UNSURVEYED TOWNSHIP 31 SOUTH, RANGE 36
360 EAST, IN ST. LUCIE COUNTY, STATE OF FLORIDA",
361 APPROXIMATELY 1.08 MILES, ACROSS SAID TRACTS 2417,
362 2317, 2217, 2117, 2017, THE NORTH ONE-HALF RIGHT OF
363 WAY OF "DITCH AND ROAD 24" (60' WIDE R.O.W.), "DITCH
364 AND ROAD 23", "DITCH AND ROAD 22", "DITCH AND ROAD 21"
365 AND "DITCH AND ROAD 20" TO A LINE BEING APPROXIMATELY
366 573 FEET NORTH OF, NORMAL TO, AND PARALLEL WITH THE
367 SOUTH BOUNDARY LINE OF SAID TRACT 2017;
368
369 THENCE RUN WESTERLY ALONG SAID PARALLEL LINE AND THE
370 NORTH LINE OF THAT CERTAIN SOUTHERLY BOUNDARY PORTION
371 OF PARCEL OF THE ST. JOHNS RIVER WATER MANAGEMENT "LA

372 2001-58 B", HAVING A PARCEL ID NO. OF
373 31360000001141800001.0 BY THE INDIAN RIVER COUNTY
374 PROPERTY APPRAISER'S, ACROSS SAID TRACT 2017 AND TRACT
375 2016, OF SAID PLAT OF FELLSMERE FARMS COMPANY'S
376 SUBDIVISION OF UNSURVEYED TOWNSHIP 31 SOUTH, RANGE 36
377 EAST, IN ST. LUCIE COUNTY, STATE OF FLORIDA,
378 APPROXIMATELY 0.13 MILES TO A POINT OF CURVATURE;
379
380 THENCE RUN SOUTHWESTERLY ALONG THE CURVE CONCAVE TO
381 THE SOUTHEAST OF SAID NORTH LINE OF THAT CERTAIN
382 SOUTHERLY BOUNDARY PORTION OF PARCEL OF THE ST. JOHNS
383 RIVER WATER MANAGEMENT "LA 2001-58 B", A RADIUS OF
384 2,125.25 FEET AND AN ARC LENGTH OF APPROXIMATELY 0.63
385 MILES ACROSS SAID TRACT 2016, 2015, 2115, 2215, "DITCH
386 AND ROAD 20" AND "DITCH AND ROAD 21" OF SAID "PLAT OF
387 FELLSMERE FARMS COMPANY'S SUBDIVISION OF UNSURVEYED
388 TOWNSHIP 31 SOUTH, RANGE 36 EAST" TO A POINT OF CUSP
389 ON THE AFORESAID EAST LINE OF THAT CERTAIN PARCEL OF
390 LAND DESCRIBED AS "L-75 LEVEE", OFFICIAL RECORDS BOOK
391 1472, PAGE 547, PUBLIC RECORDS OF INDIAN RIVER COUNTY,
392 FLORIDA;
393
394 THENCE RUN NORTHERLY ALONG SAID EAST LINE OF CERTAIN
395 PARCEL OF LAND DESCRIBED AS "L-75 LEVEE", BEING 230
396 FEET EAST OF, NORMAL TO, AND PARALLEL WITH THE WEST

397 ~~BOUNDARY LINE OF SAID TRACTS 2215 AND 2115,~~
398 ~~APPROXIMATELY 0.28 MILES ACROSS SAID TRACTS 2215,~~
399 ~~2115, AND "DITCH AND ROAD 21", OF SAID "PLAT OF~~
400 ~~FELLSMERE FARMS COMPANY'S SUBDIVISION OF UNSURVEYED~~
401 ~~TOWNSHIP 31 SOUTH, RANGE 36 EAST" TO A LINE BEING 10~~
402 ~~FEET NORTH OF, NORMAL TO, AND PARALLEL WITH THE NORTH~~
403 ~~LINE OF SAID TRACT 2115, ALSO BEING THE SOUTH LINE OF~~
404 ~~SAID "DITCH AND ROAD 20";~~
405
406 ~~THENCE RUN EASTERLY ALONG SAID PARALLEL LINE~~
407 ~~APPROXIMATELY 0.02 MILES ACROSS "DITCH AND ROAD 20" TO~~
408 ~~A LINE BEING 380 FEET EAST OF, NORMAL TO, AND PARALLEL~~
409 ~~WITH THE WEST BOUNDARY LINE OF SAID TRACT 2015 AND~~
410 ~~TRACT 1915 OF SAID "PLAT OF FELLSMERE FARMS COMPANY'S~~
411 ~~SUBDIVISION OF UNSURVEYED TOWNSHIP 31 SOUTH, RANGE 36~~
412 ~~EAST";~~
413
414 ~~THENCE RUN NORtherLY ALONG SAID PARALLEL LINE~~
415 ~~APPROXIMATELY 0.35 MILES ACROSS SAID TRACT 2015, 1915,~~
416 ~~"DITCH AND ROAD 20" AND "DITCH AND ROAD 19" TO A LINE~~
417 ~~BEING APPROXIMATELY 450 FEET NORTH OF, NORMAL TO, AND~~
418 ~~PARALLEL WITH THE SOUTH BOUNDARY LINE OF SAID TRACT~~
419 ~~1915;~~
420

421 ~~THENCE RUN WESTERLY ALONG SAID PARALLEL LINE~~
422 ~~APPROXIMATELY 0.04 MILES ACROSS SAID TRACT 1915 TO A~~
423 ~~LINE BEING 150 FEET EAST OF SAID WEST BOUNDARY LINE OF~~
424 ~~TRACT 1915, SAID LINE ALSO BEING THE EAST LINE OF~~
425 ~~AFORESAID CERTAIN PARCEL OF LAND DESCRIBED AS "L-75~~
426 ~~LEVEE";~~
427
428 ~~THENCE RUN NORTHERLY ALONG SAID EAST LINE OF CERTAIN~~
429 ~~PARCEL OF LAND DESCRIBED AS "L-75 LEVEE" APPROXIMATELY~~
430 ~~0.22 MILES ACROSS SAID TRACT 1915, TRACT 1815 AND~~
431 ~~"DITCH AND ROAD 18" TO A POINT OF CUSP;~~
432
433 ~~THENCE RUN SOUTHEASTERLY ALONG THE CURVE CONCAVE TO~~
434 ~~THE NORTHEAST OF THE SOUTH LINE OF THAT CERTAIN~~
435 ~~NORTHERLY BOUNDARY PORTION OF PARCEL OF THE ST. JOHNS~~
436 ~~RIVER WATER MANAGEMENT "LA 2001-58 B", A RADIUS OF~~
437 ~~2,125.25 FEET AND AN ARC LENGTH OF APPROXIMATELY 0.63~~
438 ~~MILES ACROSS SAID TRACT 1915, 2015, 2016, "DITCH AND~~
439 ~~ROAD 18" AND "DITCH AND ROAD 19" OF SAID "PLAT OF~~
440 ~~FELLSMERE FARMS COMPANY'S SUBDIVISION OF UNSURVEYED~~
441 ~~TOWNSHIP 31 SOUTH, RANGE 36 EAST" TO A POINT OF~~
442 ~~CURVATURE;~~
443
444 ~~THENCE RUN EASTERLY ALONG A LINE BEING 457 FEET SOUTH~~
445 ~~OF THE NORTH BOUNDARY LINE OF TRACT 2016 AND 2017 OF~~

446 ~~SAID "PLAT OF FELLSMERE FARMS COMPANY'S SUBDIVISION OF~~
447 ~~UNSURVEYED TOWNSHIP 31 SOUTH, RANGE 36 EAST"~~
448 ~~APPROXIMATELY 0.15 MILES TO A LINE BEING 1021 FEET~~
449 ~~WEST OF THE EAST BOUNDARY LINE OF SAID TRACT 2017,~~
450
451 ~~THENCE RUN NORTHERLY ALONG SAID PARALLEL LINE~~
452 ~~APPROXIMATELY 0.09 MILES ACROSS SAID TRACT 2017 TO THE~~
453 ~~NORTH BOUNDARY LINE OF SAID TRACT 2017, SAID LINE ALSO~~
454 ~~BEING THE SOUTH RIGHT OF WAY LINE OF "DITCH AND ROAD~~
455 ~~19", ALL OF SAID "PLAT OF FELLSMERE FARMS COMPANY'S~~
456 ~~SUBDIVISION OF UNSURVEYED TOWNSHIP 31 SOUTH, RANGE 36~~
457 ~~EAST";~~
458
459 ~~THENCE RUN EASTERLY ALONG SAID NORTH BOUNDARY LINE OF~~
460 ~~TRACT 2017 AND TRACT 2018 OF SAID "PLAT OF FELLSMERE~~
461 ~~FARMS COMPANY'S SUBDIVISION OF UNSURVEYED TOWNSHIP 31~~
462 ~~SOUTH, RANGE 36 EAST", APPROXIMATELY 0.32 MILES TO THE~~
463 ~~INTERSECTION WITH A LINE BEING 680 FEET WEST OF,~~
464 ~~NORMAL TO, AND PARALLEL WITH THE EAST BOUNDARY LINE OF~~
465 ~~SAID TRACT 2018;~~
466
467 ~~THENCE RUN NORTHERLY ALONG THE LINE BEING 680 FEET~~
468 ~~WEST OF, NORMAL TO, AND PARALLEL WITH THE EAST~~
469 ~~BOUNDARY LINES OF TRACTS 1918, 1818, 1718 AND 1618,~~
470 ~~APPROXIMATELY 0.89 MILES, ACROSS SAID TRACTS 1918,~~

471 ~~1818, 1718, 1618, "DITCH AND ROAD 19", "DITCH AND ROAD~~
472 ~~18", "DITCH AND ROAD 17", AND "DITCH AND ROAD 16" OF~~
473 ~~SAID "PLAT OF FELLSMERE FARMS COMPANY'S SUBDIVISION OF~~
474 ~~UNSURVEYED TOWNSHIP 31 SOUTH, RANGE 36 EAST" TO THE~~
475 ~~INTERSECTION WITH A LINE BEING 640 FEET NORTH OF,~~
476 ~~NORMAL TO AND PARALLEL WITH THE SOUTH BOUNDARY LINE OF~~
477 ~~SAID TRACT 1618, TRACTS 1619, 1620, 1621 AND 1622;~~
478
479 ~~THENCE RUN EASTERLY ALONG SAID PARALLEL LINE,~~
480 ~~APPROXIMATELY 1.17 MILES, ACROSS SAID TRACT 1618, A 50~~
481 ~~FEET WIDE ROAD RIGHT OF WAY, SAID TRACT 1619, 1620,~~
482 ~~1621 AND 1622 TO THE WEST RIGHT OF WAY LINE OF LATERAL~~
483 ~~"S" CANAL (225' WIDE RIGHT OF WAY) OF SAID "PLAT OF~~
484 ~~FELLSMERE FARMS COMPANY'S SUBDIVISION OF UNSURVEYED~~
485 ~~TOWNSHIP 31 SOUTH, RANGE 36 EAST";~~
486
487 ~~THENCE RUN NORTHERLY ALONG SAID WEST RIGHT OF WAY LINE~~
488 ~~OF LATERAL "S" CANAL, APPROXIMATELY 0.02 MILES TO THE~~
489 ~~INTERSECTION WITH THE WESTERLY PROJECTION OF THE NORTH~~
490 ~~BOUNDARY LINES OF TRACTS 1692, 1691, 1690, 1689, 1688~~
491 ~~AND 1687 OF THE "PLAT OF FELLSMERE FARMS COMPANY'S~~
492 ~~SUBDIVISION OF UNSURVEYED TOWNSHIP 31 SOUTH, RANGE 37~~
493 ~~EAST, IN ST. LUCIE COUNTY, STATE OF FLORIDA" AS~~
494 ~~RECORDED IN PLAT BOOK 2, PAGES 1 AND 2 OF THE PUBLIC~~

495 RECORDS OF ST. LUCIE COUNTY, NOW INDIAN RIVER COUNTY,
496 FLORIDA;

497
498 THENCE RUN EASTERLY ALONG SAID WESTERLY PROJECTION AND
499 NORTH BOUNDARY LINES, APPROXIMATELY 0.83 MILES, ACROSS
500 SAID LATERAL "S" CANAL (225' WIDE RIGHT OF WAY), TRACT
501 1600 AND ALONG SAID NORTH BOUNDARY LINES OF TRACT
502 1692, 1691, 1690, 1689, 1688 AND 1687 TO THE
503 INTERSECTION WITH A LINE BEING 170 FEET WEST OF,
504 NORMAL TO AND PARALLEL WITH THE EAST BOUNDARY LINES OF
505 TRACTS 1606, 1587, 1506, 1487, 1406, 1387, 1306, 1287,
506 1206, 1187, 1106, 1087, 1006, 987, 906, 887, 806, 787,
507 706, 687, 606, 587, 506, 487 AND 406 OF SAID "PLAT OF
508 FELLSMERE FARMS COMPANY'S SUBDIVISION OF UNSURVEYED
509 TOWNSHIP 31 SOUTH, RANGE 37 EAST";

510
511 THENCE RUN NORTHERLY ALONG SAID PARALLEL LINE,
512 APPROXIMATELY 3.13 MILES, ACROSS SAID TRACTS 1606,
513 1587, 1506, 1487, 1406, 1387, 1306, 1287, 1206, 1187,
514 1106, 1087, 1006, 987, 906, 887, 806, 787, 706, 687,
515 606, 587, 506, 487, 406, "DITCH AND ROAD 15", "DITCH
516 AND ROAD 14", NORTH AND SOUTH "DITCH AND ROAD 13",
517 FELLSMERE RAILROAD (100' WIDE RIGHT OF WAY), "DITCH
518 AND ROAD 12", "DITCH AND ROAD 11", "DITCH AND ROAD
519 10", "DITCH AND ROAD 9", "DITCH AND ROAD 8", "DITCH

520 ~~AND ROAD 7", "DITCH AND ROAD 6", "DITCH AND ROAD 5",~~
521 ~~"DITCH AND ROAD 4" AND "DITCH AND ROAD 3" TO THE NORTH~~
522 ~~RIGHT OF WAY LINE OF SAID "DITCH AND ROAD 3", SAID~~
523 ~~NORTH RIGHT OF WAY LINE ALSO BEING THE SOUTH BOUNDARY~~
524 ~~LINE OF TRACT 384 OF SAID "PLAT OF FELLSMERE FARMS~~
525 ~~COMPANY'S SUBDIVISION OF UNSURVEYED TOWNSHIP 31 SOUTH,~~
526 ~~RANGE 37 EAST";~~

527
528 ~~THENCE RUN WESTERLY ALONG SAID SOUTH BOUNDARY LINE,~~
529 ~~APPROXIMATELY 0.06 MILES TO A LINE BEING 510 FEET WEST~~
530 ~~OF, NORMAL TO AND PARALLEL WITH THE EAST BOUNDARY LINE~~
531 ~~OF SAID TRACT 384;~~

532
533 ~~THENCE RUN NORTHERLY ALONG SAID PARALLEL LINE,~~
534 ~~APPROXIMATELY 0.12 MILES TO THE NORTH BOUNDARY LINE OF~~
535 ~~SAID TRACT 384;~~

536
537 ~~THENCE RUN WESTERLY ALONG SAID NORTH BOUNDARY LINE,~~
538 ~~APPROXIMATELY 0.03 MILES TO THE NORTHWEST CORNER OF~~
539 ~~SAID TRACT 384, ALSO BEING THE SOUTHWEST CORNER OF~~
540 ~~TRACT 306 OF SAID "PLAT OF FELLSMERE FARMS COMPANY'S~~
541 ~~SUBDIVISION OF UNSURVEYED TOWNSHIP 31 SOUTH, RANGE 37~~
542 ~~EAST";~~

544 THENCE RUN NORTHERLY ON THE WEST BOUNDARY LINE OF SAID
545 TRACT 306, APPROXIMATELY 0.03 MILES TO THE
546 INTERSECTION WITH A LINE BEING 480 FEET SOUTH OF,
547 NORMAL TO AND PARALLEL WITH THE NORTH BOUNDARY LINES
548 OF TRACTS 305, 304, 303, 302 AND 301 OF SAID "PLAT OF
549 FELLSMERE FARMS COMPANY'S SUBDIVISION OF UNSURVEYED
550 TOWNSHIP 31 SOUTH, RANGE 37 EAST";
551
552 THENCE RUN WESTERLY ALONG SAID PARALLEL LINE,
553 APPROXIMATELY 0.71 MILES, ACROSS SAID TRACTS 305, 304,
554 303, 302, 301, 300 AND A PORTION OF THE LATERAL "S"
555 CANAL (225' WIDE RIGHT OF WAY) TO THE WEST BOUNDARY
556 LIMITS OF SAID "PLAT OF FELLSMERE FARMS COMPANY'S
557 SUBDIVISION OF UNSURVEYED TOWNSHIP 31 SOUTH, RANGE 37
558 EAST";
559
560 THENCE CONTINUE WESTERLY ALONG SAID PARALLEL LINE,
561 APPROXIMATELY 0.09 MILES, ACROSS REMAINING SAID
562 LATERAL "S" CANAL (225' WIDE RIGHT OF WAY) AND TO THE
563 INTERSECTION WITH A LINE BEING 340 FEET WEST OF,
564 NORMAL TO AND PARALLEL WITH THE EAST BOUNDARY LINE OF
565 TRACTS 322, AND 222 OF THE "PLAT OF FELLSMERE FARMS
566 COMPANY'S SUBDIVISION OF UNSURVEYED TOWNSHIP 31 SOUTH,
567 RANGE 36 EAST, IN ST. LUCIE COUNTY, STATE OF FLORIDA"
568 AS RECORDED IN PLAT BOOK 2, PAGE 9 OF THE PUBLIC

569 ~~RECORDS OF ST. LUCIE COUNTY, NOW INDIAN RIVER COUNTY,~~
570 ~~FLORIDA;~~

571
572 ~~THENCE RUN NORTHERLY ALONG SAID PARALLEL LINE,~~
573 ~~APPROXIMATELY 0.39 MILES, ACROSS SAID TRACTS 322, 222,~~
574 ~~"DITCH AND ROAD 2", "DITCH AND ROAD 1" TO THE NORTH~~
575 ~~RIGHT OF WAY LINE OF SAID "DITCH AND ROAD 1", SAID~~
576 ~~RIGHT OF WAY LINE ALSO BEING THE SOUTH BOUNDARY LINE~~
577 ~~OF TRACT 122 OF SAID "PLAT OF FELLSMERE FARMS~~
578 ~~COMPANY'S SUBDIVISION OF UNSURVEYED TOWNSHIP 31 SOUTH,~~
579 ~~RANGE 36 EAST";~~

580
581 ~~THENCE RUN WESTERLY ALONG SAID SOUTH BOUNDARY LINE OF~~
582 ~~TRACT 122, APPROXIMATELY 0.06 MILES TO THE~~
583 ~~INTERSECTION WITH A LINE BEING 680 FEET WEST OF,~~
584 ~~NORMAL TO AND PARALLEL WITH THE EAST BOUNDARY LINE OF~~
585 ~~SAID TRACT 122;~~

586
587 ~~THENCE RUN NORTHERLY ALONG SAID PARALLEL LINE,~~
588 ~~APPROXIMATELY 0.16 MILES, ACROSS SAID TRACT 122 AND~~
589 ~~THE "MAIN CANAL" RIGHT OF WAY TO THE NORTH LIMITS OF~~
590 ~~SAID "PLAT OF FELLSMERE FARMS COMPANY'S SUBDIVISION OF~~
591 ~~UNSURVEYED TOWNSHIP 31 SOUTH, RANGE 36 EAST", SAID~~
592 ~~LIMITS ALSO BEING THE COMMON TOWNSHIP LINE OF TOWNSHIP~~

593 30 AND 31 SOUTH AND THE NORTH LIMITS OF INDIAN RIVER
594 COUNTY, FLORIDA;
595
596 THENCE RUN EASTERLY ALONG SAID COMMON TOWNSHIP LINE
597 AND NORTH COUNTY LINE, APPROXIMATELY 5.29 MILES TO THE
598 INTERSECTION WITH THE SOUTHWESTERLY LINE OF FLEMING
599 GRANT;
600
601 THENCE RUN SOUTHEASTERLY ALONG SAID SOUTHWESTERLY LINE
602 OF FLEMING GRANT, APPROXIMATELY 1.21 MILES TO THE
603 INTERSECTION WITH THE EAST LINE OF TOWNSHIP 31 SOUTH,
604 RANGE 37 EAST, ALSO BEING THE COMMON RANGE LINE OF
605 RANGE 37 AND 38 EAST;
606
607 THENCE RUN SOUTHERLY ALONG SAID EAST LINE OF TOWNSHIP
608 31 SOUTH, RANGE 37 EAST AND THE EAST LINE OF TOWNSHIP
609 32 SOUTH, RANGE 37 EAST, APPROXIMATELY 7.71 MILES TO
610 THE INTERSECTION WITH A LINE BEING 200 FEET SOUTH OF,
611 NORMAL TO AND PARALLEL WITH THE NORTH BOUNDARY LINE OF
612 SAID TRACT 1123 OF THE "PLAT OF FELLSMERE FARMS
613 COMPANY'S SUBDIVISION OF UNSURVEYED TOWNSHIP 32 SOUTH,
614 RANGE 37 EAST, IN ST. LUCIE COUNTY, STATE OF FLORIDA"
615 AS RECORDED IN PLAT BOOK 2, PAGE 8 OF THE PUBLIC
616 RECORDS OF ST. LUCIE COUNTY, NOW INDIAN RIVER COUNTY,
617 FLORIDA;

618
619 ~~THENCE RUN WESTERLY ALONG SAID PARALLEL LINE~~
620 ~~APPROXIMATELY 6.00 MILES, ACROSS SAID TRACT 1123,~~
621 ~~TRACTS 1122, 1121, 1120, A 30 FEET WIDE ROAD RIGHT OF~~
622 ~~WAY, TRACTS 1119, 1118, 1117, 1116, A 60 FEET WIDE~~
623 ~~ROAD RIGHT OF WAY; TRACT 1115, PARK LATERAL CANAL~~
624 ~~(92.25' WIDE RIGHT OF WAY), TRACTS 1114, 1113, 1112, A~~
625 ~~30 FEET WIDE ROAD RIGHT OF WAY, TRACTS 1111, 1110,~~
626 ~~1109, 1108, LATERAL "U" CANAL (156' WIDE RIGHT OF~~
627 ~~WAY), TRACTS 1107, 1106, 1105, 1104, A 30 FEET WIDE~~
628 ~~ROAD RIGHT OF WAY, TRACTS 1103, 1102, 1101, 1100 AND A~~
629 ~~PORTION OF LATERAL "S" CANAL (225' WIDE RIGHT OF WAY)~~
630 ~~OF SAID "PLAT OF FELLSMERE FARMS COMPANY'S SUBDIVISION~~
631 ~~OF UNSURVEYED TOWNSHIP 32 SOUTH, RANGE 37 EAST" TO THE~~
632 ~~WEST LIMITS OF SAID PLAT;~~
633
634 ~~THENCE CONTINUE WESTERLY ALONG SAID PARALLEL LINE,~~
635 ~~APPROXIMATELY 0.02 MILES, ACROSS REMAINING SAID~~
636 ~~LATERAL "S" CANAL (225' WIDE RIGHT OF WAY) TO THE~~
637 ~~INTERSECTION WITH THE WEST RIGHT OF WAY LINE OF SAID~~
638 ~~LATERAL "S" CANAL, ALSO BEING THE EAST LINE OF~~
639 ~~AFORESAID TRACT 1122 OF THE "PLAT OF FELLSMERE FARMS~~
640 ~~COMPANY'S SUBDIVISION OF UNSURVEYED TOWNSHIP 32 SOUTH,~~
641 ~~RANGE 36 EAST, IN ST. LUCIE COUNTY, STATE OF FLORIDA"~~
642 ~~AS RECORDED IN PLAT BOOK 2, PAGE 18 OF THE PUBLIC~~

643 ~~RECORDS OF ST. LUCIE COUNTY, NOW INDIAN RIVER COUNTY,~~
644 ~~FLORIDA, AND POINT OF BEGINNING.~~

645
646 ~~SAID DESCRIBED DISTRICT LIMITS CONTAINING 34,441 ACRES~~
647 ~~MORE OR LESS.~~

648
649 Section 2. Minimum charter requirements.—In accordance
650 with s. 189.031(3), Florida Statutes, the following are the
651 minimum requirements for the charter of the Fellsmere Water
652 Control District:

653 (1) The district is organized and exists for all purposes
654 set forth in this act and chapter 298, Florida Statutes, as may
655 be amended from time to time.

656 (2) The district's charter may be amended only by special
657 act of the Legislature.

658 (3) The governing body of the Fellsmere Water Control
659 District shall be the members of the Board of County
660 Commissioners of Indian River County. As soon as practicable
661 after the County Commissioners of Indian River County have
662 assumed office, the commissioners shall meet to organize as the
663 governing board of the Fellsmere Water Control District. The
664 Clerk of the Circuit Court of Indian River County shall act as
665 secretary and treasurer without right to vote as a member of the
666 board or hold other office thereon without additional
667 compensation for his or her services, exercising all powers and

668 performing all duties as provided by this act. At this meeting,
669 the board shall elect a chair from among their members and
670 consider establishing a citizens advisory committee. In
671 accordance with chapter 189, Florida Statutes, this act, and ss.
672 298.11 and 298.12, Florida Statutes, as may be amended from time
673 to time, the governing board of the district shall be designated
674 the "Board of Supervisors of the Fellsmere Water Control
675 District" and shall be composed of three persons, who shall be
676 qualified to hold such office if they are landowners within the
677 district, residents of the state, and citizens of the United
678 States, elected on a 1-acre, one-vote basis by the landowners in
679 the district; however, landowners owning less than 1 acre in the
680 aggregate shall be entitled to one vote. Landowners with more
681 than 1 acre shall be entitled to one additional vote for any
682 fraction of an acre greater than 1/2 acre owned when a
683 landowner's acreage has been aggregated for purposes of voting.
684 The membership and organization of the governing board shall be
685 as set forth in this charter and chapter 298, Florida Statutes,
686 as may be amended from time to time, provided this charter
687 controls with respect to any inconsistency.

688 (4) The compensation of the governing board members shall
689 be governed by this act and chapter 298, Florida Statutes, as
690 may be amended from time to time.

691 (5) The administrative duties of the governing board shall
692 be as set forth in this act and chapters 189 and 298, Florida

693 ~~statutes, as may be amended from time to time.~~

694 ~~(6) Requirements for financial disclosure, meeting~~
695 ~~notices, reporting, public records maintenance, and per diem~~
696 ~~expenses for district officers and employees shall be as set~~
697 ~~forth in chapters 112, 189, 190, 286, and 298, Florida Statutes,~~
698 ~~and all other applicable general laws of the state, as may be~~
699 ~~amended from time to time.~~

700 ~~(7) The procedures and requirements governing the issuance~~
701 ~~of bonds, notes, and other evidence of indebtedness by the~~
702 ~~district shall be as set forth in chapters 189 and 298, Florida~~
703 ~~Statutes, and applicable general laws, as may be amended from~~
704 ~~time to time.~~

705 ~~(8) The procedures for conducting district elections or~~
706 ~~referenda and for qualification of electors shall be pursuant to~~
707 ~~chapters 189 and 298, Florida Statutes, as may be amended from~~
708 ~~time to time; however, a quorum for purposes of holding the~~
709 ~~annual meeting or any special meetings shall consist of those~~
710 ~~landowners present in person or represented by proxy at said~~
711 ~~meeting.~~

712 ~~(4) (9) The district may be financed by any method~~
713 ~~established in this act, chapter 298, Florida Statutes, and~~
714 ~~other applicable general laws of the state, as may be amended~~
715 ~~from time to time.~~

716 ~~(5) (10) The methods for collecting non-ad valorem~~
717 ~~assessments, fees, or service charges shall be as set forth in~~

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718 chapters 197 and 298, Florida Statutes, and other applicable
719 general laws of the state, as may be amended from time to time.

720 (6)-(11) The district's planning requirements shall be as
721 set forth in chapters 189 and 298, Florida Statutes, as may be
722 amended from time to time.

723 (7)-(12) The district's geographic boundary shall be as set
724 forth in this act.

725 Section 3. Maintenance and use of the Lateral "U" Canal,
726 Park Lateral Canal, and Main Canal.

727 (1) Lateral "U" Canal.—As described in section 1, the
728 western boundary of the Fellsmere Water Control District is the
729 centerline of the Lateral "U" Canal. The Fellsmere Water Control
730 District shall be responsible for the maintenance of the eastern
731 bank of the Lateral "U" Canal for the portion within the
732 district boundary and shall retain the right to utilize the full
733 width of said canal for all purposes permitted under applicable
734 water control laws and regulations. The district shall share
735 responsibility for the maintenance and aquatic vegetation of the
736 canal with the landowners bordering the west of the Lateral "U"
737 Canal until such time as a new water control district,
738 Headwaters Water Control District, is established west of and
739 adjacent to the Fellsmere Water Control District, at which time
740 the maintenance and aquatic vegetation management will transfer
741 to the Headwaters Water Control District as described below.

743 When the Headwaters Water Control District is duly established
744 to the west of and adjacent to the Fellsmere Water Control
745 District, such newly established Headwaters Water Control
746 District shall assume full responsibility for all maintenance,
747 including dredging and aquatic vegetation management, within the
748 entire Lateral "U" Canal, not including the eastern bank. The
749 Fellsmere Water Control District shall bear no further
750 responsibility or liability for such maintenance activities. The
751 canal shall be maintained to the designed level of service, as
752 described in the 2017 Fellsmere Water Control District Water
753 Control Plan, as may be amended from time to time. The newly
754 established Headwaters Water Control District shall have the
755 right to utilize the full width of the Lateral "U" Canal for all
756 purposes permitted under applicable water control laws and
757 regulations.

758 (2) Main Canal.—Upon the establishment of the Headwaters
759 Water Control District to the west of and adjacent to the
760 Fellsmere Water Control District, the Headwaters Water Control
761 District shall assume full responsibility for all maintenance,
762 including dredging and aquatic vegetation management, of the
763 Main Canal, from the centerline of the Lateral "U" Canal
764 eastward for a distance of one mile. The Fellsmere Water Control
765 District shall bear no further responsibility or liability for
766 such maintenance activities. The canal shall be maintained to
767 the designed level of service as described in the 2017 Fellsmere

768 Water Control District Water Control Plan, as may be amended
769 from time to time.

770 (3) Park Lateral Canal.-The Fellsmere Water Control
771 District shall retain full responsibility for all maintenance,
772 including dredging and aquatic vegetation management, of the
773 Park Lateral Canal located within the Fellsmere Water Control
774 District boundary. The Headwaters Water Control District shall
775 bear no further responsibility or liability for such maintenance
776 activities. The Headwaters Water Control District shall retain
777 the historic drainage rights through the Park Lateral Canal to
778 the Main Canal. The districts shall collaborate on a water
779 management plan to define usage of the canal during emergency
780 situations and other situations consistent with the original,
781 permitted design of the system. The plan shall be adopted no
782 later than October 1, 2027. If either district opposes any part
783 of a proposed Water Control Plan amendment by the other
784 district, the disputed language will be submitted to the
785 Division of Administrative Hearings Alternative Dispute
786 Resolution program. Should the districts fail to reach agreement
787 through this process, either district may request a formal
788 hearing before the Division of Administrative Hearings. The
789 districts will share equally all costs charged by the Division
790 of Administrative Hearings, while each district will pay its own
791 legal fees and expenses regardless of the outcome.

793 Each district shall have the right to access, travel over, and
794 cross the other district's property at the point of intersection
795 at the Lateral "U" Canal and the Park Lateral Canal as may be
796 reasonably necessary to fulfill the maintenance and management
797 duties outlined in this section, as well as any emergency
798 repairs. Additionally, the Headwaters Water Control District
799 shall have the right to utilize the full length of the Main
800 Canal for all purposes permitted under applicable water control
801 laws and regulations.

802

803 The Fellsmere Water Control District shall retain full
804 responsibility for all maintenance, including dredging and
805 aquatic vegetation management, of the remaining portion of the
806 Main Canal. The Headwaters Water Control District shall bear no
807 further responsibility or liability for such maintenance
808 activities. The canal shall be maintained to the designed level
809 of service as described in the 2017 Fellsmere Water Control
810 District Water Control Plan, as may be amended from time to
811 time.

812

813 Future amendments to the 2017 Fellsmere Water Control Plan
814 relating to the Lateral "U" Canal, Main Canal, or Park Lateral
815 Canal, shall be made in collaboration with the Headwaters Water
816 Control District.

818 Unless otherwise noted, all facilities lying within each
819 district boundary are the responsibility of that particular
820 district. Each district shall be responsible for any
821 obstruction, interference, or other activity by each district or
822 its landowners that adversely impacts the flow and drainage of
823 water in the Lateral Canals or the Main Canal. To the extent
824 either district fails to maintain the Lateral Canals or the Main
825 Canal as set forth herein, the other district shall have the
826 right but not the obligation to perform such necessary
827 corrective action and seek reimbursement of costs, including
828 attorneys fees, from the non-complying district. In the event
829 that one district intends to undertake repairs or corrective
830 actions due to another district's non-compliance, the initiating
831 district shall provide the non-complying district with no less
832 than 30 days' written notice of its intent to perform such
833 corrective action. The non-complying district shall have the
834 opportunity to cure the non-compliance within this notice
835 period. If the non-complying district commences and diligently
836 pursues the necessary corrective actions within the 30-day
837 period, it shall not be held liable under this section. The non-
838 complying district shall be granted necessary and reasonable
839 extensions of time to take corrective action except in an
840 emergency situation requiring immediate action. In the event of
841 an emergency, the other district shall give the non-complying
842 district notice via telephone and email before commencing

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843 corrective action.

844 Section 4.3. Provisions of chapter 298, Florida Statutes,
845 made applicable.—The Fellsmere Water Control District is a
846 dependent ~~an independent~~ water control district and a public
847 corporation of this state. The provisions of state law
848 applicable to water control districts or subdistricts which are
849 embodied in chapter 298, Florida Statutes, as may be amended
850 from time to time, so far as not inconsistent with this act, are
851 declared to be applicable to the Fellsmere Water Control
852 District. The Fellsmere Water Control District shall have all of
853 the powers and authority conferred in this act and chapter 298,
854 Florida Statutes, as may be amended from time to time.

855 Section 5.4. Severability.—If any provision of this act or
856 the application thereof to any person or circumstance is held
857 invalid, the invalidity shall not affect other provisions or
858 applications of the act which can be given effect without the
859 invalid provision or application, and to this end the provisions
860 of this act are declared severable.

861 Section 6.5. Construction.—This act shall be construed as
862 a remedial act and shall be liberally construed to promote the
863 purpose for which it is intended.

864 **Section 2.** This act shall take effect October 1, 2026, if
865 HB 4095 or similar legislation takes effect, if such legislation
866 is adopted in the same legislative session or an extension
867 thereof and becomes a law.