

1 A bill to be entitled
2 An act relating to the Fellsmere Water Control
3 District, Indian River County; amending chapter 2017-
4 203, Laws of Florida; providing that the district is a
5 dependent district of Indian River County; providing
6 that the Board of County Commissioners of Indian River
7 County shall be the governing board of the district;
8 revising the boundaries of the district; providing for
9 maintenance and use of certain canals; providing for
10 certain access to public records; providing a
11 contingent effective date.

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

14
15 **Section 1. Chapter 2017-203, Laws of Florida, is amended**
16 **to read:**

17 Section 1. Status and boundaries of Fellsmere Water
18 Control District.—The Fellsmere Water Control District is
19 declared to be a dependent ~~an independent~~ water control district
20 and a public corporation of the state pursuant to chapters 189
21 and 298, Florida Statutes, and the lands lying within the area
22 described as follows in Indian River County shall constitute the
23 Fellsmere Water Control District:
24

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

30
31 BEGIN AT THE NORTHEAST CORNER OF TRACT 123 OF THE
32 "PLAT OF FELLSMERE FARMS COMPANY'S SUBDIVISION OF
33 UNSURVEYED TOWNSHIP 32 SOUTH, RANGE 37 EAST, IN ST.
34 LUCIE COUNTY, STATE OF FLORIDA" AS RECORDED IN PLAT
35 BOOK 2, PAGE 8 OF THE PUBLIC RECORDS OF ST. LUCIE
36 COUNTY, NOW INDIAN RIVER COUNTY, FLORIDA; SAID CORNER
37 ALSO BEING ON THE SOUTH RIGHT OF WAY LINE OF DITCH AND
38 ROAD 24 AS SHOWN ON SAID "PLAT OF FELLSMERE FARMS
39 COMPANY'S SUBDIVISION OF UNSURVEYED TOWNSHIP 32 SOUTH,
40 RANGE 37 EAST, IN ST. LUCIE COUNTY, STATE OF FLORIDA"
41 AND ON THE "PLAT OF FELLSMERE FARMS COMPANY'S
42 SUBDIVISION OF ALL UNSURVEYED TOWNSHIP 31 SOUTH, RANGE
43 37 EAST, IN ST. LUCIE COUNTY, STATE OF FLORIDA" AS
44 RECORDED IN PLAT BOOK 2, PAGES 1 AND 2 OF THE PUBLIC
45 RECORDS OF ST. LUCIE COUNTY, NOW INDIAN RIVER COUNTY,
46 FLORIDA;

47
48 THENCE RUN WESTERLY, ALONG SAID SOUTH RIGHT OF WAY
49 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~~

~~"DITCH AND ROAD 33", TRACT 915, "DITCH AND ROAD 32",
AND TRACT 815 OF SAID "PLAT OF FELLSMERE FARMS
COMPANY'S SUBDIVISION OF UNSURVEYED TOWNSHIP 32 SOUTH,
RANGE 36 EAST" TO A POINT OF CUSP;~~

~~THENCE RUN SOUTHEASTERLY ALONG THE CURVE CONCAVE TO
THE NORTH OF THAT CERTAIN SOUTHERLY BOUNDARY PORTION
OF PARCEL OF THE ST. JOHNS RIVER WATER MANAGEMENT "LA
2001-58 B", HAVING A PARCEL ID NO. OF
31360000001141800001.0 BY THE INDIAN RIVER COUNTY
PROPERTY APPRAISER'S, A RADIUS OF 4,044.41 FEET AND AN
ARC LENGTH OF APPROXIMATELY 1.06 MILES ACROSS SAID
"DITCH AND ROAD 32", TRACT 915, 916, 917, 918 OF SAID
"PLAT OF FELLSMERE FARMS COMPANY'S SUBDIVISION OF
UNSURVEYED TOWNSHIP 32 SOUTH, RANGE 36 EAST" TO A
POINT OF REVERSE CURVATURE;~~

~~THENCE CONTINUE AND RUN NORTHEASTERLY ALONG THE CURVE
CONCAVE TO THE SOUTH AND SAID CERTAIN SOUTHERLY
BOUNDARY PORTION OF PARCEL OF THE ST. JOHNS RIVER
WATER MANAGEMENT "LA 2001-58 B", HAVING A RADIUS OF
170.01 FEET AND AN ARC LENGTH OF APPROXIMATELY 0.02
MILES, ACROSS SAID TRACT 918 AND "50 FEET ROAD RIGHT
OF WAY" OF SAID "PLAT OF FELLSMERE FARMS COMPANY'S~~

~~SUBDIVISION OF UNSURVEYED TOWNSHIP 32 SOUTH, RANGE 36
EAST" TO THE POINT OF TANGENCY;~~

~~THENCE RUN EASTERLY ALONG THE LINE BEING APPROXIMATELY
883 FEET NORTH OF, NORMAL TO AND PARALLEL WITH THE
SOUTH BOUNDARY LINE OF TRACTS 919, 920, 921 AND 922 OF
SAID "PLAT OF FELLSMERE FARMS COMPANY'S SUBDIVISION OF
UNSURVEYED TOWNSHIP 32 SOUTH, RANGE 36 EAST" TO THE
INTERSECTION WITH A LINE BEING 680 FEET WEST OF THE
EAST BOUNDARY LINE OF SAID TRACT 922;~~

~~THENCE RUN NORTHERLY ALONG SAID PARALLEL LINE,
APPROXIMATELY 0.71 MILES, ACROSS SAID TRACT 922, 822,
722, 622, "DITCH AND ROAD 32", "DITCH AND ROAD 31",
AND "DITCH AND ROAD 30" OF SAID "PLAT OF FELLSMERE
FARMS COMPANY'S SUBDIVISION OF UNSURVEYED TOWNSHIP 32
SOUTH, RANGE 36 EAST" TO THE INTERSECTION WITH A LINE
BEING 640 FEET SOUTH OF, NORMAL TO, AND PARALLEL WITH
THE NORTH BOUNDARY LINE OF SAID TRACT 622;~~

~~THENCE RUN WESTERLY ALONG SAID PARALLEL LINE,
APPROXIMATELY 0.58 MILES, ACROSS TRACTS 622, 621 AND
620 OF SAID "PLAT OF FELLSMERE FARMS COMPANY'S
SUBDIVISION OF UNSURVEYED TOWNSHIP 32 SOUTH, RANGE 36
EAST" TO THE INTERSECTION WITH A LINE BEING 1,021 FEET~~

~~WEST OF, NORMAL TO, AND PARALLEL WITH THE EAST
BOUNDARY LINE OF SAID TRACT 620;~~

~~THENCE RUN NORTHERLY ALONG SAID PARALLEL LINE,
APPROXIMATELY 0.25 MILES, ACROSS SAID TRACT 620, TRACT
520 AND "DITCH AND ROAD 29" OF SAID "PLAT OF FELLSMERE
FARMS COMPANY'S SUBDIVISION OF UNSURVEYED TOWNSHIP 32
SOUTH, RANGE 36 EAST" TO THE INTERSECTION WITH A LINE
BEING 640 FEET SOUTH OF, NORMAL TO, AND PARALLEL WITH
THE NORTH BOUNDARY LINE OF SAID TRACT 520;~~

~~THENCE RUN WESTERLY ALONG SAID PARALLEL LINE,
APPROXIMATELY 0.46 MILES, ACROSS SAID TRACT 520, TRACT
519, 50 FEET WIDE ROAD RIGHT OF WAY AND TRACT 518 OF
SAID "PLAT OF FELLSMERE FARMS COMPANY'S SUBDIVISION OF
UNSURVEYED TOWNSHIP 32 SOUTH, RANGE 36 EAST" TO THE
INTERSECTION WITH A LINE BEING 680 FEET WEST OF,
NORMAL TO, AND PARALLEL WITH THE EAST BOUNDARY LINE OF
SAID TRACT 518;~~

~~THENCE RUN NORTHERLY ALONG SAID PARALLEL LINE,
APPROXIMATELY 0.38 MILES, ACROSS SAID TRACT 518, TRACT
418, "DITCH AND ROAD 28" AND "DITCH AND ROAD NO 27 OF
SAID "PLAT OF FELLSMERE FARMS COMPANY'S SUBDIVISION OF
UNSURVEYED TOWNSHIP 32 SOUTH, RANGE 36 EAST" TO THE~~

~~NORTH RIGHT OF WAY LINE OF SAID "DITCH AND ROAD NO.
27", SAID NORTH RIGHT OF WAY LINE ALSO BEING THE SOUTH
BOUNDARY LINE OF TRACT 318 OF SAID "PLAT OF FELLSMERE
FARMS COMPANY'S SUBDIVISION OF UNSURVEYED TOWNSHIP 32
SOUTH, RANGE 36 EAST";~~

~~THENCE RUN WESTERLY ALONG SAID SOUTH BOUNDARY LINE OF
TRACT 318, APPROXIMATELY 0.06 MILES TO THE
INTERSECTION WITH A LINE BEING 1,021 FEET WEST OF,
NORMAL TO, AND PARALLEL WITH THE EAST BOUNDARY LINE OF
SAID TRACT 318;~~

~~THENCE RUN NORTHERLY ALONG SAID PARALLEL LINE,
APPROXIMATELY 0.25 MILES, ACROSS SAID TRACT 318 AND
"DITCH AND ROAD 26" TO THE NORTH RIGHT OF WAY LINE OF
SAID "DITCH AND ROAD 26", SAID NORTH RIGHT OF WAY LINE
ALSO BEING THE SOUTH BOUNDARY LINE OF TRACT 218 OF
SAID "PLAT OF FELLSMERE FARMS COMPANY'S SUBDIVISION OF
UNSURVEYED TOWNSHIP 32 SOUTH, RANGE 36 EAST";~~

~~THENCE RUN WESTERLY ALONG SAID SOUTH BOUNDARY LINE OF
TRACT 218 AND TRACT 217 OF SAID "PLAT OF FELLSMERE
FARMS COMPANY'S SUBDIVISION OF UNSURVEYED TOWNSHIP 32
SOUTH, RANGE 36 EAST", APPROXIMATELY 0.19 MILES TO THE
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~~

COUNTY, NOW INDIAN RIVER COUNTY, FLORIDA, SAID NORTH
BOUNDARY LIMITS ALSO BEING THE SOUTH BOUNDARY LIMITS
OF THE "PLAT OF FELLSMERE FARMS COMPANY'S SUBDIVISION
OF UNSURVEYED TOWNSHIP 31 SOUTH, RANGE 36 EAST, IN ST.
LUCIE COUNTY, STATE OF FLORIDA" AS RECORDED IN PLAT
BOOK 2, PAGE 9 OF THE PUBLIC RECORDS OF ST. LUCIE
COUNTY, NOW INDIAN RIVER COUNTY, FLORIDA;

THENCE CONTINUE NORTHERLY ALONG THE PARALLEL LINE
BEING 1,021 FEET WEST OF, NORMAL TO, AND PARALLEL WITH
THE EAST BOUNDARY LINES OF TRACTS 2417, 2317, 2217,
2117, 2017 OF SAID "PLAT OF FELLSMERE FARMS COMPANY'S
SUBDIVISION OF UNSURVEYED TOWNSHIP 31 SOUTH, RANGE 36
EAST, IN ST. LUCIE COUNTY, STATE OF FLORIDA",
APPROXIMATELY 1.08 MILES, ACROSS SAID TRACTS 2417,
2317, 2217, 2117, 2017, THE NORTH ONE-HALF RIGHT OF
WAY OF "DITCH AND ROAD 24" (60' WIDE R.O.W.), "DITCH
AND ROAD 23", "DITCH AND ROAD 22", "DITCH AND ROAD 21"
AND "DITCH AND ROAD 20" TO A LINE BEING APPROXIMATELY
573 FEET NORTH OF, NORMAL TO, AND PARALLEL WITH THE
SOUTH BOUNDARY LINE OF SAID TRACT 2017;

THENCE RUN WESTERLY ALONG SAID PARALLEL LINE AND THE
NORTH LINE OF THAT CERTAIN SOUTHERLY BOUNDARY PORTION
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~~

~~BOUNDARY LINE OF SAID TRACTS 2215 AND 2115,
APPROXIMATELY 0.28 MILES ACROSS SAID TRACTS 2215,
2115, AND "DITCH AND ROAD 21", OF SAID "PLAT OF
FELLSMERE FARMS COMPANY'S SUBDIVISION OF UNSURVEYED
TOWNSHIP 31 SOUTH, RANGE 36 EAST" TO A LINE BEING 10
FEET NORTH OF, NORMAL TO, AND PARALLEL WITH THE NORTH
LINE OF SAID TRACT 2115, ALSO BEING THE SOUTH LINE OF
SAID "DITCH AND ROAD 20";~~

~~THENCE RUN EASTERLY ALONG SAID PARALLEL LINE
APPROXIMATELY 0.02 MILES ACROSS "DITCH AND ROAD 20" TO
A LINE BEING 380 FEET EAST OF, NORMAL TO, AND PARALLEL
WITH THE WEST BOUNDARY LINE OF SAID TRACT 2015 AND
TRACT 1915 OF SAID "PLAT OF FELLSMERE FARMS COMPANY'S
SUBDIVISION OF UNSURVEYED TOWNSHIP 31 SOUTH, RANGE 36
EAST";~~

~~THENCE RUN NORTHERLY ALONG SAID PARALLEL LINE
APPROXIMATELY 0.35 MILES ACROSS SAID TRACT 2015, 1915,
"DITCH AND ROAD 20" AND "DITCH AND ROAD 19" TO A LINE
BEING APPROXIMATELY 450 FEET NORTH OF, NORMAL TO, AND
PARALLEL WITH THE SOUTH BOUNDARY LINE OF SAID TRACT
1915;~~

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,~~

~~1818, 1718, 1618, "DITCH AND ROAD 19", "DITCH AND ROAD
18", "DITCH AND ROAD 17", AND "DITCH AND ROAD 16" OF
SAID "PLAT OF FELLSMERE FARMS COMPANY'S SUBDIVISION OF
UNSURVEYED TOWNSHIP 31 SOUTH, RANGE 36 EAST" TO THE
INTERSECTION WITH A LINE BEING 640 FEET NORTH OF,
NORMAL TO AND PARALLEL WITH THE SOUTH BOUNDARY LINE OF
SAID TRACT 1618, TRACTS 1619, 1620, 1621 AND 1622;~~

~~THENCE RUN EASTERLY ALONG SAID PARALLEL LINE,
APPROXIMATELY 1.17 MILES, ACROSS SAID TRACT 1618, A 50
FEET WIDE ROAD RIGHT OF WAY, SAID TRACT 1619, 1620,
1621 AND 1622 TO THE WEST RIGHT OF WAY LINE OF LATERAL
"S" CANAL (225' WIDE RIGHT OF WAY) OF SAID "PLAT OF
FELLSMERE FARMS COMPANY'S SUBDIVISION OF UNSURVEYED
TOWNSHIP 31 SOUTH, RANGE 36 EAST";~~

~~THENCE RUN NORTHERLY ALONG SAID WEST RIGHT OF WAY LINE
OF LATERAL "S" CANAL, APPROXIMATELY 0.02 MILES TO THE
INTERSECTION WITH THE WESTERLY PROJECTION OF THE NORTH
BOUNDARY LINES OF TRACTS 1692, 1691, 1690, 1689, 1688
AND 1687 OF THE "PLAT OF FELLSMERE FARMS COMPANY'S
SUBDIVISION OF 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~~

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~~

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

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

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

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

~~30 AND 31 SOUTH AND THE NORTH LIMITS OF INDIAN RIVER
COUNTY, FLORIDA;~~

~~THENCE RUN EASTERLY ALONG SAID COMMON TOWNSHIP LINE
AND NORTH COUNTY LINE, APPROXIMATELY 5.29 MILES TO THE
INTERSECTION WITH THE SOUTHWESTERLY LINE OF FLEMING
GRANT;~~

~~THENCE RUN SOUTHEASTERLY ALONG SAID SOUTHWESTERLY LINE
OF FLEMING GRANT, APPROXIMATELY 1.21 MILES TO THE
INTERSECTION WITH THE EAST LINE OF TOWNSHIP 31 SOUTH,
RANGE 37 EAST, ALSO BEING THE COMMON RANGE LINE OF
RANGE 37 AND 38 EAST;~~

~~THENCE RUN SOUTHERLY ALONG SAID EAST LINE OF TOWNSHIP
31 SOUTH, RANGE 37 EAST AND THE EAST LINE OF TOWNSHIP
32 SOUTH, RANGE 37 EAST, APPROXIMATELY 7.71 MILES TO
THE INTERSECTION WITH A LINE BEING 200 FEET SOUTH OF,
NORMAL TO AND PARALLEL WITH THE NORTH BOUNDARY LINE OF
SAID TRACT 1123 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;~~

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~~

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

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

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

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

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

(3) The governing body of the Fellsmere Water Control District shall be the members of the Board of County Commissioners of Indian River County. As soon as practicable after the County Commissioners of Indian River County have assumed office, the commissioners shall meet to organize as the governing board of the Fellsmere Water Control District. The Clerk of the Circuit Court of Indian River County shall act as secretary and treasurer without right to vote as a member of the board or hold other office thereon without additional 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

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.
742

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.
792

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

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

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

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.