

ENROLLED

CS/HB 4093

2026 Legislature

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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:

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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

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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;

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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

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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

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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.

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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~~

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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~~

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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~~

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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~~

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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~~

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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 ~~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~~

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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 ~~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 ~~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,~~

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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~~

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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~~

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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~~

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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

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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~~

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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,~~

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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~~

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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~~

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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";~~

543

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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~~

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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~~

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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;~~

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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~~

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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

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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~~

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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.  
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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

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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.

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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.

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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.