

CS/HB 4095

2026

A bill to be entitled
An act relating to the Headwaters Water Control
District, Indian River County; creating the Headwaters
Water Control District as a public corporation;
providing the district's charter; providing status and
boundaries; providing minimum charter requirements;
providing for maintenance and use of certain canals;
providing requirements for charter amendments;
providing applicability of specified laws to the
district; providing severability; providing a
contingent effective date.

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

Section 1. Status and boundaries of Headwaters Water Control District.—The Headwaters Water Control District is hereby declared to be 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 hereby constitute the Headwaters Water Control District:

ALL THAT PART OF THE LANDS SITUATED AND BEING IN PART
OF THE UNSURVEYED TOWNSHIP 31 SOUTH, RANGE 36 EAST;
UNSURVEYED TOWNSHIP 32 SOUTH, RANGE 36 EAST;

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 BEGIN AT THE NORTHEAST CORNER OF TRACT 123 OF THE
31 "PLAT OF FELLSMERE FARMS COMPANY'S SUBDIVISION OF
32 UNSURVEYED TOWNSHIP 32 SOUTH, RANGE 37 EAST, IN ST.
33 LUCIE COUNTY, STATE OF FLORIDA" AS RECORDED IN PLAT
34 BOOK 2, PAGE 8 OF THE PUBLIC RECORDS OF ST. LUCIE
35 COUNTY, NOW INDIAN RIVER COUNTY, FLORIDA; SAID CORNER
36 ALSO BEING ON THE SOUTH RIGHT OF WAY LINE OF DITCH AND
37 ROAD 24 AS SHOWN ON SAID "PLAT OF FELLSMERE FARMS
38 COMPANY'S SUBDIVISION OF UNSURVEYED TOWNSHIP 32 SOUTH,
39 RANGE 37 EAST, IN ST. LUCIE COUNTY, STATE OF FLORIDA"
40 AND ON THE "PLAT OF FELLSMERE FARMS COMPANY'S
41 SUBDIVISION OF ALL UNSURVEYED TOWNSHIP 31 SOUTH, RANGE
42 37 EAST, IN ST. LUCIE COUNTY, STATE OF FLORIDA" AS
43 RECORDED IN PLAT BOOK 2, PAGES 1 AND 2 OF THE PUBLIC
44 RECORDS OF ST. LUCIE COUNTY, NOW INDIAN RIVER COUNTY,
45 FLORIDA;
46 THENCE RUN SOUTHERLY ALONG SAID EAST LINE OF
47 UNSURVEYED TOWNSHIP 32 SOUTH, RANGE 37 EAST,
48 APPROXIMATELY 2.56 MILES TO THE INTERSECTION WITH A
49 LINE BEING 200 FEET SOUTH OF, NORMAL TO AND PARALLEL
50 WITH THE NORTH LINE OF TRACT 1123 OF SAID "PLAT OF

51 FELLSMERE FARMS COMPANY'S SUBDIVISION OF UNSURVEYED
52 TOWNSHIP 32 SOUTH, RANGE 37 EAST, IN ST. LUCIE COUNTY,
53 STATE OF FLORIDA" AS RECORDED IN PLAT BOOK 2, PAGE 8
54 OF THE PUBLIC RECORDS OF ST. LUCIE COUNTY, NOW INDIAN
55 RIVER COUNTY, FLORIDA;
56 THENCE RUN WESTERLY ALONG SAID 200 FOOT PARALLEL LINE
57 APPROXIMATELY 0.26 MILES, ACROSS SAID TRACT 1123, TO
58 THE EAST LINE OF TRACT 1122 OF SAID "PLAT OF FELLSMERE
59 FARMS COMPANY'S SUBDIVISION OF UNSURVEYED TOWNSHIP 32
60 SOUTH, RANGE 37 EAST, IN ST. LUCIE COUNTY, STATE OF
61 FLORIDA";
62 THENCE RUN SOUTHERLY ALONG SAID EAST LINE OF SAID
63 TRACT 1122 APPROXIMATELY 0.20 MILES TO THE SOUTH LINE
64 OF SAID TRACT 1122 OF "PLAT OF FELLSMERE FARMS
65 COMPANY'S SUBDIVISION OF UNSURVEYED TOWNSHIP 32 SOUTH,
66 RANGE 37 EAST, IN ST. LUCIE COUNTY, STATE OF FLORIDA";
67 THENCE RUN WESTERLY APPROXIMATELY 2.06 MILES, ALONG
68 THE SOUTH LINES OF TRACTS 1122, 1121, 1120, ACROSS A
69 30 FEET WIDE ROAD RIGHT OF WAY, AND ALONG THE SOUTH
70 LINES OF TRACTS 1119, 1118, 1117, 1116, AND ACROSS A
71 60 FEET WIDE ROAD RIGHT OF WAY, AND ALONG THE SOUTH
72 LINE OF TRACT 1115 OF SAID "PLAT OF FELLSMERE FARMS
73 COMPANY'S SUBDIVISION OF UNSURVEYED TOWNSHIP 32 SOUTH,
74 RANGE 37 EAST, IN ST. LUCIE COUNTY, STATE OF FLORIDA"
75 TO THE WEST LINE OF SAID TRACT 1115;

76 THENCE RUN NORTHERLY, ALONG SAID WEST LINE OF TRACT
77 1115, APPROXIMATELY 0.20 MILES TO THE INTERSECTION
78 WITH A LINE BEING 200 FEET SOUTH OF, NORMAL TO AND
79 PARALLEL WITH THE NORTH LINES OF TRACTS 1114, 1113,
80 1112, 1111, 1110, 1109, 1108, 1107, 1106, 1105, 1104,
81 1103, 1102, 1101, 1100 OF SAID "PLAT OF FELLSMERE
82 F FARMS COMPANY'S SUBDIVISION OF UNSURVEYED TOWNSHIP 32
83 SOUTH, RANGE 37 EAST";
84 THENCE RUN WESTERLY, ALONG SAID 200 FOOT PARALLEL
85 LINE, APPROXIMATELY 3.68 MILES, ACROSS PARK LATERAL
86 CANAL (92.25 FOOT WIDE RIGHT OF WAY), TRACTS 1114,
87 1113, 1112, A 30 FEET WIDE ROAD RIGHT OF WAY, TRACTS
88 1111, 1110, 1109, 1108, LATERAL "U" CANAL (156 FOOT
89 WIDE RIGHT OF WAY), TRACTS 1107, 1106, 1105, 1104, A
90 30 FEET WIDE ROAD RIGHT OF WAY, TRACTS 1103, 1102,
91 1101, 1100 AND A PORTION OF LATERAL "S" CANAL (225
92 FOOT WIDE RIGHT OF WAY) OF SAID "PLAT OF FELLSMERE
93 F FARMS COMPANY'S SUBDIVISION OF UNSURVEYED TOWNSHIP 32
94 SOUTH, RANGE 37 EAST", TO THE WESTERLY LIMITS OF SAID
95 PLAT;
96 THENCE CONTINUE WESTERLY ALONG A LINE BEING 200 FEET
97 SOUTH OF, NORMAL TO AND PARALLEL WITH THE NORTH LINE
98 OF TRACT 1122 OF THE "PLAT OF FELLSMERE FARMS
99 COMPANY'S SUBDIVISION OF UNSURVEYED TOWNSHIP 32 SOUTH,
100 RANGE 36 EAST, IN ST. LUCIE COUNTY, STATE OF FLORIDA"

101 AS RECORDED IN PLAT BOOK 2, PAGE 18 OF THE PUBLIC
102 RECORDS OF ST. LUCIE COUNTY, NOW INDIAN RIVER COUNTY,
103 FLORIDA, APPROXIMATELY 0.06 MILES, ACROSS REMAINING
104 SAID LATERAL "S" CANAL (225 FOOT WIDE RIGHT OF WAY)
105 AND ACROSS SAID TRACT 1122, TO THE INTERSECTION WITH A
106 LINE BEING 210 FEET WEST OF, NORMAL TO, AND PARALLEL
107 WITH THE EAST LINE OF SAID TRACT 1122, AND TRACTS
108 1022, AND 922 OF SAID "PLAT OF FELLSMERE FARMS
109 COMPANY'S SUBDIVISION OF UNSURVEYED TOWNSHIP 32 SOUTH,
110 RANGE 36 EAST";
111 THENCE RUN NORTHERLY ALONG SAID 210 FOOT PARALLEL
112 LINE, APPROXIMATELY 0.55 MILES, ACROSS TRACT 1122,
113 "DITCH AND ROAD 34", TRACT 1022, "DITCH AND ROAD 33",
114 TRACT 922, AND "DITCH AND ROAD 32" OF SAID "PLAT OF
115 FELLSMERE FARMS COMPANY'S SUBDIVISION OF UNSURVEYED
116 TOWNSHIP 32 SOUTH, RANGE 36 EAST" TO THE NORTH RIGHT
117 OF WAY LINE OF SAID "DITCH AND ROAD 32";
118 THENCE RUN WESTERLY ALONG SAID NORTH RIGHT OF WAY LINE
119 OF SAID "DITCH AND ROAD 32", APPROXIMATELY 0.04 MILES,
120 TO THE INTERSECTION WITH A LINE BEING 430 FEET WEST
121 OF, NORMAL TO, AND PARALLEL WITH THE EAST LINE OF
122 TRACTS 822, AND 722 OF SAID "PLAT OF FELLSMERE FARMS
123 COMPANY'S SUBDIVISION OF UNSURVEYED TOWNSHIP 32 SOUTH,
124 RANGE 36 EAST";

125 THENCE RUN NORTHERLY ALONG SAID 430 FOOT PARALLEL
126 LINE, APPROXIMATELY 0.50 MILES, ACROSS SAID TRACT 822,
127 "DITCH AND ROAD 31", SAID TRACT 722, AND "DITCH AND
128 ROAD 30" OF SAID "PLAT OF FELLSMERE FARMS COMPANY'S
129 SUBDIVISION OF UNSURVEYED TOWNSHIP 32 SOUTH, RANGE 36
130 EAST" TO THE NORTH RIGHT OF WAY LINE OF SAID "DITCH
131 AND ROAD 30";
132 THENCE RUN WESTERLY ALONG SAID NORTH RIGHT OF WAY LINE
133 OF SAID "DITCH AND ROAD 30", APPROXIMATELY 0.12 MILES,
134 TO THE INTERSECTION WITH A LINE BEING 1040 FEET WEST
135 OF, NORMAL TO, AND PARALLEL WITH THE EAST LINE OF
136 TRACT 622 OF SAID "PLAT OF FELLSMERE FARMS COMPANY'S
137 SUBDIVISION OF UNSURVEYED TOWNSHIP 32 SOUTH, RANGE 36
138 EAST";
139 THENCE RUN NORTHERLY ALONG SAID 1040 FOOT PARALLEL
140 LINE, APPROXIMATELY 0.21 MILES, ACROSS SAID TRACT 622
141 TO THE INTERSECTION WITH A LINE BEING 150 FEET SOUTH
142 OF, NORMAL TO, AND PARALLEL WITH THE NORTH LINE OF
143 SAID TRACT 622 AND THE NORTH LINE OF TRACTS 621 AND
144 620 OF SAID "PLAT OF FELLSMERE FARMS COMPANY'S
145 SUBDIVISION OF UNSURVEYED TOWNSHIP 32 SOUTH, RANGE 36
146 EAST";
147 THENCE RUN WESTERLY ALONG SAID 150 FOOT PARALLEL LINE,
148 APPROXIMATELY 0.44 MILES, ACROSS SAID TRACTS 622, 621
149 AND 620 TO THE INTERSECTION WITH A LINE BEING 640 FEET

150 WEST OF, NORMAL TO, AND PARALLEL WITH THE EAST LINE OF
151 SAID TRACT 620 AND THE EAST LINE OF TRACT 520 OF SAID
152 "PLAT OF FELLSMERE FARMS COMPANY'S SUBDIVISION OF
153 UNSURVEYED TOWNSHIP 32 SOUTH, RANGE 36 EAST";
154 THENCE RUN NORTHERLY ALONG SAID 640 FOOT PARALLEL
155 LINE, APPROXIMATELY 0.25 MILES, ACROSS SAID TRACT 620,
156 "DITCH AND ROAD 29", AND TRACT 520 OF SAID "PLAT OF
157 FELLSMERE FARMS COMPANY'S SUBDIVISION OF UNSURVEYED
158 TOWNSHIP 32 SOUTH, RANGE 36 EAST" TO THE INTERSECTION
159 WITH A LINE BEING 135 FEET SOUTH OF, NORMAL TO, AND
160 PARALLEL WITH THE NORTH LINE OF SAID TRACT 520 AND
161 TRACT 519 OF SAID "PLAT OF FELLSMERE FARMS COMPANY'S
162 SUBDIVISION OF UNSURVEYED TOWNSHIP 32 SOUTH, RANGE 36
163 EAST";
164 THENCE RUN WESTERLY ALONG SAID 135 FOOT PARALLEL LINE,
165 APPROXIMATELY 0.40 MILES, ACROSS SAID TRACT 520 AND
166 TRACT 519 AND ALSO ACROSS A 50 FEET WIDE ROAD RIGHT OF
167 WAY OF SAID "PLAT OF FELLSMERE FARMS COMPANY'S
168 SUBDIVISION OF UNSURVEYED TOWNSHIP 32 SOUTH, RANGE 36
169 EAST" TO THE WEST LINE OF SAID 50 FEET WIDE ROAD RIGHT
170 OF WAY;
171 THENCE RUN NORTHERLY ALONG SAID WEST LINE OF A 50 FEET
172 WIDE ROAD RIGHT OF WAY, APPROXIMATELY 0.04 MILES TO
173 THE NORTH LINE OF "DITCH AND ROAD 28" OF SAID "PLAT OF

174 FELLSMERE FARMS COMPANY'S SUBDIVISION OF UNSURVEYED
175 TOWNSHIP 32 SOUTH, RANGE 36 EAST";
176 THENCE RUN WESTERLY ALONG SAID NORTH LINE OF "DITCH
177 AND ROAD 28", APPROXIMATELY 0.12 MILES, TO THE
178 INTERSECTION WITH A LINE BEING 635 FEET WEST OF,
179 NORMAL TO, AND PARALLEL WITH THE EAST LINE OF TRACTS
180 418 AND 318 OF SAID "PLAT OF FELLSMERE FARMS COMPANY'S
181 SUBDIVISION OF UNSURVEYED TOWNSHIP 32 SOUTH, RANGE 36
182 EAST";
183 THENCE RUN NORTHERLY ALONG SAID 635 FOOT PARALLEL
184 LINE, APPROXIMATELY 0.49 MILES, ACROSS SAID TRACT 418,
185 AND ALSO ACROSS "DITCH AND ROAD 27" AND TRACT 318 OF
186 SAID "PLAT OF FELLSMERE FARMS COMPANY'S SUBDIVISION OF
187 UNSURVEYED TOWNSHIP 32 SOUTH, RANGE 36 EAST" TO THE
188 SOUTH RIGHT OF WAY LINE OF "DITCH AND ROAD 26" OF SAID
189 "PLAT OF FELLSMERE FARMS COMPANY'S SUBDIVISION OF
190 UNSURVEYED TOWNSHIP 32 SOUTH, RANGE 36 EAST";
191 THENCE RUN WESTERLY ALONG SAID SOUTH LINE OF "DITCH
192 AND ROAD 26", APPROXIMATELY 0.22 MILES TO THE
193 INTERSECTION WITH A LINE BEING 435 FEET WEST OF,
194 NORMAL TO, AND PARALLEL WITH THE EAST LINE OF TRACT
195 217 OF SAID "PLAT OF FELLSMERE FARMS COMPANY'S
196 SUBDIVISION OF UNSURVEYED TOWNSHIP 32 SOUTH, RANGE 36
197 EAST";

198 THENCE RUN NORTHERLY ALONG SAID 435 FOOT PARALLEL
199 LINE, APPROXIMATELY 0.25 MILES, ACROSS SAID "DITCH AND
200 ROAD 26" AND TRACT 217 TO THE SOUTH RIGHT OF WAY LINE
201 OF "DITCH AND ROAD 25" OF SAID "PLAT OF FELLSMERE
202 F FARMS COMPANY'S SUBDIVISION OF UNSURVEYED TOWNSHIP 32
203 SOUTH, RANGE 36 EAST";
204 THENCE RUN WESTERLY ALONG SAID SOUTH LINE OF "DITCH
205 AND ROAD 25", APPROXIMATELY 0.05 MILES TO THE
206 INTERSECTION WITH A LINE BEING 695 FEET WEST OF,
207 NORMAL TO, AND PARALLEL WITH THE EAST LINE OF TRACT
208 117 OF SAID "PLAT OF FELLSMERE FARMS COMPANY'S
209 SUBDIVISION OF UNSURVEYED TOWNSHIP 32 SOUTH, RANGE 36
210 EAST";
211 THENCE RUN NORTHERLY ALONG SAID 695 FOOT PARALLEL
212 LINE, APPROXIMATELY 0.26 MILES, ACROSS SAID TRACT 117
213 AND ALSO ACROSS THE SOUTH ONE-HALF OF THE RIGHT OF WAY
214 OF "DITCH AND ROAD 24" (60 FOOT WIDE RIGHT OF WAY) TO
215 THE NORTHERLY LIMITS OF THE "PLAT OF FELLSMERE FARMS
216 COMPANY'S SUBDIVISION OF UNSURVEYED TOWNSHIP 32 SOUTH,
217 RANGE 36 EAST, IN ST. LUCIE COUNTY, STATE OF FLORIDA"
218 AS RECORDED IN PLAT BOOK 2, PAGE 18 OF THE PUBLIC
219 RECORDS OF ST. LUCIE COUNTY, NOW INDIAN RIVER COUNTY,
220 FLORIDA, SAID NORTHERLY LIMITS ALSO BEING THE
221 SOUTHERLY LIMITS OF THE "PLAT OF FELLSMERE FARMS
222 COMPANY'S SUBDIVISION OF UNSURVEYED TOWNSHIP 31 SOUTH,

223 RANGE 36 EAST, IN ST. LUCIE COUNTY, STATE OF FLORIDA"
224 AS RECORDED IN PLAT BOOK 2, PAGE 9 OF THE PUBLIC
225 RECORDS OF ST. LUCIE COUNTY, NOW INDIAN RIVER COUNTY,
226 FLORIDA;
227 THENCE CONTINUE NORTHERLY ALONG SAID 695 FOOT PARALLEL
228 LINE; SAID 695 FOOT PARALLEL LINE ALSO BEING 695 FEET
229 WEST OF, NORMAL TO, AND PARALLEL WITH THE EAST LINES
230 OF TRACTS 2417, 2317, 2217, 2117, AND 2017 OF SAID
231 "PLAT OF FELLSMERE FARMS COMPANY'S SUBDIVISION OF
232 UNSURVEYED TOWNSHIP 31 SOUTH, RANGE 36 EAST, IN ST.
233 LUCIE COUNTY, STATE OF FLORIDA", APPROXIMATELY 1.16
234 MILES, ACROSS THE NORTH ONE-HALF RIGHT OF WAY OF
235 "DITCH AND ROAD 24" (60 FOOT WIDE RIGHT OF WAY), TRACT
236 2417, "DITCH AND ROAD 23", TRACT 2317, "DITCH AND ROAD
237 22", TRACT 2217, "DITCH AND ROAD 21", TRACT 2117,
238 "DITCH AND ROAD 20", AND TRACT 2017 OF SAID "PLAT OF
239 FELLSMERE FARMS COMPANY'S SUBDIVISION OF UNSURVEYED
240 TOWNSHIP 31 SOUTH, RANGE 36 EAST, IN ST. LUCIE COUNTY,
241 STATE OF FLORIDA" TO THE INTERSECTION WITH A LINE
242 BEING 1,000 FEET NORTH OF, NORMAL TO, AND PARALLEL
243 WITH THE SOUTH LINE OF SAID TRACT 2017 AND TRACT 2018
244 OF SAID "PLAT OF FELLSMERE FARMS COMPANY'S SUBDIVISION
245 OF UNSURVEYED TOWNSHIP 31 SOUTH, RANGE 36 EAST";
246 THENCE RUN EASTERLY ALONG SAID 1,000 FOOT PARALLEL
247 LINE, APPROXIMATELY 0.29 MILES, ACROSS SAID TRACTS

248 2017 AND 2018 TO THE INTERSECTION WITH A LINE BEING
249 530 FEET WEST OF, NORMAL TO, AND PARALLEL WITH THE
250 EAST LINE OF SAID TRACT 2018;
251 THENCE RUN NORTHERLY ALONG SAID 530 FOOT PARALLEL
252 LINE, APPROXIMATELY 0.05 MILES, ACROSS SAID TRACT 2018
253 TO THE SOUTH RIGHT OF WAY LINE OF "DITCH AND ROAD 19"
254 OF SAID "PLAT OF FELLSMERE FARMS COMPANY'S SUBDIVISION
255 OF UNSURVEYED TOWNSHIP 31 SOUTH, RANGE 36 EAST, IN ST.
256 LUCIE COUNTY, STATE OF FLORIDA";
257 THENCE RUN EASTERLY ALONG SAID SOUTH RIGHT OF WAY LINE
258 OF "DITCH AND ROAD 19", APPROXIMATELY 0.02 MILES TO
259 THE INTERSECTION WITH A LINE BEING 425 FEET WEST OF,
260 NORMAL TO, AND PARALLEL WITH THE EAST LINE OF SAID
261 TRACT 2018 AND ALSO TRACTS 1918, 1818, 1718, AND 1618
262 OF SAID "PLAT OF FELLSMERE FARMS COMPANY'S SUBDIVISION
263 OF UNSURVEYED TOWNSHIP 31 SOUTH, RANGE 36 EAST, IN ST.
264 LUCIE COUNTY, STATE OF FLORIDA";
265 THENCE RUN NORTHERLY ALONG SAID 425 FOOT PARALLEL
266 LINE, APPROXIMATELY 0.83 MILES, ACROSS "DITCH AND ROAD
267 19", TRACT 1918, "DITCH AND ROAD 18", TRACT 1818,
268 "DITCH AND ROAD 17", TRACT 1718, "DITCH AND ROAD 16",
269 AND TRACT 1618, OF SAID "PLAT OF FELLSMERE FARMS
270 COMPANY'S SUBDIVISION OF UNSURVEYED TOWNSHIP 31 SOUTH,
271 RANGE 36 EAST" TO THE INTERSECTION WITH A LINE BEING
272 315 FEET NORTH OF, NORMAL TO AND PARALLEL WITH THE

273 SOUTH LINE OF SAID TRACT 1618 AND TRACTS 1619, 1620,
274 1621 AND 1622 OF SAID "PLAT OF FELLSMERE FARMS
275 COMPANY'S SUBDIVISION OF UNSURVEYED TOWNSHIP 31 SOUTH,
276 RANGE 36 EAST", SAID LINE ALSO BEING 215 FEET NORTH
277 OF, NORMAL TO AND PARALLEL WITH THE SOUTH LINE OF
278 TRACTS 1600, 1692, 1691, 1690, 1689, 1688 AND 1687 OF
279 THE "PLAT OF FELLSMERE FARMS COMPANY'S SUBDIVISION OF
280 ALL UNSURVEYED TOWNSHIP 31 SOUTH, RANGE 37 EAST, IN
281 ST. LUCIE COUNTY, STATE OF FLORIDA" AS RECORDED IN
282 PLAT BOOK 2, PAGES 1 AND 2 OF THE PUBLIC RECORDS OF
283 ST. LUCIE COUNTY, NOW INDIAN RIVER COUNTY, FLORIDA;
284 THENCE RUN EASTERLY ALONG SAID 315 AND 215 FOOT
285 PARALLEL LINE, APPROXIMATELY 1.96 MILES, ACROSS SAID
286 TRACT 1618, A 50 FEET WIDE ROAD RIGHT OF WAY, SAID
287 TRACT 1619, 1620, 1621, 1622, AND LATERAL "S" CANAL
288 (225 FOOT WIDE RIGHT OF WAY) OF SAID "PLAT OF
289 FELLSMERE FARMS COMPANY'S SUBDIVISION OF UNSURVEYED
290 TOWNSHIP 31 SOUTH, RANGE 36 EAST" AND ALSO ACROSS
291 TRACTS 1600, 1692, 1691, 1690, 1689, 1688 AND 1687 OF
292 THE "PLAT OF FELLSMERE FARMS COMPANY'S SUBDIVISION OF
293 ALL UNSURVEYED TOWNSHIP 31 SOUTH, RANGE 37 EAST, IN
294 ST. LUCIE COUNTY, STATE OF FLORIDA" TO THE
295 INTERSECTION WITH A LINE BEING 105 FEET WEST OF,
296 NORMAL TO, AND PARALLEL WITH THE EAST LINE OF SAID
297 TRACT 1687;

298 THENCE RUN NORTHERLY ALONG SAID 105 FOOT PARALLEL
299 LINE, APPROXIMATELY 0.08 MILES, ACROSS SAID TRACT 1687
300 TO THE NORTH LINE OF SAID TRACT 1687;
301 THENCE RUN EASTERLY ALONG SAID NORTH LINE OF TRACT
302 1687 AND THE NORTH LINE OF TRACT 1686 OF SAID "PLAT OF
303 FELLSMERE FARMS COMPANY'S SUBDIVISION OF ALL
304 UNSURVEYED TOWNSHIP 31 SOUTH", RANGE 37 EAST, IN ST.
305 LUCIE COUNTY, STATE OF FLORIDA", APPROXIMATELY 0.04
306 MILES, TO THE INTERSECTION WITH A LINE BEING 550 FEET
307 WEST OF, NORMAL TO AND PARALLEL WITH THE EAST LINES OF
308 TRACTS 1607, 1586, 1507, 1486, 1407, 1386, 1307, 1286,
309 1207, 1186, 1107, 1086, 1007, 986, 907, 886, 807, 786,
310 707, 686, 607, 586, 507, 486 AND 407 OF SAID "PLAT OF
311 FELLSMERE FARMS COMPANY'S SUBDIVISION OF ALL
312 UNSURVEYED TOWNSHIP 31 SOUTH, RANGE 37 EAST, IN ST.
313 LUCIE COUNTY, STATE OF FLORIDA";
314 THENCE RUN NORTHERLY ALONG SAID 550 FOOT PARALLEL
315 LINE, APPROXIMATELY 3.12 MILES, ACROSS TRACT 1607,
316 "DITCH AND ROAD 15", TRACTS 1586 AND 1507, "DITCH AND
317 ROAD 14", TRACTS 1486 AND 1407, SOUTH "DITCH AND ROAD
318 13", FELLSMERE RAILROAD (100 FOOT WIDE RIGHT OF WAY),
319 NORTH "DITCH AND ROAD 13", TRACTS 1386 AND 1307,
320 "DITCH AND ROAD 12", TRACTS 1286 AND 1207, "DITCH AND
321 ROAD 11", TRACTS 1186 AND 1107, "DITCH AND ROAD 10",
322 TRACTS 1086 AND 1007, "DITCH AND ROAD 9", TRACTS 986

323 AND 907, "DITCH AND ROAD 8", TRACTS 886 AND 807,
324 "DITCH AND ROAD 7", TRACTS 786 AND 707, "DITCH AND
325 ROAD 6", TRACTS 686 AND 607, "DITCH AND ROAD 5",
326 TRACTS 586 AND 507, "DITCH AND ROAD 4", TRACTS 486 AND
327 407 TO THE SOUTH RIGHT OF WAY LINE OF "DITCH AND ROAD
328 3" OF SAID "PLAT OF FELLSMERE FARMS COMPANY'S
329 SUBDIVISION OF ALL UNSURVEYED TOWNSHIP 31 SOUTH",
330 RANGE 37 EAST, IN ST. LUCIE COUNTY, STATE OF FLORIDA";
331 THENCE RUN WESTERLY ALONG SAID SOUTH RIGHT OF WAY LINE
332 OF "DITCH AND ROAD 3", APPROXIMATELY 0.06 MILES TO THE
333 INTERSECTION WITH A LINE BEING 165 FEET WEST OF,
334 NORMAL TO AND PARALLEL WITH THE EAST LINE OF TRACT 384
335 OF SAID "PLAT OF FELLSMERE FARMS COMPANY'S SUBDIVISION
336 OF ALL UNSURVEYED TOWNSHIP 31 SOUTH", RANGE 37 EAST,
337 IN ST. LUCIE COUNTY, STATE OF FLORIDA";
338 THENCE RUN NORTHERLY ALONG SAID 165 FOOT PARALLEL
339 LINE, APPROXIMATELY 0.13 MILES TO THE NORTH LINE OF
340 SAID TRACT 384;
341 THENCE RUN WESTERLY ALONG SAID NORTH LINE OF TRACT
342 384, APPROXIMATELY 0.10 MILES TO THE NORTHWEST CORNER
343 OF SAID TRACT 384, ALSO BEING THE SOUTHWEST CORNER OF
344 TRACT 306 OF SAID "PLAT OF FELLSMERE FARMS COMPANY'S
345 SUBDIVISION OF ALL UNSURVEYED TOWNSHIP 31 SOUTH, RANGE
346 37 EAST, IN ST. LUCIE COUNTY, STATE OF FLORIDA";

347 THENCE RUN NORTHERLY ALONG THE WEST LINE OF SAID TRACT
348 306, APPROXIMATELY 0.07 MILES TO THE INTERSECTION WITH
349 A LINE BEING 270 FEET SOUTH OF, NORMAL TO AND PARALLEL
350 WITH THE NORTH LINE OF TRACT 305 OF SAID "PLAT OF
351 FELLSMERE FARMS COMPANY'S SUBDIVISION OF ALL
352 UNSURVEYED TOWNSHIP 31 SOUTH, RANGE 37 EAST, IN ST.
353 LUCIE COUNTY, STATE OF FLORIDA"
354 THENCE RUN WESTERLY ALONG SAID 270 FOOT PARALLEL LINE,
355 APPROXIMATELY 0.13 MILES TO THE WEST LINE OF SAID
356 TRACT 305;
357 THENCE RUN NORTHERLY ALONG THE WEST LINE OF SAID TRACT
358 305, APPROXIMATELY 0.02 MILES TO THE INTERSECTION WITH
359 A LINE BEING 190 FEET SOUTH OF, NORMAL TO AND PARALLEL
360 WITH THE NORTH LINES OF TRACTS 304, 303, 302, 301, AND
361 300 OF SAID "PLAT OF FELLSMERE FARMS COMPANY'S
362 SUBDIVISION OF ALL UNSURVEYED TOWNSHIP 31 SOUTH, RANGE
363 37 EAST, IN ST. LUCIE COUNTY, STATE OF FLORIDA";
364 THENCE RUN WESTERLY ALONG SAID 190 FOOT PARALLEL LINE
365 AND THE WESTERLY EXTENSION THEREOF, APPROXIMATELY 0.58
366 MILES, ACROSS SAID TRACTS 304, 303, 302, 301, 300 AND
367 A PORTION OF THE LATERAL "S" CANAL (225 FOOT WIDE
368 RIGHT OF WAY) TO THE WESTERLY LIMITS OF SAID "PLAT OF
369 FELLSMERE FARMS COMPANY'S SUBDIVISION OF ALL
370 UNSURVEYED TOWNSHIP 31 SOUTH, RANGE 37 EAST, IN ST.
371 LUCIE COUNTY, STATE OF FLORIDA";

372 THENCE RUN NORTHERLY ALONG SAID WESTERLY LIMITS OF
373 "PLAT OF FELLSMERE FARMS COMPANY'S SUBDIVISION OF ALL
374 UNSURVEYED TOWNSHIP 31 SOUTH, RANGE 37 EAST, IN ST.
375 LUCIE COUNTY, STATE OF FLORIDA", APPROXIMATELY 0.50
376 MILES TO THE NORTHERLY LIMITS OF SAID "PLAT OF
377 FELLSMERE FARMS COMPANY'S SUBDIVISION OF ALL
378 UNSURVEYED TOWNSHIP 31 SOUTH, RANGE 37 EAST, IN ST.
379 LUCIE COUNTY, STATE OF FLORIDA", SAID NORTHERLY LIMITS
380 ALSO BEING THE COMMON TOWNSHIP LINE OF TOWNSHIP 30 AND
381 31 SOUTH AND THE NORTH LIMITS OF INDIAN RIVER COUNTY,
382 FLORIDA;
383 THENCE RUN EASTERLY ALONG SAID COMMON TOWNSHIP LINE OF
384 TOWNSHIP 30 AND 31 SOUTH AND NORTH COUNTY LINE,
385 APPROXIMATELY 2.00 MILES, TO THE INTERSECTION WITH THE
386 NORTHERLY EXTENSION OF THE CENTERLINE OF LATERAL "U"
387 CANAL AS LAID OUT AND IN USE; SAID CANAL CENTERLINE
388 ALSO BEING THE APPROXIMATE CENTERLINE OF THE LATERAL
389 "U" RIGHT OF WAY OF SAID "PLAT OF FELLSMERE FARMS
390 COMPANY'S SUBDIVISION OF ALL UNSURVEYED TOWNSHIP 31
391 SOUTH, RANGE 37 EAST, IN ST. LUCIE COUNTY, STATE OF
392 FLORIDA";
393 THENCE RUN SOUTHERLY ALONG SAID CENTERLINE OF LATERAL
394 "U", APPROXIMATELY 4.98 MILES TO THE SOUTH RIGHT OF
395 WAY LINE OF DITCH AND ROAD 20 OF SAID "PLAT OF
396 FELLSMERE FARMS COMPANY'S SUBDIVISION OF ALL

397 UNSURVEYED TOWNSHIP 31 SOUTH, RANGE 37 EAST, IN ST.
398 LUCIE COUNTY, STATE OF FLORIDA";
399 THENCE RUN EASTERLY ALONG SAID SOUTH RIGHT OF WAY LINE
400 OF DITCH AND ROAD 20, APPROXIMATELY 1.16 MILES, TO THE
401 NORTHWEST CORNER OF TRACT 2125 OF SAID "PLAT OF
402 FELLSMERE FARMS COMPANY'S SUBDIVISION OF ALL
403 UNSURVEYED TOWNSHIP 31 SOUTH, RANGE 37 EAST, IN ST.
404 LUCIE COUNTY, STATE OF FLORIDA";
405 THENCE RUN SOUTHERLY ALONG THE WEST LINE OF SAID TRACT
406 2125, APPROXIMATELY 0.12 MILES, TO THE SOUTH LINE OF
407 SAID TRACT 2125 OF "PLAT OF FELLSMERE FARMS COMPANY'S
408 SUBDIVISION OF ALL UNSURVEYED TOWNSHIP 31 SOUTH, RANGE
409 37 EAST, IN ST. LUCIE COUNTY, STATE OF FLORIDA";
410 THENCE RUN EASTERLY ALONG THE SOUTH LINE OF SAID TRACT
411 2125, AND ALSO TRACTS 2126, 2127, AND 2128 OF SAID
412 "PLAT OF FELLSMERE FARMS COMPANY'S SUBDIVISION OF ALL
413 UNSURVEYED TOWNSHIP 31 SOUTH, RANGE 37 EAST, IN ST.
414 LUCIE COUNTY, STATE OF FLORIDA", APPROXIMATELY 0.46
415 MILES, TO THE EAST LINE OF THE WEST 405.5 FEET OF SAID
416 TRACT 2128;
417 THENCE RUN NORTHERLY ALONG SAID EAST LINE OF THE WEST
418 405.5 FEET OF TRACT 2128, APPROXIMATELY 0.12 MILES, TO
419 THE NORTH LINE OF SAID TRACT 2128, ALSO BEING SAID
420 SOUTH RIGHT OF WAY LINE OF "DITCH AND ROAD 20" AS
421 SHOWN ON "PLAT OF FELLSMERE FARMS COMPANY'S

422 SUBDIVISION OF ALL UNSURVEYED TOWNSHIP 31 SOUTH, RANGE
423 37 EAST, IN ST. LUCIE COUNTY, STATE OF FLORIDA";
424 THENCE RUN EASTERLY ALONG SAID NORTH LINE OF TRACT
425 2128, APPROXIMATELY 0.03 MILES, TO THE WEST RIGHT OF
426 WAY LINE OF PARK LATERAL CANAL, A 125-FOOT-WIDE RIGHT
427 OF WAY AS RECORDED IN DEED BOOK 10, PAGE 15, INDIAN
428 RIVER COUNTY, FLORIDA PUBLIC RECORDS;
429 THENCE RUN SOUTHERLY ALONG SAID WEST RIGHT OF WAY LINE
430 OF PARK LATERAL CANAL, APPROXIMATELY 0.99 MILES, TO
431 THE NORTH RIGHT OF WAY LINE OF "DITCH AND ROAD 24" OF
432 THE "PLAT OF FELLSMERE FARMS COMPANY'S SUBDIVISION OF
433 UNSURVEYED TOWNSHIP 32 SOUTH, RANGE 37 EAST, IN ST.
434 LUCIE COUNTY, STATE OF FLORIDA";
435 THENCE RUN EASTERLY ALONG SAID NORTH RIGHT OF WAY LINE
436 OF DITCH AND ROAD 24, APPROXIMATELY 0.02 MILES TO THE
437 EAST RIGHT OF WAY LINE OF SAID PARK LATERAL CANAL;
438 THENCE RUN SOUTHERLY, ALONG SAID EAST RIGHT OF WAY
439 LINE OF PARK LATERAL CANAL, APPROXIMATELY 0.01 MILES
440 TO THE SOUTH RIGHT OF WAY LINE OF SAID DITCH AND ROAD
441 24;
442 THENCE RUN EASTERLY ALONG SAID SOUTH RIGHT OF WAY LINE
443 OF DITCH AND ROAD 24, APPROXIMATELY 2.32 MILES TO THE
444 POINT OF BEGINNING.
445 SAID DESCRIBED DISTRICT LIMITS CONTAINING 19,691 ACRES
446 MORE OR LESS.

447 THE SURVEYOR NOTES THAT THE DITCH AND ROAD NUMBERS
448 UTILIZED ABOVE ARE DEPICTED ON THE FELLSMERE DRAINAGE
449 DISTRICT PLAN OF RECLAMATION DATED JANUARY 28TH, 1920
450 AND ON AN UNNAMED PAGE RECORDED TOGETHER WITH "ESPY'S
451 SUBDIVISION" IN PLAT BOOK 2, PAGE 36, OF THE PUBLIC
452 RECORDS OF ST. LUCIE COUNTY, NOW INDIAN RIVER COUNTY,
453 FLORIDA, BUT ARE NOT DEPICTED ON AFORESAID PLATS
454 RECITED IN THE DESCRIPTION.

455

456

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

461 (1) The district is organized and exists for all purposes
462 set forth in this act and chapter 298, Florida Statutes.

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

465 (3) In accordance with chapter 189, Florida Statutes, this
466 act, and ss. 298.11 and 298.12, Florida Statutes, the governing
467 board of the district shall be designated the "Board of
468 Supervisors of the Headwaters Water Control District" and shall
469 be composed of five persons, who shall be qualified to hold such
470 office if they are officers of landowners or landowners within
471 the district, residents of the state, and citizens of the United

472 States, elected on a 1-acre, one-vote basis by the landowners in
473 the district; however, landowners owning less than 1 acre in the
474 aggregate shall be entitled to one vote. Landowners with more
475 than 1 acre shall be entitled to one additional vote for any
476 fraction of an acre greater than 1/2 acre owned when a
477 landowner's acreage has been aggregated for purposes of voting.
478 The membership and organization of the governing board shall be
479 as set forth in this charter and chapter 298, Florida Statutes,
480 provided this charter controls with respect to any
481 inconsistency.

482 (4) The compensation of the governing board members shall
483 be governed by this act and chapter 298, Florida Statutes.

484 (5) The administrative duties of the governing board shall
485 be as set forth in this act and chapters 189 and 298, Florida
486 Statutes.

487 (6) Requirements for financial disclosure, meeting
488 notices, reporting, public records maintenance, and per diem
489 expenses for district officers and employees shall be as set
490 forth in chapters 112, 189, 190, 286, and 298, Florida Statutes,
491 and all other applicable general laws of the state.

492 (7) The procedures and requirements governing the issuance
493 of bonds, notes, and other evidence of indebtedness by the
494 district shall be as set forth in chapters 189 and 298, Florida
495 Statutes, and applicable general laws.

496 (8) The procedures for conducting district elections or
497 referenda and for qualification of electors shall be pursuant to
498 chapters 189 and 298, Florida Statutes; however, a quorum for
499 purposes of holding the annual meeting or any special meetings
500 shall consist of those landowners present in person or
501 represented by proxy at said meeting.

502 (9) The district may be financed by any method established
503 in this act, chapter 298, Florida Statutes, and other applicable
504 general laws of the state.

505 (10) The methods for collecting non-ad valorem
506 assessments, fees, or service charges shall be as set forth in
507 chapters 197 and 298, Florida Statutes, and other applicable
508 general laws of the state.

509 (11) The district's planning requirements shall be as set
510 forth in chapters 189 and 298, Florida Statutes.

511 (12) The district's geographic boundary shall be as set
512 forth in this act.

513 (13) All properties within the district remain subject to,
514 and must comply with, the relevant comprehensive plan and land
515 development regulations of the City of Fellsmere and Indian
516 River County, as required by the Community Planning Act in
517 chapter 163, Florida Statutes.

518 **Section 3. Maintenance and use of the Lateral "U" Canal,**
519 Park Lateral Canal, and Main Canal.-

520 (1) Lateral "U" Canal.—The Headwaters Water Control
521 District shall assume full responsibility for all maintenance,
522 including dredging and aquatic vegetation management, of the
523 entire Lateral "U" Canal. The canal shall be maintained to the
524 designed level of service as described in the 2017 Fellsmere
525 Water Control District Water Control Plan, as may be amended
526 from time to time.

527

528 Notwithstanding the foregoing, the Fellsmere Water Control
529 District shall retain the right to use the full extent of the
530 Lateral "U" Canal located within the Fellsmere Water Control
531 District Boundary for all purposes permitted under applicable
532 water control laws and regulations.

533 (2) Main Canal.—

534 (a) The Headwaters Water Control District shall assume
535 full responsibility for all maintenance, including dredging and
536 aquatic vegetation management, of the Main Canal located within
537 the Fellsmere Water Control District, from the centerline of the
538 Lateral "U" Canal eastward for one mile. The Fellsmere Water
539 Control District shall bear no further responsibility or
540 liability for such maintenance activities. The canal shall be
541 maintained to the designed level of service as described in the
542 2017 Fellsmere Water Control District Water Control Plan, as may
543 be amended from time to time. The Headwaters Water Control
544 District shall have the right to use the full length of the Main

545 Canal for all purposes permitted under applicable water control
546 laws and regulations.

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

556 (3) Park Lateral Canal.--The Fellsmere Water Control
557 District shall retain full responsibility for all maintenance,
558 including dredging and aquatic vegetation management, of the
559 Park Lateral Canal located within the Fellsmere Water Control
560 District Boundary. The Headwaters Water Control District shall
561 bear no further responsibility or liability for such maintenance
562 activities. The Headwaters Water Control District shall retain
563 the historic drainage rights through the Park Lateral Canal to
564 the Main Canal. The districts shall collaborate on a water
565 management plan to define usage of the canals during emergency
566 situations and other situations consistent with the original,
567 permitted design of the system. The plan shall be adopted no
568 later than October 1, 2027. If either district opposes any part
569 of a proposed Water Control Plan amendment by the other

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2026

570 district, the disputed language will be submitted to the
571 Division of Administrative Hearings Alternative Dispute
572 Resolution program. Should the districts fail to reach agreement
573 through this process, either district may request a formal
574 hearing before the Division of Administrative Hearings. The
575 districts will share equally all costs charged by the Division
576 of Administrative Hearings, while each district will pay its own
577 legal fees and expenses regardless of the outcome.

578

579 Each district shall have the right to access, travel over, and
580 cross the other district's property at the point of intersection
581 at the Lateral "U" Canal and the Park Lateral Canal as may be
582 reasonably necessary to fulfill the maintenance and management
583 duties outlined in this section, as well as any emergency
584 repairs.

585

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

590

591 Unless otherwise noted, all facilities lying within each
592 district boundary are the responsibility of that particular
593 district. Each District shall be responsible for any
594 obstruction, interference, or other activity by each District or

595 its landowners that adversely impacts the flow and drainage of
596 water in the Lateral Canals or the Main Canal. To the extent
597 either district fails to maintain the Lateral Canals or the Main
598 Canal as set forth herein, the other district shall have the
599 right but not the obligation to perform such necessary
600 corrective action to bring a canal up to its design level of
601 service and seek reimbursement of costs, including attorneys
602 fees, from the non-complying district. In the event that one
603 district intends to undertake repairs or corrective actions due
604 to another district's non-compliance, the initiating district
605 shall provide the non-complying district with no less than 30
606 days' written notice of its intent to perform such corrective
607 action. The non-complying district shall have the opportunity to
608 cure the non-compliance within this notice period. If the non-
609 complying district commences and diligently pursues the
610 necessary corrective actions within the 30-day period, it shall
611 not be held liable under this section. The non-complying
612 district shall be granted necessary and reasonable extensions of
613 time to take corrective action except in an emergency situation
614 requiring immediate action. In the event of an emergency, the
615 other district shall give the non-complying district notice via
616 telephone and email before commencing corrective action.

617 **Section 4.** Charter amendments.—If the district intends to
618 seek future legislation to add additional powers to this
619 charter, it shall provide written notice to Indian River County

620 and the City of Fellsmere at least 60 days prior to any meeting
621 of the Indian River Legislative Delegation at which the matter
622 will be considered.

623 **Section 5.** Provisions of chapter 298, Florida Statutes,
624 made applicable.-The Headwaters Water Control District hereby
625 created shall be an independent water control district and a
626 public corporation of this state. The provisions of state law
627 applicable to water control districts or subdistricts which are
628 embodied in chapter 298, Florida Statutes, so far as not
629 inconsistent with this act, are hereby declared to be applicable
630 to the Headwaters Water Control District. The Headwaters Water
631 Control District shall have all of the powers and authorities
632 conferred in this act and chapter 298, Florida Statutes.

633 **Section 6.** Severability.-If any provision of this act or
634 the application thereof to any person or circumstance is held
635 invalid, the invalidity shall not affect other provisions or
636 applications of the act which can be given effect without the
637 invalid provision or application, and to this end the provisions
638 of this act are declared severable.

639 **Section 7.** This act shall take effect on the same date
640 that HB 4093 or similar legislation takes effect, if such
641 legislation is adopted in the same legislative session or an
642 extension thereof and becomes a law.