

## Senate Bill No. 2580

An act relating to the County Line Drainage District, Lee County; amending chapter 67-723, Laws of Florida, as amended; setting out the boundaries of the district; providing powers, duties, and functions of the district and of its board of supervisors; providing for election of board members; providing for severability; providing for construction in cases of conflict; repealing all prior special acts relating to the district; providing an effective date.

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

Section 1. The charter for the County Line Drainage District in Lee County is re-created and reenacted to read:

Section 1. Intent.—Pursuant to section 189.429, Florida Statutes, this act constitutes the codification of all special acts relating to the County Line Drainage District. It is the intent of the Legislature in enacting this law to provide a single, comprehensive special-act charter for the district which includes all current legislative authority granted to the district by its several legislative enactments and any additional authority granted by this act.

Section 2. Codification.—Chapter 67-723, Laws of Florida; chapter 81-408, Laws of Florida; and chapter 86-417, Laws of Florida; relating to the County Line Drainage District, are codified, reenacted, amended, and repealed as provided in this act.

Section 3. District formation ratified, restated, and approved.—The decree of the circuit court in and for the twelfth judicial circuit, Lee County, Florida, entered in civil case no. 67-72 with respect to County Line Drainage District, a public corporation of this state, and all subsequent proceedings taken in that court concerning the district, including provisions setting and extending the boundaries of such water control district, are ratified, confirmed, and approved and established as the boundaries of the County Line Drainage District.

Section 4. Status and boundaries of the district.—County Line Drainage District is declared to be an independent water control district and a public corporation of the state pursuant to chapter 298, Florida Statutes, as it may be amended from time to time, having the following boundaries in Lee County:

In Township 43 South, Range 27 East: Sections 1, 2, 3, and 12; that part of Section 11 which lies easterly of a line 1,720 feet (as measured on the perpendicular) easterly of the West line of Section 11; that part of Section 14 lying north of the South 3,160 feet of Section 14; and the North three-quarters of Section 13, excepting from all the lands described in this section, a parcel of land in Section 13, Township 43 South, Range 27 East being more specifically described as follows:

From a 4"x4" concrete monument marking the Northwest corner of Section 13, bear south 0°13'15" east along the West line of Section 13 a distance of 2,124.00 feet to the point of beginning; thence run south 89°36'20" east parallel to the South line of Section 13 a distance of 1,800 feet; thence south 0°13'15" east parallel to the West line of Section 13 a distance of 2,360.11 feet; thence north 89°36'20" west a distance of 562.68 feet; thence north 0°05'00" west a distance of 524.79 feet to an intersection thereof with the North line of the South ½ of the Southwest ¼ of Section 13; thence north 89°47'12" west along the North line to the West line of Section 13, Township 43 South, Range 27 East; thence northerly along the West line of Section 13 to the point of beginning.

Together with Tract 9 and Tract 10 of Official Record Book 2229, Page 891 (FCC Management Company) being described as follows:

Tract 9: The South ½ of the East ⅓ of the West ⅞ of the South ¼ of Section 13, Township 43 South, Range 27 East; and

Tract 10: That portion of the South ⅔ of the East ½ of the East ⅙ of the West ⅞ of the South ¼ of Section 13, Township 43 South, Range 27 East, lying south of the drainage ditch.

And also together with Parcel I and Parcel II of Official Record Book 2415, Page 2563 (FCC Management Company) being described as follows:

Parcel I: That part of the West 60 feet of the East ⅓ of the West ⅞ of the South ¼ of Section 13, Township 43 South, Range 27 East, lying south of the creek; and

Parcel II: The Southeast ¼ of the Southwest ¼ of Section 13, Township 43 South, Range 27 East, Tropical River Groves, more particularly described as follows:

Beginning at the Southwest corner of Section 13, thence run north 90°00'00" east along the southerly line of Section 13 (such southerly line being also the centerline of State Road No. 78) for 1,717.71 feet, thence run north for 33.00 feet to a point on the northerly right-of-way line of State Road No. 78 and the point of beginning of the lands herein described. From the point of beginning run north 90°00'00" west along such northerly right-of-way line for 191.53 feet; thence run north 2°51'45" east for 116.20 feet; thence run north 18°47'54" east for 123.32 feet; thence run north 21°18'45" east for 184.13 feet; thence run north 42°16'54" east for 112.81 feet; thence run south 0°22'20" east for 487.81 feet to the point of beginning.

And also together with Official Record Book 1934, Page 579 (County Line Drainage District) being described as follows:

The east one-half (E ½) of the Southeast quarter (SE ¼) of the Southeast quarter (SE ¼) of the Southeast quarter (SE ¼) of Section 15, Township 43 South, Range 27 East.

And also together with Official Record Book 2121, Page 2508 (County Line Drainage District) being described as follows:

A tract of land lying in the Southeast  $\frac{1}{4}$  of Section 15, Township 43 South, Range 27 East, being more particularly described as follows:

Commencing at the Southeast corner of Section 15; thence run north  $00^{\circ}11'01''$  east (basis of bearings is assumed), along the East line of Section 15 a distance of 640.86 feet to the Southeast corner of the Northeast  $\frac{1}{4}$ , Southeast  $\frac{1}{4}$ , Southeast  $\frac{1}{4}$  of Section 15, and the point of beginning of the lands herein described:

Thence continue north  $00^{\circ}11'18''$  east along said East line a distance of 751.04 feet; thence north  $89^{\circ}36'22''$  west a distance of 135.00 feet; thence south  $00^{\circ}11'18''$  west a distance of 752.65 feet to the South line of the Northeast  $\frac{1}{4}$ , Southeast  $\frac{1}{4}$ , Southeast  $\frac{1}{4}$  of Section 15; thence north  $89^{\circ}42'46''$  east along the South line of such fraction a distance of 135.00 feet to the point of beginning.

And also together with part of Official Record Book 2515, Page 3593 (Winding Brook Corporation) being described as follows:

That portion of the South one-quarter ( $\frac{1}{4}$ ) of Section 13 lying northerly of the creek and easterly of the following described line:

From a 4"x4" concrete monument marking the Northwest corner of Section 13, bear south  $0^{\circ}13'15''$  east along the West line of Section 13 a distance of 2,124.00 feet; thence run south  $89^{\circ}36'20''$  east parallel to the South line of Section 13 a distance of 1,800.00 feet to the point of beginning of the above referenced line; thence south  $0^{\circ}13'15''$  east parallel to the West line of Section 13 to the intersection with the aforesaid creek.

Section 5. Minimum Charter Requirements.—In accordance with section 189.404(3), Florida Statutes, the following subsections constitute the charter of the County Line Drainage District:

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

(b) The powers, functions, and duties of the district regarding ad valorem taxation, bond issuance, other revenue-raising capabilities, budget preparation and approval, liens and foreclosure of liens, use of tax deeds and tax certificates as appropriate for non-ad valorem assessments, and contractual agreements shall be as set forth in chapters 170, 189, 197, and 298, Florida Statutes, or any other applicable general or special law, as they may be amended from time to time.

(c) The district was created by judicial decree in Lee County Circuit Court Civil Case No. 67-72 and confirmed by special act of the Legislature by chapter 67-723, Laws of Florida, in accordance with chapter 298, Florida Statutes.

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

(e) In accordance with chapter 189, Florida Statutes, this act, and section 298.11, Florida Statutes, the district is governed by a three-member board

of supervisors elected on a 1-acre, one-vote basis by the landowners in the district. The membership and organization of the board shall be as set forth in this act and chapter 298, Florida Statutes, as they may be amended from time to time.

(f) The compensation of board members shall be governed by this act and chapter 298, Florida Statutes, as they may be amended from time to time.

(g) The administrative duties of the board of supervisors shall be as set forth in this act and chapter 298, Florida Statutes, as they may be amended from time to time.

(h) Requirements for financial disclosure, meeting notices, reporting, public records maintenance, and per diem expenses for officers and employees shall be as set forth in chapters 112, 189, 286, and 298, Florida Statutes, as they may be amended from time to time.

(i) The procedures and requirements governing the issuance of bonds, notes, and other evidence of indebtedness by the district shall be as set forth in chapter 298, Florida Statutes, and other applicable general laws, as they may be amended from time to time.

(j) The procedures for conducting district elections and for qualification of electors shall be pursuant to this act and chapters 189 and 298, Florida Statutes, as they may be amended from time to time.

(k) The district may be financed by any method established in this act, chapter 298, Florida Statutes, and applicable general laws, as they may be amended from time to time.

(l) The methods for collecting non-ad valorem assessments, fees, or service charges shall be as set forth in chapters 197 and 298, Florida Statutes, and other applicable general laws, as they may be amended from time to time.

(m) The district's planning requirements shall be as set forth in chapters 189 and 298, Florida Statutes, as they may be amended from time to time.

(n) The district's geographic boundary limitations are set forth in section 4.

Section 6. Board of supervisors; qualifications.—Pursuant to section 298.76(3), Florida Statutes, if no owner of property within the district who is also a resident of Lee County as required by section 298.11(1), Florida Statutes, qualifies for election to the district board of supervisors at an annual landowners' meeting, then any owner of land within the district who is also a citizen of the state may qualify and stand for election for the district board of supervisors.

Section 7. If any provision of this act or the application thereof to any person or circumstance is held invalid, the invalidity does not affect other provisions or applications of the act which can be given effect without the invalid provision or application, and to this end the provisions of this act are declared severable.

Section 8. Effect of conflict.—In the event of a conflict between the provisions of this act and the provisions of any other act, the provisions of this act shall control to the extent of such conflict.

Section 2. Chapters 67-723, 81-408, and 86-417, Laws of Florida, are repealed.

Section 3. This act shall take effect upon becoming a law.

Approved by the Governor May 26, 1999.

Filed in Office Secretary of State May 26, 1999.