

House Bill No. 1509

An act relating to the East County Water Control District in Hendry and Lee Counties; providing for codification of special laws relating to the East County Water Control District pursuant to s. 189.429, F.S.; providing legislative intent; codifying, reenacting, and amending chapters 63-1549, 65-1824, 67-901, 70-498, 74-525, 80-525, 81-412, 83-445, 85-445, 86-460, 87-477, 88-509, 90-393, 93-309, and 98-460, Laws of Florida; providing for creation, status, charter amendments, and boundaries of the district; providing for installment assessments and collection thereof; providing for maintenance assessments and collection thereof; providing for a Board of Supervisors; providing for the election of district supervisors; providing election procedures; providing for qualification by candidates for district supervisor; providing for organization of the board of supervisors; authorizing the board of supervisors to employ a General Manager of the district; providing powers and duties of the Board of Supervisors; specifying methods for assessing and collecting non-ad valorem assessments, fees, and service charges; providing for district planning requirements; specifying requirements for financial disclosure, meeting notices, reporting, public records maintenance, and per diem expenses; making District bonds tax exempt and payable within 40 years; providing for electronic assessment records; authorizing the Board of Supervisors to exercise special powers relating to public improvements and community facilities; providing for construction of the act; providing severability; repealing chapters 63-1549, 65-1824, 67-901, 70-498, 74-525, 80-525, 81-412, 83-445, 85-445, 86-460, 87-477, 88-509, 90-393, 93-309, and 98-460, Laws of Florida; providing an effective date.

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

Section 1. Intent.—Pursuant to section 189.429, Florida Statutes, this act constitutes the codification of all special acts relating to the East County Water Control District. It is the intent of the Legislature in enacting this law to provide a single, comprehensive special act charter for the district, including all current legislative authority granted to the district by its several legislative enactments and any additional authority granted by this act and chapters 189 and 298, Florida Statutes, as amended from time to time. It is further the intent of this act to preserve all district authority as set forth in this act, and chapters 189 and 298, Florida Statutes, and any other applicable general or special law.

Section 2. Codification.—Chapters 63-1549, 65-1824, 67-901, 70-498, 74-525, 80-525, 81-412, 83-445, 85-445, 86-460, 87-477, 88-509, 90-393, 93-309, and 98-460, Laws of Florida, relating to the East County Water Control District, are codified, reenacted, amended, and repealed as provided herein.

Section 3. The East County Water Control District is re-created and the charter for said district is re-created and reenacted to read:

Section 1. Creation; Status; Charter amendments; District boundaries.—

(1) The decree of the circuit court in and for the twelfth (12th) judicial circuit, Lee County, entered in chancery no. 12,429 on May 5, 1958, created the East County Water Control District, and the subsequent decree of the circuit court in and for the twelfth (12th) judicial circuit, Lee County, extended the boundaries of said District to include additional lands in Lee County and Hendry County, said decree being entered in chancery no. 12,429 on May 26, 1961, together with all subsequent proceedings taken in said circuit court concerning said District which were ratified, confirmed, and approved by special act of the Legislature in 1963. The East County Water Control District is therefore declared to exist as an independent special district.

(2) The boundaries of the District are hereby declared to be as follows:

LANDS IN LEE COUNTY, FLORIDATOWNSHIP 43 SOUTH, RANGE 26 EASTSECTION 25:

The following portions of Section 25;

The East ½ of the Northeast ¼ of the Northeast ¼, together with

The Northeast ¼ of the Southeast ¼ of the Northeast ¼.

TOWNSHIP 43 SOUTH, RANGE 27 EASTSECTION 19:

Commencing at the Southeast corner of Government Lot 5 of said Section 19, said point also being the South ¼ Section Corner of said Section 19; thence North 89° 32' 09" West along the South line of said Section 19, a distance of 941.16 feet to the POINT OF BEGINNING of this description; thence North 00° 33' 49" West, a distance of 961.01 feet to the Southerly United States Government Easement line of the Caloosahatchee River; thence continuing North 00° 33' 48" West, a distance of 90 feet, more or less, to the Southerly waters edge of the said Caloosahatchee River; thence Southwesterly along the meanders of said Southerly waters edge of the Caloosahatchee River, a distance of 780 feet, more or less; thence South 00° 33' 48" East, a distance of 50 feet, more or less, to the said Southerly United States Government Easement line of the Caloosahatchee River; thence continuing South 00° 33' 48" East, a distance of 578.75 feet to the said South line of Section 19; thence South 89° 32' 09" East along the said South line of Section 19 to the POINT OF BEGINNING, LESS the Easterly 35.80 feet of the above described parcel.

SECTION 30:

The following portions of Section 30;

That portion of the West ½ of said Section 30 lying North of State Road 80, LESS the West 118.40 feet thereof.

That portion of the Northwest ¼ of the Northwest ¼ of Section 30 lying North of State Road 80.

That portion of Section 30 lying South of the Southerly Right-of-Way line of State Road 80, LESS the West 200.00 feet of said Section 30 lying South of Hickey's Creek,

AND LESS lots 18 thru 28, Lots 31 and 32, Lots 37 and 38, Lots 41 thru 44 all as shown on Pine Creek Acres, Unit No. 1 as recorded in Plat Book 10, Page 13 of the Public Records of Lee County, Florida.

AND LESS Lot 1, Lots 23 and 24, Lots 27 and 28, the 50 foot Right-of-Way for Dixie Lane and that portion of the 50 foot Right-of-Way for Pine Boulevard lying Easterly of a line connecting the Northeast corner of Lot 92 with the Southeast corner of Lot 35 all as shown on Pine Creek Acres, Unit No. 2 as recorded in Plat Book 10, Page 74 of the said Public Records,

AND LESS the following described parcel:

BEGINNING at the Northeast corner of Pine Creek Acres, Unit No. 1 as recorded in Plat Book 10, Page 13 of the said Public Records; thence South 00° 56' 00" East along the East line of said Pine Creek Acres, Unit No. 1 and the Southerly projection thereof, a distance of 223.86 feet; thence North 89° 35' 20" East, a distance of 166.20 feet; thence North 00° 24' 40" West, a distance of 203.00 feet to the said Southerly Right-of-Way line of State Road 80; thence North 82° 54' 00" West along the said Southerly Right-of-Way line of State Road 80 to the POINT OF BEGINNING,

AND LESS the following described parcel:

Commencing at the said Northeast corner of Pine Creek Acres, Unit No. 1; thence South 00° 56' 00" East along the said East line of Pine Creek Acres, Unit No. 1 and the Southerly projection thereof, a distance of 223.86 feet; thence North 89° 35' 20" East, a distance of 166.20 feet; thence North 00° 24' 40" West, a distance of 203.00 feet to the said Southerly Right-of-Way line of State Road 80, thence South 82° 54' 00" East along the said Southerly Right-of-Way line of State Road 80, a distance of 137.61 feet to the POINT OF BEGINNING of this description; thence South 00° 24' 40" East, a distance of 237.58 feet; thence North 89° 35' 20" East, a distance of 209.19 feet; thence South 00° 24' 40" East, a distance of 918.16 feet; thence North 89° 35' 20" East, a distance of 420.00 feet; thence North 00° 24' 40" West, a distance of 1069.39 feet to the said Southerly Right-of-Way line of State Road 80; thence Northwesterly along the said Southerly Right-of-Way line of State Road 80 to the POINT OF BEGINNING,

AND LESS the following described parcel:

BEGINNING at the intersection of the East line of the Northwest ¼ of the Northeast ¼ of said Section 30 and the said Southerly Right-of-Way line of State Road 80; thence South 00° 24' 40" East along the East line of the West ½ of the Northeast ¼ of said Section 30 to a point which is South 00° 24' 40" East, a distance of 129.00 feet from the Northwest corner of the Southeast ¼ of the Northeast ¼ of said Section 30; thence

South 89° 41' 55" East along a line parallel with the North line of the said Southeast ¼ of the Northeast ¼, a distance of 337.00 feet; thence North 00° 24' 40" West to the said Southerly Right-of-Way line of State Road 80; thence North 81° 08' 00" West along the said Southerly Right-of-Way line of State Road 80 to the POINT OF BEGINNING.

SECTION 31:

The following portions of Section 31;

The West ½, together with

The West ½ of the Southeast ¼, together with

The Southeast ¼ of the Southeast ¼, together with

The Southwest ¼ of the Northeast ¼, together with

The Southwest ¼ of the Northwest ¼ of the Northeast ¼, together with

The Northeast ¼ of the Northeast ¼ of the Northeast ¼.

SECTION 36:

The East ½ of Section 36, LESS the Northwest ¼ of the Northeast ¼ thereof.

TOWNSHIP 44 SOUTH, RANGE 26 EAST

SECTION 1-3:

All of Sections 1, 2 and 3.

SECTION 4:

The East ½ of Section 4.

SECTION 10:

The following portions of Section 10;

The East ½ of the Southeast ¼, together with

The Northwest ¼ of the Southeast ¼.

SECTIONS 11-14:

All of Sections 11, 12, 13 and 14.

SECTION 15:

The East ½ of the East ½ of Section 15.

SECTION 16:

The following portions of Section 16;

All of Units 1 through 5 of "Lehigh Acres" as recorded in Plat Book 27, Page 186 of the Public Records of Lee County, Florida together with,

Lot 16, Block 36 of "Buckingham Park, Northwest Section" as recorded in Plat Book 9, Page 92 of the said Public Records.

SECTION 19:

The following portions of Section 19;

The Southeast ¼, together with

That portion of the Northeast ¼ of said Section 19 lying South of Buckingham Road.

SECTION 20:

The following portions of Section 20;

The South ½, together with

That portion of the North ½ of said Section 20 lying South of Buckingham Road.

SECTION 21:

The following portions of “Buckingham Park, South Section” as recorded in Plat Book 9, Page 99 of the said Public Records being in Section 21;

Lots 3 through 10 of Block 40,

Lots 1 and 3 of Block 38,

Lot 28 of Block 29,

The North 40 feet of Lot 29 of Block 29,

All of Tract “D”,

All of Block “E”

together with,

the Re-subdivision of that portion of Block “E” of said “Buckingham Park, South Section” as replatted on “Plat of Unit 3 Lehigh Park, a Subdivision of Lehigh Acres” as recorded in Plat Book 15, Page 66 of the said Public Records, together with

That portion of said Section 21 lying Southwesterly of the centerline of a 60 foot easement as described in Miscellaneous Book 32, Page 335 of the said Public Records.

SECTION 22:

That portion of Section 22 lying South and Southwesterly of Homestead Road as shown on Plat of “Buckingham Park Entrance Roads” as recorded in Plat Book 9, Page 97 of the said Public Records.

SECTIONS 23-29:

All of Sections 23, 24, 25, 26, 27, 28 and 29.

SECTION 30:

The following portions of Section 30;

The South ½, together with

The Northeast ¼, together with

The South 100 feet of the North ½.

SECTION 31:

That portion of said Section 31 lying Northeasterly of State Road 82.

SECTIONS 32-36:

All of Sections 32, 33, 34, 35 and 36.

TOWNSHIP 44 SOUTH, RANGE 27 EAST

SECTION 1:

All of Section 1.

SECTION 2:

All of Section 2, LESS the Northwest 1/4 of the Northwest 1/4 thereof.

SECTION 3:

All of Section 3, LESS the Northeast 1/4 thereof,

AND LESS the East 1/2 of the Northwest 1/4 thereof.

SECTIONS 4-6:

All of Sections 4, 5 and 6.

SECTION 7:

The following portions of Section 7;

The South 1/2, together with

The Northwest 1/4, together with

The Southwest 1/4 of the Northeast 1/4, together with

The North 1/2 of the Northeast 1/4, together with

The North 854 feet of the East 466 feet of the Southeast 1/4 of the North-east 1/4.

SECTION 8:

The following portions of Section 8;

The South 1/2, together with

The Northwest 1/4 of the Northeast 1/4, together with

The West 1/2 of the Northeast 1/4, together with

The East 3/4 of the Southeast 1/4 of the Northwest 1/4.

SECTION 9:

All of said Section 9, LESS the Southwest 1/4 of the Northeast 1/4 thereof.

SECTIONS 10-36:

All of Sections 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, 35 and 36.

TOWNSHIP 45 SOUTH, RANGE 26 EAST

SECTIONS 1-3:

All of Section 1, 2 and 3.

SECTION 4:

All that portion of Section 4 lying North of State Road 82.

SECTION 5:

All that portion of Section 5 lying North of State Road 82.

SECTION 6:

All that portion of Section 6 lying North of State Road 82.

SECTION 9:

All that portion of Section 9 lying North of State Road 82.

SECTION 10:

All that portion of Section 10 lying North of State Road 82.

SECTION 11:

All that portion of Section 11 lying North of State Road 82.

SECTION 12:

All of Section 12.

SECTION 13:

All that portion of Section 13 lying North of State Road 82.

SECTION 14:

All that portion of Section 14 lying North of State Road 82.

TOWNSHIP 45 SOUTH, RANGE 27 EAST

SECTIONS 1-2:

All of Sections 1 and 2.

SECTION 3:

The following portions of Section 3;

The South 1/2, together with

The Northeast 1/4, together with

The East 1/2 of the Northwest 1/4, together with the following described parcel;

Commencing at the Northeast corner of Government Lot 4 of said Section 3; thence Southerly along the East line of said Government Lot 4, a distance of 631.60 feet to the POINT OF BEGINNING of this description; thence continue Southerly along the said East line of Government Lot 4, a distance of 315.90 feet; thence Westerly, a distance of 660.00 feet; thence Northerly along a line parallel with the said East line of Government Lot 4, a distance 315.90 feet; thence Easterly, a distance of 660.00

feet to the POINT OF BEGINNING, Together with the following described parcel:

Commencing at the Northeast corner of said Government Lot 4 of Section 3; thence Southerly along the East line of said Government Lot 4, a distance of 157.90 feet to the POINT OF BEGINNING of this description; thence continue Southerly along the said Easterly line of Government Lot 4, a distance of 315.80 feet; thence Westerly, a distance of 330.00 feet; thence Northerly, a distance of 315.80 feet; thence Easterly, a distance of 330.00 feet to the POINT OF BEGINNING, Together with the following described parcel:

Commencing at the Northwest corner of said Government Lot 4; thence Southerly along the West line of said Section 3, a distance of 631.60 feet to the POINT OF BEGINNING of this description; thence Easterly, a distance of 660.00 feet; thence Southerly, a distance of 315.90 feet; thence Westerly, a distance of 660.00 feet; thence Northerly, a distance of 315.90 feet to the POINT OF BEGINNING,

Together with the following described parcel:

Commencing at the Northwest corner of Section 3; thence North 89° 15' 00" East along the North line of said Section 3, a distance of 1326.37 feet to the Northeast corner of Government Lot 4 of said Section 3; thence South 01° 02' 02" East along the East line of said Government Lot 4, a distance of 473.70 feet to the POINT OF BEGINNING of this description; thence continuing South 01° 02' 02" East, a distance of 157.90 feet; thence South 89° 15' 05" West, a distance of 330.00 feet, thence North 00° 32' 28" West, a distance of 157.90 feet; thence North 89° 15' 03" East, a distance of 330.00 feet to the said East line of Government Lot 4 and the POINT OF BEGINNING,

Together with the following described parcel:

Commencing at the Northwest corner of Section 3;

thence South 00° 02' 50" East along the West line of said Section 3, a distance of 947.50 feet to the POINT OF BEGINNING of this description; thence North 89° 15' 10" East, a distance of 1342.70 feet; thence South 01° 02' 07" East, a distance of 631.80 feet; thence South 89° 15' 15" West, a distance of 676.80 feet; thence South 00° 32' 28" East, a distance of 928.52 feet to a point on the East/West ¼ Section line of said Section 3; thence North 89° 54' 56" West along the said East/West ¼ Section line of Section 3, a distance of 684.84 feet to the West ¼ corner of said Section 3; thence North 00° 02' 50" West along the West line of said Section 3, a distance of 1550.46 feet to the POINT OF BEGINNING.

SECTION 4:

All of Section 4, LESS the Southeast ¼ of the Southeast ¼ thereof,

AND LESS the South ½ of the Northeast ¼ of the Southeast ¼ of said Section 4.

AND LESS the South ½ of the Northeast ¼ of the Northeast ¼ of the Southeast ¼ of said Section 4,

AND LESS the Northwest $\frac{1}{4}$ of the Northeast $\frac{1}{4}$ of the Southeast $\frac{1}{4}$ of said Section 4.

SECTION 5:

The following portions of Section 5:

The Northwest $\frac{1}{4}$, together with

The East $\frac{3}{4}$ of the North $\frac{1}{2}$ of the Southwest $\frac{1}{4}$, together with The South $\frac{1}{2}$ of the Southwest $\frac{1}{4}$, together with

The Southwest $\frac{1}{4}$ of the Southeast $\frac{1}{4}$ LESS the South 175 feet of the East 125 feet thereof, together with The following described parcel being in the Northeast $\frac{1}{4}$ of the Northeast $\frac{1}{4}$ of said Section 5; Commencing at the Northeast corner of said Section 5; thence Westerly along the North line of said Section 5, said North line of Section 5 being the South line of Units 7 and 18 of "Leeland Heights" as shown on plat recorded in Plat Book 12, Page 53 of the said Public Records, a distance of 116.51 feet to the Southwest corner of Lot 10 of Block 87 of said "Leeland Heights" and the POINT OF BEGINNING of this description; thence continuing Westerly along the said North line of Section 5, a distance of 1208.55 feet to the Northwest corner of the Northeast $\frac{1}{4}$ of the Northeast $\frac{1}{4}$ of said Section 5; thence South $01^{\circ} 35' 34''$ East along the West line of the said Northeast $\frac{1}{4}$ of the Northeast $\frac{1}{4}$ of Section 5, a distance of 1149.72 feet; thence Easterly along a line parallel with the said North line of Section 5, a distance of 1268.07 feet to a point of intersection with a line parallel with and 60 feet Westerly of (as measured at right angles) the East line of said Section 5; thence North $01^{\circ} 44' 40''$ West along said parallel line, a distance of 1089.78 feet to a point of intersection with a line parallel with and 60 feet Southerly of (as measured at right angles) the said North line of Section 5; thence Westerly along said line parallel with and 60 feet Southerly of the North line of Section 5, a distance of 58.31 feet to a point of intersection with the Southerly prolongation of the West line of said Lot 10 of Block 87 of "Leeland Heights"; thence Northerly along said Southerly prolongation, a distance of 60.00 feet to the POINT OF BEGINNING. Bearings in last described parcel relative to said Plat of Units 7 and 18 of "Leeland Heights".

SECTION 6:

All of Section 6, LESS the Northwest $\frac{1}{4}$ of the Southwest $\frac{1}{4}$ of the Northeast $\frac{1}{4}$ thereof;

AND LESS the South $\frac{1}{2}$ of the Northeast $\frac{1}{4}$ of the Southwest $\frac{1}{4}$ of the Northeast $\frac{1}{4}$ of said Section 6,

AND LESS the South $\frac{1}{2}$ of the Southeast $\frac{1}{4}$ of the Northwest $\frac{1}{4}$ of the Northeast $\frac{1}{4}$ of said Section 6,

AND LESS the South $\frac{1}{2}$ of the Southwest $\frac{1}{4}$ of the Northwest $\frac{1}{4}$ of the Northeast $\frac{1}{4}$ of said Section 6,

AND LESS the North $\frac{1}{2}$ of the Northeast $\frac{1}{4}$ of the Northwest $\frac{1}{4}$ of the Northeast $\frac{1}{4}$ of said Section 6,

AND LESS the following described parcel,

BEGINNING at the Southwest corner of Government Lot 5 of said Section 6; thence Northerly along the West line of said Government Lot 5, a distance of 466.70 feet; thence Easterly along a line parallel with the South line of said Government Lot 5, a distance of 466.70 feet; thence Southerly along a line parallel with the said West line of Government Lot 5, a distance of 466.70 feet; thence Westerly along the South line of said Government Lot 5, a distance of 466.70 feet to the POINT OF BEGINNING.

SECTION 7:

All of Section 7.

SECTION 8:

All of Section 8, LESS the Southwest $\frac{1}{4}$ of the Southeast $\frac{1}{4}$ thereof.

SECTION 9:

The following portions of Section 9;

The West $\frac{1}{2}$ of the Southwest $\frac{1}{4}$, together with

The Southeast $\frac{1}{4}$, together with

The West $\frac{1}{2}$ of the Northeast $\frac{1}{4}$, together with

The Southeast $\frac{1}{4}$ of the Northeast $\frac{1}{4}$.

SECTIONS 10-17:

All of Sections 10, 11, 12, 13, 14, 15, 16 and 17.

SECTION 18:

All of Section 18, LESS the 200 foot Right-of-Way for State Road 82 thereof,

AND LESS the Westerly 25 feet of that portion of said Section 18 lying Northerly of said State Road 82, said 25 foot strip as conveyed to Lee County for roadway purposes by deed recorded in Official Record Book 147, Page 73 of the said Public Records of Lee County.

SECTION 19:

All of Section 19, LESS the 200 foot Right-of-Way for State Road 82 thereof,

AND LESS the following described parcel, BEGINNING at the Northeast corner of said Section 19; thence South $00^{\circ} 34' 00''$ East along the East line of said Section 19 to the East $\frac{1}{4}$ Section corner of said Section 19; thence South $89^{\circ} 53' 40''$ West along the East/West $\frac{1}{4}$ Section line of said Section 19, a distance of 1479.38 feet; thence North $00^{\circ} 39' 20''$ West along a line parallel with and 156.00 feet Westerly of (as measured at right angles) the West line of the East $\frac{1}{2}$ of the Northeast $\frac{1}{4}$ of said Section 19, a distance of 2019.77 feet to a point of intersection with the Southwesterly Right-of-Way line of said State Road 82; thence South $64^{\circ} 06' 00''$ East along the said Southwesterly right-of-Way line of State Road 82, a distance of 174.40 feet to a point of intersection with the said West line of the East $\frac{1}{2}$ of the Northeast $\frac{1}{4}$ of Section 19; thence North $00^{\circ} 39'$

20" West along the said West line of the East ½ of the Northeast ¼ of Section 19, a distance of 223.58 feet to a point of intersection with the Northeasterly Right-of-Way line of State Road 82; thence North 64° 06' 00" West along the said Northeasterly Right-of-Way line of State Road 82, a distance of 400.00 feet; thence North 49° 30' 50" East, a distance of 465.93 feet to the Northwest corner of the said East ½ of the Northeast ¼ of Section 19; thence North 89° 55' 00" East along the North line of said Section 19, a distance of 1327.50 feet to the POINT OF BEGINNING.

SECTION 20:

All of Section 20, LESS the 200 foot Right-of-Way for State Road 82 thereof,

AND LESS the following described parcel, BEGINNING at the Northwest corner of said Section 20; thence North 89° 15' 50" East along the North line of said Section 20, a distance of 227.46 feet; thence South 00° 34' 00" East along a line parallel with the West line of said Section 20, a distance of 1516.82 feet to a point of intersection with the Northerly Right-of-Way line of State Road 82; thence North 49° 52' 20" West along the said Northerly Right-of-Way line of State Road 82, a distance of 300.00 feet to a point of intersection with the West line of said Section 20; thence North 00° 34' 00" East along the said West line of Section 20 to the POINT OF BEGINNING

AND LESS the following described parcel, BEGINNING at the intersection of the Southwesterly Right-of-Way line of State Road 82 and the South line of said Section 20; thence North 24° 51' 40" West along the said Southwesterly Right-of-Way line of State Road 82, a distance of 1000.00 feet; thence South 32° 24' 30" West, a distance of 1081.39 feet to a point of intersection with the said South line of Section 20; thence North 89° 40' 40" East along the said South line of Section 20, a distance of 1000.00 feet to the POINT OF BEGINNING. Last described parcel being recorded in Deed Book 306, Page 153 of the said Public Records of Lee County.

SECTIONS 21-26:

All of Sections 21, 22, 23, 24, 25 and 26.

SECTION 27:

All of Section 27 lying NORTH of State Road 82.

SECTION 28:

All of Section 28 lying North of State Road 82.

SECTION 29:

All of Section 29 lying North of State Road 82.

SECTION 34:

All of Section 34 lying North of State Road 82.

SECTION 35:

All of Section 35 lying North of State Road 82.

SECTION 36:All of Section 36 LESS the 200 foot Right-of-Way for State Road 82 thereof.LANDS IN HENDRY COUNTY, FLORIDA.TOWNSHIP 43 SOUTH, RANGE 28 EASTSECTION 30:The following portions of Section 30;The West 400.00 feet of the Southwest $\frac{1}{4}$ less the right-of-way for State Road 80, together withThe parcel commencing at the West $\frac{1}{4}$ corner of Section 30; thence along the West Section line North $01^{\circ} 01' 11''$ West, a distance of 164.01 feet to the North right-of-way line of State Road 80 and the POINT OF BEGINNING; thence continuing North $01^{\circ} 01' 11''$ West, a distance of 1156.17 feet to the South Right-of-Way line for the Caloosahatchee River (C-43 canal); thence along said South Right-of-Way line North $78^{\circ} 07' 28''$ East, a distance of 162.92 feet; thence South $01^{\circ} 01' 11''$ East, a distance of 415.55 feet; thence South $45^{\circ} 02' 36''$ East, a distance of 345.35 feet; thence South $01^{\circ} 01' 11''$ East, a distance of 520.42 feet to the North Right-of-Way for State Road 80; thence along said right-of-way South $88^{\circ} 36' 43''$ West, a distance of 400.00 feet to the POINT OF BEGINNINGSECTION 31:The following portions of Section 31;The Southeast $\frac{1}{4}$ of the Northwest $\frac{1}{4}$, together withThe East $\frac{1}{2}$ of the Southwest $\frac{1}{4}$, together with,The South 185.00 feet of the North $\frac{1}{2}$ of the Northwest $\frac{1}{4}$ less the West 1189.24 feet of the East 1439.25 feet of the South 25.00 feet thereof;Together with the West 660.76 feet of the North 30.00 feet of the Southwest $\frac{1}{4}$ of the Northwest $\frac{1}{4}$,Together with the West 400.00 feet of the Northwest $\frac{1}{4}$ of the Northwest $\frac{1}{4}$.TOWNSHIP 44 SOUTH, RANGE 28 EASTSECTION 6:The West $\frac{1}{2}$ of Section 6.SECTION 7:The West $\frac{1}{2}$ of Section 7.SECTION 18:The West $\frac{1}{2}$ of Section 18.SECTION 19:The West $\frac{1}{2}$ of Section 19.

SECTION 30:The West ½ of Section 30.SECTION 31:The West ½ of Section 31.

Section 2. Installment assessments and the collection thereof.—Annual installment assessments, which are levied under section 298.36, Florida Statutes, shall become due and be collected during each year at the same time that county taxes are due and collected, pursuant to section 298.36, Florida Statutes, chapter 197, Florida Statutes, and this act. Said assessments shall be a lien until paid on the property against which assessed, and enforceable in like manner as county taxes.

Section 3. Maintenance assessments.—Maintenance assessments as provided for under section 298.54, Florida Statutes, shall be apportioned upon the basis of the net assessments of benefits assessed as accruing from original construction, and shall be due and collected pursuant to section 298.54, Florida Statutes, chapter 197, Florida Statutes, and this act. Said assessments shall be a lien until paid on the property against which assessed and enforceable in like manner as county taxes.

Section 4. Board of Supervisors; elections; candidate qualifications; powers and duties.—The provisions of chapter 298, Florida Statutes, to the contrary notwithstanding, the following provisions, to the extent of any conflict, shall control the East County Water Control District:

(1) The Board of Supervisors of the East County Water Control District shall be composed of five members who shall be registered voters and residents of the District. The Board of Supervisors shall be elected at large by the electors residing in the District. Terms of all supervisors shall be for 4 years.

(2) All District Supervisor elections shall be held on the first Tuesday after the first Monday in November of even-numbered years. All District Supervisors shall be elected at large by nonpartisan plurality vote with the candidate who receives the highest number of votes for each seat winning the election. Only registered voters residing within the District shall be permitted to vote. The cost of any election shall be borne by the District. Terms of all supervisors shall begin on the day after the election as established by this act. The terms of the Board of Supervisors of the East County Water Control District serving on May 27, 1998, shall be extended for one year to the first Tuesday after the first Monday in November of the even-numbered year following the year in which their term is currently due to expire.

(3) Qualifying for the position of District Supervisor shall be coordinated by the supervisors of elections of the counties within which the District is located. Methods of qualifying shall be uniform pursuant to section 99.092, Florida Statutes. Candidates shall be required to open depositories and appoint treasurers prior to accepting any contributions or expending any funds.

(4) Vacancies on the Board shall be filled pursuant to section 298.12, Florida Statutes.

(5) The members of the Board shall be reimbursed for their expenses pursuant to section 112.061, Florida Statutes, and paid a flat fee of \$250 per calendar month during term of office as established herein, provided however, the flat fee of \$250 per calendar month shall only be payable in the event the member of the Board attends at least one (1) full regularly scheduled session of the Board during the subject calendar month.

(6) Each year, the Board of Supervisors shall hold an annual organizational meeting, at which a Chair, Vice-Chair, Secretary and Treasurer shall be elected, whose duties shall be established by Resolution of the Board.

(7) The Board of Supervisors shall have the power to employ a person to be designated General Manager of the District and to vest in him or her such authority and to delegate to him or her the performance of such duties and to provide such compensation as may be determined by the Board of Supervisors. The Board may require the General Manager to furnish bond with good and sufficient surety in such amount as the Board may by resolution determine.

(8) The District shall have and the Board may exercise and hold all powers, functions, and duties set forth in this act and chapters 189, 197, and 298, Florida Statutes, as they may be amended from time to time, including, but not limited to, non-ad valorem assessments, 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.

(9) The methods for assessing and collecting non-ad valorem assessments, fees, or service charges shall be as set forth in chapter 189, chapter 197, or chapter 298, Florida Statutes, as amended from time to time.

(10) The District's planning requirements shall be as set forth in this act and chapters 189 and 298, Florida Statutes, as amended from time to time.

(11) 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, 119, 189, 286, and 298, Florida Statutes, as amended from time to time.

Section 5. Bonds issuable for 40 years.—Notwithstanding the provisions of section 298.47, Florida Statutes, the Board of Supervisors may issue bonds maturing at annual intervals within 40 years.

Section 6. Assessment records.—Notwithstanding the provisions of section 298.36(2), Florida Statutes, the secretary of the Board of Supervisors, as soon as said total assessment is levied, shall, at the expense of the District, prepare a list of all assessments levied, said list to be stored in electronic format.

Section 7. Public improvements and community facilities.—In addition to the powers provided in chapter 298, Florida Statutes, the District shall

have, and the Board may exercise, subject to the regulatory jurisdiction and permitting authority of all applicable governmental bodies, agencies, and special districts having authority with respect to any area included therein, any or all of the following special powers relating to public improvements and community facilities authorized by this act:

(1) Conservation, mitigation, and wildlife habitat.—The power to finance, fund, plan, establish, acquire, construct or reconstruct, enlarge or extend, equip, operate, and maintain systems, facilities, and basic infrastructure for conservation areas, mitigation areas, and wildlife habitat, including the maintenance of any plant or animal species, and any related interest in real or personal property;

(2) Recreational, cultural, and educational.—After the Board has obtained the consent of the local general purpose government within the jurisdiction of which the specified power is to be exercised, the power to plan, establish, acquire, construct or reconstruct, enlarge or extend, equip, operate and maintain additional systems and facilities for parks and facilities for indoor and outdoor recreational, cultural, and educational uses; and

(3) Navigational and boating facilities.—The power to construct and maintain navigational and boating facilities in its canals, including, but not limited to, locks and dams, to widen and deepen its canals, to make them usable for navigation and boating, and to regulate in all respects the use of its canals for navigation and boating, including, but not limited to, the size of boats, their speed and hours of use.

Prior to the District having the powers described in subsection (2), the additional power granted to the District must receive approval by a majority vote of the qualified electors of the district voting in a referendum election to be called by the District at the next general election, with the exception of the following three parks:

- (a) Lake Camille Park
- (b) Williams Park
- (c) Eco Park.

Section 4. Chapters 63-1549, 65-1824, 67-901, 70-498, 74-525, 80-525, 81-412, 83-445, 85-445, 86-460, 87-477, 88-509, 90-393, 93-309, and 98-460, Laws of Florida, are hereby repealed.

Section 5. This act shall be construed as remedial and shall be liberally construed to promote the purpose for which it is intended.

Section 6. In the event any section or provision of this act is determined to be invalid or unenforceable, such determination shall not affect the validity of or enforceability of each other section and provision of this act.

Section 7. This act shall take effect upon becoming law.

Approved by the Governor June 7, 2000.

Filed in Office Secretary of State June 7, 2000.