

House Bill No. 519

An act relating to the Acme Improvement District, Palm Beach County; codifying the district's charter; providing legislative intent; amending, codifying, and reenacting all special acts relating to Acme Improvement District as a single act; repealing all prior special acts relating to Acme Improvement District; amending the jurisdictional boundaries of Acme Improvement District; providing for the applicability of chapters 298 and 189, Florida Statutes, and other general laws; providing that Acme Improvement District is a dependent district of the Village of Wellington; providing for liberal construction; providing a savings clause in the event any of the act is deemed invalid; providing an effective date.

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

Section 1. Pursuant to section 189.429, Florida Statutes, this act constitutes the codification of all special acts relating to Acme Improvement 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. It is further the intent of this act to preserve all District authority in addition to any authority contained in chapters 298 and 189, Florida Statutes, as amended from time to time.

Section 2. Chapters 28557 (1953), 30391 (1955), 57-568, 57-1103, 59-706, 63-864, 70-856, 75-470, 77-619, 79-537, 82-349, 83-490, 87-440, 90-416, 91-371, 92-342, 94-473, 94-474, and 2000-419, Laws of Florida, are amended, codified, reenacted, and repealed as herein provided.

Section 3. The charter for the Acme Improvement District, a dependent special district, is re-created and reenacted to read:

Section 1. District Created and Boundaries thereof; Validating Creation of District under chapter 298, Florida Statutes.—That for the purpose of reclaiming and draining the lands hereinafter described and protecting said lands from the effects of water by means of the construction and maintenance of canals, ditches, levees, dikes, pumping plants, and other drainage works and improvements, and for the purpose of making the lands within said District available and habitable for settlement and agriculture, and for the public convenience, welfare, utility, and benefit, and for the other purposes stated in this Act, a drainage District is hereby created and established in Palm Beach County, to be known as the Acme Improvement District, the territorial boundaries of which shall be as follows, to-wit:

All and Singular a certain parcel of Land, Lying and Situate in Range 41 East, Township 44 South and part of Range 41 East, Township 43 South, and part of Range 40 East, Township 44 South, part of Township 43 South, Range 40 East, part of Township 45 South, Range 41 East, and part of Hiatus, Palm Beach County, Florida.

All of Sections 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 26, 27, 28, 29, 33, 34 and that part of Sections 30, 31 and 32 lying North Right of Way Limit of the Central and Southern Flood Control District's Levee 40 and that portions of Sections 12, 13, 24 and 25 Township 44 South, Range 41 East. Portion of Section 25 Township 44 South, Range 40 East, North Right of Way Limit of the Central and Southern Flood Control District's Levee 40. Portion of Sections 31, 32, 33, 34, and 35 lying South of the Right of Way line of the West Palm Beach Canal, Township 43 South, Range 41 East, Section 39, Township 44 South, Range 41 East and portions of Section 40 North of said North Right of Way Limit of the Central and Southern Flood Control District's Levee, and Section 3 and 4 of Township 45 South, Range 41 East lying North of said North Right of Way Limit of the Central and Southern Flood Control District's Levee, Palm Beach County, Florida:

More particularly described:

Commencing at the intersection of the East Line of Section 35, Township 43 South, Range 41 East, and the South Right of Way Line of the West Palm Beach Canal;

Thence Southerly following the East Line of aforesaid section 35, to the Northeast corner Section 2, Township 44 South, Range 41 East.

Thence following Southerly along the east limit of aforesaid Section 2 to the Northeast corner Section 11, Township 44 East, Range 41 East,

Thence following Southerly along the aforesaid Easterly limit of Section 11 to a point on the Easterly limit of aforesaid Section 11 to the Northwest Corner of the Southwest Quarter of Section 12, Township 44 South, Range 41 East.

Thence Easterly along the north line of the aforesaid Southwest Quarter of Section 12 to an intersection of a line drawn 40 feet West and parallel to the East limit of aforesaid Southwest Quarter of Section 12,

Thence Southerly along the 40 foot parallel line the aforesaid Section 12, a distance of 1592.15 feet to a point,

Thence Easterly and parallel to the Southerly limit of aforesaid Section 12 a distance of 1572.99 feet to a point.

Thence Southerly and parallel to the Easterly limits of aforesaid Section 12 a distance of 1031.44 feet more or less to the Northerly limit of Forest Hill Boulevard Right of Way,

Thence Westerly along the Northerly limit of Forest Hill Boulevard on an arc to the left and with an arc length of 488.34 feet having a delta angle of 4 degrees 49 minutes 59 seconds and a radius of 5789.27 feet with a radial bearing of North 9 degrees 6 minutes 10 seconds East to a point of compound curvature.

Thence continuing Westerly along an arc to the left with a radius of 5789.27 feet an arc length of 203.52 feet having a delta angle of 2 degrees

0 minutes 51 seconds and a center bearing of North 3 degrees 46 minutes 29 seconds East, to a point.

Thence Southerly a distance 173 feet more or less to the intersection of the Northerly limit of Section 13, Township 44 South, Range 41 East.

Thence Southerly along a line 27.00 feet on a bearing of South 2 degrees 15 minutes 17 seconds West to a point of non tangential curvature.

Thence following a curve to the right with an arc length of 741.42 feet having a radius of 4443.66 feet and a delta angle of 9 degrees 33 minutes 35 seconds and radial bearing of North 2 degrees 15 minutes 17 seconds East, to a point of tangency.

Thence following a line 186.37 feet on a bearing of South 86 degrees 25 minutes 5 seconds East to a point.

Thence continuing along a line 70.31 feet on a bearing North 89 degrees 2 minutes 7 seconds East to the intersection with the Westerly Right of Way Line of State Road 7 (US 441) as shown on Plat Wellington Green, A MUPD.PUD, of the Public Records of Palm Beach County, Florida in Plat Book 87 Pages 81 thru 90,

Thence following a line a distance of 503.00 feet on a bearing of South 0 degrees 22 minutes 3 seconds East to a point,

Thence continuing along a line a distance of 1312.60 feet on a bearing of South 1 degrees 53 minutes 53 seconds West to a point,

Thence following a line a distance of 827.17 feet on a bearing of South 1 degrees 53 minutes 57 seconds West to a point of intersection with the South line of the North half of the South Half of aforesaid Section 13.

Thence Easterly following the aforesaid Southerly line of the North Half of the South Half of said Section 13 a distance of 5044.51 feet more or less to the West limit of said Section 13,

Thence Southerly along the Westerly limit of aforesaid Section 13 to the Northwest corner of Section 24, Township 44 South, Range 41 East.

Thence Southerly along the Westerly limit of aforesaid Section 24 to the Northwest corner of the Southwest Quarter of aforesaid Section 24.

Thence Easterly along the Northerly limit of said Southwest quarter of said Section 24 to the Northeast corner of the Southwest quarter of aforesaid Section 24.

Thence Southerly along the Easterly limit of the said Southwest Quarter of aforesaid Section 24 a distance of 306.42 feet to a point.

Thence Easterly along a line a distance of 606.10 feet on a bearing of North 88 degrees 52 minutes 2 seconds East to a point,

Thence following a line a distance of 1.68 feet on a bearing of North 1 degree 11 minutes 59 seconds West to a point,

Thence following a line a distance of 652.54 feet on a bearing of North 88 degrees 52 minutes 2 seconds East to a point,

Thence following a line a distance of 624.36 feet on a bearing of South 1 degree 12 minutes 58 seconds East to a point,

Thence following a line a distance of 1087.73 feet on a bearing of North 88 degrees 52 minutes 2 seconds East to a point in the Westerly Limit of State Road 7 (US 441) as shown on Plat of Versailles P.U.D. of the Public Records of Palm Beach County, Florida in Plat Book 93 Pages 17 thru 39.

Thence Southerly following the Westerly limit of State Road 7 (US 441) 165 foot Right of Way as per O.R.B. 9508 Page 1202 and O.R.B. 9488 Page 1661 of the Public Records of Palm Beach County, Florida.

Thence Easterly along the Northerly Limit of aforesaid Section 25 to a point measured 180.92 feet from the Northeasterly corner of said Section 25 said point being the Westerly Limit of State Road 7 (US 441) as per O.R.B. 5642 Page 1160.

Thence Southerly along the Westerly Limit of State Road 7 (US 441) as shown on Plat Shoppes at Wycliffe of the Public Records of Palm Beach County, Florida in Plat Book 83 Pages 41 thru 43 to a point of intersection with the North East corner of Tract 'P' of Plat Wycliffe Plat One of the Public Records of Palm Beach County, Florida in Plat Book 62 Pages 8 thru 13.

Thence Southerly along the Westerly Limit of State Road 7 (US 441) Right of Way as per O.R.B. 5642 Page 1610 to the intersection of the Southerly Limit of aforesaid Section 25.

Thence Westerly following the Southerly Limit of aforesaid Section 25 to the Southeasterly corner of Section 26 Township 44 South, Range 41 East.

Thence Westerly following the Southerly Limit of aforesaid Section 26 to the Northeasterly corner of Section 34 Township 44 South, Range 41 East.

Thence Southerly along the Easterly Limit of aforesaid Section 34 to the Southeasterly corner of aforesaid Section 34 to the Northeasterly corner of Section 39, Township 44 South, Range 41 East.

Thence Southerly along the Easterly Limit of aforesaid Section 39 to the Northeasterly corner of Section 3, Township 45 South, Range 41 East.

Thence following the Easterly Limit of aforesaid Section 3 to the Southeast corner of Section 3.

Thence Westerly along the Southerly Limit of said Section 3 to the intersection of the North Right of Way Limit of the Central and Southern Flood Control District's Levee 40.

Thence Northerly following the Northerly Limit of said Levee 40 to the intersection of the Easterly Limit of Section 4, Township 45 South, Range 41 East.

Thence Northerly along the Northerly Limit of said Levee 40 to the Southerly Limit of Section 40, Township 44 South, Range 41 East.

Thence Northerly along the Northerly Limit of said Levee 40 to the Southerly Limit of Section 33, Township 44 South, Range 41 East.

Thence Northerly along aforesaid Northerly Limit of said Levee 40 to the intersection with the East Limit of Section 31 Township 44 South, Range 41 East.

Thence Northerly along aforesaid Northerly Limit of said Levee 40 to the intersection with the South Limit of Section 30 Township 44 South, Range 41 East.

Thence Northerly along aforesaid Northerly Limit of said Levee 40 to the intersection of the Easterly Limit of Section 25 Township 44 South, Range 40 East.

Thence Northerly along aforesaid Northerly Limit of said Levee 40 to the intersection of the Northerly Limit of aforesaid Section 25 Township 44 South, Range 40 East.

Thence Easterly along aforesaid Northerly Limit of said Section 25 to the Westerly limit of Section 30 Township 44 South, Range 41 East.

Thence Northerly along the Easterly Limit of Section 24, Township 44 South, Range 40 East to the Southwesterly corner of Section 13, Township 44 South, Range 40 East.

Thence Northerly along aforesaid Easterly Limit of said Section 13 to the Southwesterly corner of Section 12, Township 44 South, Range 40 East.

Thence Westerly along the said Southerly Limit of Section 12 to the Southwest corner of said Section.

Thence Northerly along the Westerly Limit of said Section 12 to the Southwest corner of Section 1, Township 44 South, Range 40 East.

Thence Northerly along the Westerly Limit of Section 1 to the Southeast corner of Section 1 Hiatus.

Thence Northerly along the Westerly Limit of Section 1 Hiatus to the Southeast corner of Section 36, Township 43 South, Range 40 East.

Thence along the Westerly Limit of said Section 36 to the intersection of the South Right of Way line of the West Palm Beach Canal.

Thence following the aforesaid Southerly Limit of said West Palm Beach Canal to the intersection of the Westerly Limit of Section 31 Township 43 South, Range 41 East.

Thence following the aforesaid Southerly Limit of said West Palm Beach Canal to the intersection of the Westerly Limit of Section 32 Township 43 South, Range 41 East.

Thence following the aforesaid Southerly Limit of said West Palm Beach Canal to the intersection of the Westerly Limit of Section 33 Township 43 South, Range 41 East.

Thence following the aforesaid Southerly Limit of said West Palm Beach Canal to the intersection of the Westerly Limit of Section 34 Township 43 South, Range 41 East.

Thence following the aforesaid Southerly Limit of said West Palm Beach Canal to the intersection of the Westerly Limit of Section 35 Township 43 South, Range 41 East.

Thence following the aforesaid Southerly Limit of said West Palm Beach Canal to the Point of Commencement.

Landowners within the existing boundaries of the Acme Improvement District shall not be obligated or taxed to pay for the cost of amending the District boundaries or to pay the cost of any improvements made by the District to benefit the lands being included within the boundaries of the District by this Act.

Section 2. Provisions of Other Laws Made Applicable.—The Acme Improvement District hereby created shall be a public corporation of this state. The provisions of the General Drainage Laws of Florida applicable to drainage districts or subdrainage districts which are embodied in chapter 298, Florida Statutes, and all of the laws amendatory thereof, now existing or hereafter enacted, so far as not inconsistent with this Act are hereby declared to be applicable to said Acme Improvement District. Said Acme Improvement District shall have all of the powers and authorities mentioned in or conferred by said chapters 298 and 189, Florida Statutes, and acts amendatory thereof, and all other applicable general laws, except as herein otherwise provided.

Section 3.

(1) Powers of the District.—The District shall have the power to sue and be sued by its name in any court of law or in equity; to make contracts to adopt and use a corporate seal and to alter the same at pleasure; to acquire by purchase, gift, or condemnation real and personal property, either or both, within or without the District, and to convey and dispose of such real and personal property, either or both, as may be necessary or convenient to carry out any of the purposes of this Act and chapter 298, Florida Statutes; to construct, operate, and maintain canals, ditches, drains, levees, and other works for drainage purposes; to acquire, purchase, operate, and maintain pumps, plants, and pumping systems for drainage purposes; to construct, operate, and maintain irrigation works, machinery, and plants; to construct, improve, pave, and maintain roadways and roads necessary and convenient for the exercise of any of the powers or duties of said District or the supervisors thereof; and in furtherance of the purposes and intent of this Act and

chapter 298, Florida Statutes, to construct, improve, pave, and maintain roadways and roads necessary and convenient to provide access to and efficient development of areas made suitable and available for cultivation, settlement, and other beneficial use and development as a result of the drainage and reclamation operations of the District; to construct and maintain recreation areas and facilities; to acquire, construct, finance, and maintain water plants and systems to produce, purify, and distribute water for consumption; to acquire, construct, finance, and maintain sewer systems for the collection and disposal of waste and to prevent water pollution in the District; to distribute from its water plants water for consumption to users within and without the District boundaries and to provide sewer collection and disposal of waste to lands within and without the District boundaries; however, the area without the District boundaries shall extend no farther east than State Road 7, no farther south than the existing District boundary, no farther north than State Road 80, and no farther west than the existing District boundary, but shall include Section 13, Township 44 South, Range 40 East, and the easterly boundary of L-40 along the southwesterly boundary of the District; the grant of power to the District to distribute water and to provide sewer collection and dispose of waste to the area within and without the District boundaries shall not preempt efforts by Palm Beach County to manage development in Palm Beach County consistent with the authority and power as contained in the Charter of Palm Beach County and through its comprehensive planning process as provided in chapter 163, Florida Statutes, and rules and regulations enacted thereunder, and in furtherance of such limitation, the Board of County Commissioners of Palm Beach County shall review and approve each proposed distribution of water and provision of sewer allocation and disposal of water to the lands without the District boundaries for a determination of consistency with the county's comprehensive plan, or element or portion thereof, or any land development regulations or codes or amendments thereto, and any such proposed distribution, provision, or disposal determined to be inconsistent with the plan, regulations, or codes or amendments thereto by the Board of County Commissioners is prohibited; to construct and maintain a system of road and street lighting; to construct and maintain facilities for and take measures to control mosquitoes and other pests; to acquire, construct, and maintain conservation areas and sanctuaries for the storage of water for water control and irrigation purposes and for preservation of wildlife; to borrow money and issue negotiable or other bonds of said District as hereinafter provided; to borrow money, from time to time, and issue negotiable or other notes of said District therefor, bearing interest at not exceeding the maximum interest allowable by law in anticipation of the collection of taxes, levies, and assessments or revenues of said District, and to pledge or hypothecate such taxes, levies, assessments, and revenues to secure such bonds, notes, or obligations, and to sell, discount, negotiate, and dispose of the same; and to exercise all other powers necessary, convenient, or proper in connection with any of the powers or duties of said District stated in this Act. The powers and duties of said District shall be exercised by and through the Board of Supervisors thereof, which Board shall have the authority to employ engineers, attorneys, agents, employees, and representatives as the Board of Supervisors may from time to time determine, and to fix their compensation and duties. All powers and authority of the District shall extend and apply

to the District as a whole and to each unit of development as from time to time may be designated by the Board of Supervisors.

(2) Additional Powers of District.—In addition to the powers contained in subsection (1) herein, chapters 189 and 298, Florida Statutes, and as provided for herein and such other applicable laws, the Acme Improvement District in Palm Beach County, formerly named the Acme Drainage District, shall have the authority and power to:

(a) Provide parks, preserves, playgrounds, recreation areas, and facilities and programs in the same manner and to the same extent as is provided by section 125.01(1)(f), Florida Statutes, which includes the authority to provide for the construction, operation, and maintenance of such parks, preserves, playgrounds, recreation areas, facilities, and programs through the District's maintenance taxes and user fees and such other legally available revenues; provide recreation and playground equipment; employ supervisory personnel; organize and sponsor community and athletic teams and events; provide liability insurance to cover such projects; lease parks, preserves, playgrounds, recreation areas, and facilities; and provide any other programs and elements of parks, preserves, playgrounds, recreation areas, and facilities, the enumeration of the same not being exclusive.

(b) Purchase, acquire by gift, or otherwise obtain land for the purpose of constructing capital improvements for the District and finance the same through the maintenance taxes and user fees of the District.

(c) Study and take appropriate action to form a municipal government under the laws of this state covering the land in the District, and finance that effort from the maintenance taxes and user fees of the District.

(d) Appoint advisory boards and committees consisting of landowners in the District for the purpose of recommending policies, programs, and matters of public interest for the public good of the landowners and residents of the District.

(e) Require any individual or entity seeking to construct any structure upon or occupying District property or right-of-way, or connecting to or using the property of the District, to first obtain a permit from the District and comply with District rules, regulations, and specifications, and deny or revoke any permit or permit application if it finds that the matter for which the permit is sought or granted does not comply with District plans, rules, regulations, or policies. All costs, including construction, engineering, legal, and administration expenses of the District, must be paid by the applicant seeking the permit. This includes any structure to be constructed upon a lot, parcel, or land within the District to be connected to the works of the District.

(3) The Acme Improvement District shall have the power to participate in programs provided for under the provisions of Public Law 92-500 as they apply to the District. The District shall have the authority to adopt a system of changes to assure that each recipient of waste treatment services within the District's jurisdiction will pay its proportionate share of the costs of operations and maintenance including replacement, or any waste treatment

services provided by the District, and to make provisions for payment to the District by the industrial users of the treatment works of that portion of the cost of construction of such treatment works which is allocable to the treatment of such industrial wastes to the extent attributable to the Federal Governments Share of the Cost of Construction.

Roads for exclusive use and benefit of a unit of development or other designated area and its residents.—It is hereby found and declared that among the many causes of deterioration in residential neighborhoods are the proliferation of crime, excessive automobile flow, and excessive noise from automobile traffic. It is to the benefit of the land in the District and its ultimate users and residents and will serve a public purpose to include provision in a water management plan for roads for the exclusive use and benefit of a unit of development and its residents. The Acme Improvement District, therefore, has the power:

(a) To provide, by resolution, in a water management plan for a unit of development, roads for the exclusive use and benefit of a unit of development and its landowners, residents, and invitees to control ingress and egress.

(b) To finance and maintain such roads and their associated elements as part of a water management plan.

(c) To construct and maintain security structures to control the use of such roads.

(d) To make provision for access to such roads by fire, police, and emergency vehicles and personnel for the protection of life and property in the unit of development.

(e) To include in the annual assessment of taxes as authorized sufficient funds to finance and maintain such roads as part of a water management plan for a unit of development.

(f) To adopt, by resolution, rules and regulations for the control of traffic, noise, crime, and the use of the roads by those persons authorized to use them.

(g) To provide, by resolution, in a water management plan, for the exclusive use of roads under this section if the written consent of the owners of 75 percent of the land within the unit has been obtained.

The provisions of this section also apply to any designated area in the District as if that area were a unit of development, upon the written consent of the owners of seventy-five percent (75%) of the land within the designated area.

Section 4. Board of Supervisors; Organization; Terms of Office; Election; Vacancy.—Effective March 28, 1996, at 7 p.m., the terms of office of the Board of Supervisors of the Acme Improvement District terminated, and the Village Council members of the Village of Wellington assumed the duties and responsibilities of the Board of Supervisors and thereafter have constituted the Board of Supervisors. The provisions of section 5 of the Village of

Wellington Charter shall govern the organization, terms of office, elections, and filling of vacancies for the Board of Supervisors.

Section 5. The supervisors of Acme Improvement District shall serve without compensation, per diem or otherwise, but shall be entitled to reimbursement for travel expenses as provided by law.

(1) The village manager shall have all the same authorities as those of the chief administrator of Acme Improvement District as may be necessary to effectuate the purposes of the village.

(2) The village, which controls and operates Acme Improvement District, a dependent District of village, hereby reauthorizes Acme Improvement District to establish rates, fees, charges, and surcharges on water and sewer utility services to consumers located outside the boundaries of the village and the District pursuant to the criteria set forth in section 180.191, Florida Statutes, and ratifies the prior imposition of such rates, fees, charges, and surcharges.

(3)(a) The village hereby provides that all unpaid water and sewer utility charges shall constitute a lien on the real property affected ninety (90) days following the date on which the water and sewer utility charges are due and payable. All unpaid water and sewer utility charges shall bear interest at the prevailing market rate of interest, but no less than a rate of five percent (5%) per annum from the date when the same became due and payable.

(b) If any water and sewer utility charges become delinquent by not being fully paid within ninety (90) days following the date on which the water and sewer utility charges are due and payable, and remain delinquent, the District shall cause to be prepared a notice of lien containing the amount of the delinquent charges, including the amount of the first penalty, a legal description of the unit of real property against which the lien is imposed, and the name of the owner of such real property as indicated on the real property records maintained by the property appraiser of the county. Said notice of lien shall be recorded in the public records of the county prior to the completion of the fiscal year for which the charges are levied, or as soon thereafter as the District shall determine. A copy of the notice of lien shall be served on the owner of record as provided in section 713.18, Florida Statutes, within ten (10) days after the notice of lien is recorded.

(c) Until fully paid and discharged or barred by law, such liens shall be prior to all other liens, except that such liens shall be on parity with a lien of state, county, and municipal taxes, and any lien for charges for services created pursuant to section 159.17, Florida Statutes.

(d) All costs of enforcement of such liens, including reasonable attorney's fees and costs, shall become a lien upon the real property affected and shall bear interest at the prevailing market rate of interest but not less than a rate of five percent (5%) per annum from the date when the same became due and payable.

(e) Upon full payment of the delinquent water and sewer utility charges, including the costs of enforcement of any lien, District shall promptly dis-

charge its recorded lien by recording a release of lien in the public records of Palm Beach County.

(f) Foreclosure of all liens imposed under this section shall be in the manner prescribed by chapter 173, Florida Statutes.

(g) This section shall operate retroactively to apply to liens previously filed by the District for failure to pay delinquent water and sewer utility charges and to all other delinquent utility charges, whether or not a notice of lien has been filed by the District.

(h) Any unpaid water and sewer utility charges incurred by a former tenant of rental property shall not be the basis for any lien against the rental property or action against the present tenant or owner to recover such charges, except to the extent that the present tenant or owner has benefited directly from the service provided to the former occupant.

Section 6. Meetings of Landowners.—Each year during the month of January, a meeting of the landowners of said District shall be held for the purpose of receiving reports of the Board of Supervisors and considering any matters upon which the Board of Supervisors may request the advice and view of the landowners. The Board of Supervisors shall have the power to call special meetings of the landowners at any time to receive reports of the Board of Supervisors or consider and act upon any matter upon which the Board of Supervisors may request advice. Notice of all meetings of the landowners shall be given by the Board of Supervisors by causing publication thereof to be made for two (2) consecutive weeks prior to such meetings in a newspaper of general circulation published in Palm Beach County. The meetings of the landowners shall be held in some public place in said county, and the place, day, and hour of holding such meeting shall be stated in the notice. The landowners, when assembled, shall organize by electing a chair who shall preside at the meeting. The secretary of the Board of Supervisors shall be the secretary of such meeting. At all such meetings, each and every acre of land in the District shall represent one share, and each owner shall be entitled to one vote in person or by written proxy for every acre or part of an acre of land owned by him or her in the District. At any landowners meeting, a quorum shall constitute the owners of land in the District present in person or voting by proxy. Guardians may represent their wards; personal representatives may represent the estates of deceased persons; trustees may represent lands held by them in trust; and private corporations may be represented by their officers or duly authorized agents. Guardians, personal representatives, trustees, and corporations may vote by proxy.

Section 7. Taxes, Levied and Apportioned, and the Collection Thereof.—Taxes shall be levied and apportioned as provided for in the General Drainage Laws of Florida (chapter 298, Florida Statutes, and amendments thereto and other applicable general laws). In lieu thereof, the following provision shall apply to said District.

(1) It shall be the duty of the Tax Collector of Palm Beach County to receive the “Drainage Tax Book” each year, and he or she is hereby empowered and it shall be his or her duty to promptly and faithfully collect the tax therein set out and to exercise all due diligence in so doing. He or she is

further directed and ordered to demand and collect such taxes at the same time that he or she demands and collects county taxes due on the same lands. Where any tract or part thereof has been divided and sold or transferred, the Collector shall receive taxes on any part of any tract, piece, or parcel of land charged with such taxes and give his or her receipt accordingly. The above and foregoing "Drainage Tax Book" shall be the warranty and authority of the Collector for making such demand and collection. The said Collector shall pay over and account for all monies collected thereon to the Treasurer of said District at the same time when he or she pays over county taxes. Said Collector shall verify by affidavit his or her said return. The Board of Supervisors may in its discretion determine it is for the best interest of the District that the annual tax levies be collected by the Treasurer of the District, and in the event said Board shall so determine, then the Treasurer of the District shall receive the "Drainage Tax Book" and he or she is hereby empowered and it shall be his or her duty to collect the tax in the same manner as the Tax Collector would, and the Treasurer shall be substituted for and perform all the duties and actions of the Tax Collector in the collection and enforcement of the annual taxes and tax liens, and the said Treasurer shall have the same powers as are by this Act vested in the Tax Collector. The said Tax Collector or Treasurer shall likewise collect the delinquent taxes of said District and demand payment therefor in the manner as provided for the collection of delinquent county taxes. The Tax Collector shall retain for his or her services one percent of the amount he or she collects on current taxes and two percent on the amount he or she collects on delinquent taxes. The Treasurer shall receive no extra compensation for collecting the annual tax.

(2) Levies of Taxes on Land Less Than One Acre.—In levying and assessing all taxes, each tract or parcel of land less than one acre in area shall be assessed as a full acre, and each tract or parcel of land more than one acre in area which contains a fraction of an acre shall be assessed at the nearest whole number of acres, a fraction of one-half or more to be assessed as a full acre.

Section 8. When Unpaid Taxes Delinquent; Penalty; Sale of Lands for Delinquent Taxes, etc.—All taxes provided for in this Act remaining unpaid after the first day in April of the year following that for which said taxes are levied shall be and become delinquent and bear a penalty of two percent a month on the amount of said taxes from date of delinquency until paid. In computing said penalty, each fractional part of a month shall be counted as a full month. In lieu thereof, the provisions of the Florida Statutes relating to the sale of lands for unpaid and delinquent county taxes, the issuance, sale, and delivery of tax certificates for such unpaid and delinquent county, the redemption thereof, the issuance to individuals of tax deeds based thereon, and the procedure in connection therewith shall be applicable to said District and the delinquent and unpaid taxes of said District to the same extent as if said statutory provisions were expressly set forth in this Act.

Section 9. Forfeiture of Title to Tax Delinquent Lands to District; Sale of Tax Forfeited Lands; Suits to Enforce Liens.—The following shall apply to said District:

The fee simple title to all lands in said District against which there are outstanding tax sale certificates held by said District or its Board of Supervisors for more than two (2) years from the date thereof shall be absolutely vested in said District, and every right, title, or interest of every nature or kind whatsoever of the former owner of said property, or anyone claiming by, through, or under him or her, or anyone holding a lien thereon, shall cease, terminate, and end, and said District may sell said lands in the manner provided in this section. No court in this state, either federal or state, shall have jurisdiction to entertain any suit brought by the former owner of said lands or anyone claiming by, through, or under him or her for the purpose of questioning or in any way litigating or contesting the title of said District or its grantees to said lands. Lands to which said District or its Board of Supervisors shall acquire title under the provisions of this Act or under the provisions of any other law may be sold in the manner following:

(1) Any lands to which the Board has acquired title, or may hereafter acquire title, may be sold by the Board at any time for the best price obtainable therefor.

(2) All sales of land shall be for cash or upon terms and security to be approved by the Board, but deed shall not be executed until full payment shall have been made.

(3) Before selling any land, it shall be the duty of the Board to cause a notice of intention to sell to be published in a newspaper published in Palm Beach County, Florida, once each week for three (3) successive weeks (three insertions being sufficient), the first publication of which shall be not less than thirty (30) nor more than forty-five (45) days prior to any sale, which said notice shall set forth the time and place of the sale and a description of the lands to be offered for sale, and it shall be the further duty of the Board to send registered mail at least fifteen (15) days before the date of sale a copy of such proposed notice to the last known address of the person, firm, or corporation to whom the lands described in said notice were last assessed, if known. However, the failure of the person, firm, or corporation to whom said land was last assessed to receive such notice shall not invalidate the sale or affect the rights of the purchaser thereunder, nor shall the failure of the Board to give such notice by mail invalidate the sale or affect the rights of the purchaser thereunder, it being the intention that this provision for mailing of said notice shall be directory only.

Provided, however, the District or its Board of Supervisors may, before any tax sale certificates held by said District or its Board of Supervisors become two (2) years old, foreclose the lien established by such certificate by an action in Chancery. The pleadings, process, proceedings, practice, and sales in cases brought for the foreclosure of such lien shall be the same as in actions for the enforcement of mortgages upon real estate. One or more parcels of land may be included in one suit.

Section 10. Uniform Acreage Tax for Payment of Expenses.—There is hereby levied by the Legislature of the State of Florida upon each and every acre of land within said Acme Improvement District, as defined in this Act, a uniform tax of twenty-five cents (\$0.25) per acre to be used by said District,

through its said Board of Supervisors, for the purpose of paying expenses incurred or to be incurred in making surveys of the lands in said District, assessing benefits and damages and other expenses necessarily incurred, as may be estimated or determined by said Board of Supervisors, before said Board of Supervisors shall be in funds under the subsequent provisions of this Act. Such tax shall become due and payable on the first day of November, A.D. 1953, and shall become delinquent ninety (90) days thereafter. Said tax shall be a lien upon the lands in said District from the date of the enactment of this Act and shall be collected in the same manner as the annual installment of taxes. If it shall appear to the Board of Supervisors to be necessary to obtain funds to pay any expenses incurred or to be incurred in organizing said District, making said surveys, preparing the Plan of Reclamation, or other expenses of the conduct and operation of said District before a sufficient sum can be obtained by the collection of the acreage tax levied by this section of this Act, said Board of Supervisors may borrow a sufficient sum of money for any of said purposes at a rate of interest not exceeding six percent (6%) per annum, and may issue negotiable notes or bonds therefor signed by the members of said Board of Supervisors, and may pledge any and all assessments of said acreage tax levied under the provisions of this section for the payment thereof. Said Board of Supervisors may issue to any person or persons performing work or services or furnishing anything of value in the organization of said District or making surveys of the same and assessing benefits or damages or preparing said Plan of Reclamation and other expenses necessarily incurred before the receipt of funds arising from assessments or benefits, negotiable evidence of debt bearing interest at the rate not exceeding six percent (6%) per annum.

Section 11. Sale of Bonds.—Bonds may be sold in block installments at different times, or an entire issue or series may be sold at one time. Bonds may be sold at public or private sale after such advertisement, if any, as the Board of Supervisors may deem advisable, but not in any event at less than ninety percent (90%) of the par value thereof, together with accrued interest thereon. Bonds may be sold or exchanged for refunding bonds. Bonds payable from drainage taxes and revenue bonds may be delivered as payment from the District of the purchase price of any project or part thereof, or a combination of projects or parts thereof, or as the purchase price or exchange for any property, real or personal, or mixed, including franchises or services rendered by any contractor, engineer, or other person, all at one time or in blocks from time to time, in such manner and upon such terms as the Board of Supervisors in its discretion shall determine. The price or prices for any bonds sold, exchanged, or delivered may be:

- (1) The money paid for the bonds;
- (2) The principal amount, plus accrued interest to the date of redemption or exchange, or outstanding obligations exchanged for refunding bonds; or
- (3) The amount of any indebtedness to contractors or other persons paid with such bonds, or the fair value of any properties exchanged for the bonds, as determined by the Board of Supervisors.

Authorization and Form of Bonds.—Bonds may be authorized by resolution or resolutions of the Board of Supervisors which shall be adopted by a

majority of all the members thereof then in office. Such resolution or resolutions may be adopted at the same meeting at which they are introduced and need not be published or posted. The Board of Supervisors may, by resolution, authorize the issuance of bonds and fix the aggregate amount of bonds to be issued, the purpose or purposes for which the moneys derived therefrom shall be expended, the rate or rates of interest in compliance with Florida Statutes, the denomination of the bonds, whether or not the bonds are to be issued in one or more series, the date or dates of maturity, which shall not exceed forty (40) years from their respective dates of issuance, the medium of payment, the place or places within or without the state where payment shall be made, registration privileges, redemption terms and privileges, whether with or without premium, the manner of execution, the form of the bonds, including any interest coupons to be attached thereto, the manner of execution of bonds and coupons, and any and all other terms, covenants, and conditions thereof, and the establishment of revenue or other funds. Such authorizing resolution may further provide that such bonds may be executed manually or by engraved, lithographed, or facsimile signature. The seal of the District may be affixed, lithographed, engraved, or otherwise reproduced in facsimile on such bonds. In case any officer whose signature shall appear on any bonds or coupons shall cease to be such officer before the delivery of such bonds, such signature or facsimile shall nevertheless be valid and sufficient for all purposes, the same as if he or she had remained in office until such delivery.

Interim Certificates; Replacement Certificates.—Pending the preparation of definitive bonds, the Board of Supervisors may issue interim certificates or receipts or temporary bonds, in such form and with such provisions as the Board of Supervisors may determine, exchangeable for definitive bonds when such bonds shall have been executed and are available for delivery. The Board of Supervisors may also provide for the replacement of any bonds which shall become mutilated or be lost or destroyed.

Negotiability of Bonds.—Any bonds issued hereunder or temporary bond shall, in the absence of an express recital on the face thereof that it is non-negotiable, be fully negotiable and shall be and constitute negotiable instruments within the meaning and for all purposes of the law merchant and the laws of the state.

Defeasance.—The Board of Supervisors may make such provision with respect to the defeasance of the right, title, and interest of the holders of any of the bonds and obligations of the District in any revenues, funds, or other properties by which such bonds are secured as the Board of Supervisors deems appropriate and, without limitation, on the foregoing, may provide that when such bonds or obligations become due and payable or shall have been called for redemption, and the whole amount of the principal and interest and premium, if any, due and payable upon the bonds or obligations then outstanding shall be held in trust for such purpose, and provision shall also be made for paying all other sums payable in connection with such bonds or other obligations, then and in such event the right, title, and interest of the holders of the bonds in any revenues, funds, or other properties by which such bonds are secured shall thereupon cease, terminate, and become void, and the Board of Supervisors may apply any surplus in any

sinking fund established in connection with such bonds or obligations and all balances remaining in all other funds or accounts other than money held for the redemption or payment of the bonds or other obligations to any lawful purpose of the District as the Board of Supervisors shall determine.

Issuance of Additional Bonds.—If the proceeds of any bonds shall be less than the cost of completing the project in connection with which such bonds are issued, the Board of Supervisors may authorize the issuance of additional bonds, upon such terms and conditions as the Board of Supervisors may provide in the resolution authorizing the issuance thereof, but only in compliance with the resolution or other proceedings authorizing the issuance of the original bonds.

Refunding Bonds.—The District shall have the power to issue bonds to provide for the retirement or refunding of any bonds or obligations of the District that at the time of such issuance are or subsequently thereto become due and payable. Refunding bonds may be issued at any time when in the judgment of the Board of Supervisors such issuance will be advantageous to the District. The Board of Supervisors may, by resolution, confer upon the holders of such refunding bonds all rights, powers, and remedies to which the holders would be entitled if they continued to be the owners and had possession of the bonds for the refinancing of which said refunding bonds are issued, including, but not limited to, the preservation of the lien of such bonds on the revenues of any project or on pledged funds, without extinguishment, impairment, or diminution thereof. The provisions of this Act pertaining to bonds of the District shall, unless the context otherwise requires, govern the issuance of refunding bonds, the form and other details thereof, the rights of the holders thereof, and the duties of the Board of Supervisors with respect to the same.

Revenue Bonds.—The District shall have the power to issue revenue bonds from time to time without limitation as to amount. Such revenue bonds may be secured by, or payable from, the gross or net pledge of the revenues to be derived from any project or combination of projects, from the rates, fees, or other charges to be collected from the users of any project or projects, from any revenue producing undertaking or activity of the District, or from any other source of pledged security.

Drainage Tax Bonds.—

(1) The District shall have the power to issue bonds payable from drainage taxes from time to time, provided that the principal amount of each such issue shall not exceed ninety percent (90%) of the benefits assessed upon the lands of the District.

(2) Such bonds may be secured by or be payable from drainage taxes which may be deposited in a special fund to which the District may assign taxes for the benefit of the holders of such assessment bonds or other obligations, or to a trustee for such bondholders, including the tax liens provided for in this Act, unless such tax liens have been theretofore pledged for any bonds or other obligations authorized hereunder. In the event of the creation of such special fund and the issuance of such drainage tax bonds, the proceeds of such tax liens deposited therein shall be used only for the payment

of the drainage tax bonds issued as provided in this section. The District is hereby authorized to covenant with the holders of such drainage tax bonds that it will diligently and faithfully enforce and collect all the drainage taxes and interest and penalties thereon for which tax liens have been deposited in or assigned to such fund, and to foreclose such tax liens so assigned to such special fund, after such tax liens have become delinquent, and deposit the proceeds derived from such foreclosure, including interest and penalties, in such special fund, and to make any other covenants deemed necessary or advisable in order to properly secure the holders of such drainage tax bonds.

Bonds as Legal Investment or Security.—

(1) Notwithstanding any provisions of any other law to the contrary, all bonds issued under the provisions of this Act shall constitute a legal investment for savings banks, banks, trust companies, insurance companies, personal representatives, administrators, trustees, guardians, and other fiduciaries, and for any board, body, agency, instrumentality, county, municipality, or other political subdivision of the state, and shall be and constitute security which may be deposited by banks or trust companies as security for deposits of state, county, municipal, or other public funds or by insurance companies as required or voluntary statutory deposits.

(2) Any bonds issued by the District shall be incontestable in the hands of bona fide purchasers or holders for value and shall not be invalid because of any irregularity or defect in the proceedings for the issue and sale thereof.

Covenants.—Any resolution authorizing the issuance of bonds may contain such covenants as the Board of Supervisors may deem advisable, and all such covenants shall constitute valid and legally binding and enforceable contracts between the District and the bondholders, regardless of the time of issuance thereof. Such covenants may include, without limitation, covenants concerning the disposition of the bond proceeds, the use and disposition of project revenues, the pledging of revenues, taxes, and assessments, the obligations of the District with respect to the operation of the project and the maintenance of adequate project revenues, the issuance of additional bonds, the appointment, powers, and duties of trustees and receivers, the acquisition of outstanding bonds and obligations, restrictions on the establishing of competing projects or facilities, restrictions on the sale or disposal of the assets and property of the District, the priority of assessment liens, the priority of claims by bondholders on the taxing power of the District, the maintenance of deposits to assure the payment of revenues by users of District facilities and services, the discontinuance of District services by reason of delinquent payments, acceleration upon default, the execution of necessary instruments, the procedure for amending or abrogating covenants with the bondholders, and such other covenants as may be deemed necessary or desirable for the security of the bondholders.

Section 12. Full Authority for Issue and Sale of Bonds Authorized.—This Act shall, without reference to any other Act of the Legislature of Florida, be full authority for the issuance and sale of the bonds in this Act authorized, which bonds shall have all the qualities of negotiable paper under the law merchant and shall not be invalid for any irregularity or defect in the

proceedings for the issuance and sale thereof, and shall be incontestable in the hands of bona fide purchasers or holders thereof. No proceedings in respect to the issuance of any such bonds shall be necessary, except such as are required by this Act. The provisions of this Act shall constitute an irrepealable contract between the said Board of Supervisors and the said Acme Improvement District and the holders of any bonds and the coupons thereof issued pursuant to the provisions hereof. Any holder of any of said bonds or coupons may either in law or in equity by suit, action, or mandamus enforce and compel the performance of the duties required by this Act of any of the officers or persons mentioned in this Act in relation to the said bonds, or to the correct enforcement and application of the taxes for the payment thereof.

After the several bonds and coupons are paid and retired as herein provided, they shall be returned to the Treasurer, and they shall be canceled and an appropriate record thereof made in a book to be kept for that purpose, which record of paid and canceled bonds shall be kept at the office of the Treasurer and shall be open for inspection of any bondholder at any time.

Section 13. Approval of Board of Drainage Commissioners Not Required to Issue Bonds.—The Board of Supervisors may issue bonds under the provisions of this Act, without the approval of the Board of Drainage Commissioners of the State of Florida.

Section 14. Floating Indebtedness.—Prior to the issuance of bonds under the provisions of this Act, the Board of Supervisors may from time to time issue warrants or negotiable notes or other evidences of debt of said District, all of which shall be termed “Floating Indebtedness” in order to distinguish the same from the bonded debt provided for. The said notes or other evidences of indebtedness shall be payable at such times and shall bear interest at a rate not exceeding that provided for in section 215.84, Florida Statutes, for bonds and may be sold or discounted at such price or on such terms as the said Board may deem advisable. The Board shall have the right in order to provide for the payment thereof, to pledge the whole or any part of the taxes provided for in this Act, whether the same shall be theretofore or thereafter levied, and said Board shall have the right to provide that the said floating debt shall be payable from the proceeds arising from the sale of bonds, or from the proceeds of any such tax, or both.

Section 15. Use of Bonds and Interest Coupons in Payment of Taxes Not Authorized.—The provisions of sections Florida Statutes relating to the use of bonds and obligations in payment of drainage taxes shall not be applicable to said District and its bonds, obligations, and taxes.

Section 16. Payment of Taxes in Advance Not Authorized.—The provisions of Florida Statutes relating to the payment of taxes in advance shall not be applicable to said District.

Section 17. Eminent Domain.—The said Board of Supervisors is hereby authorized and empowered to exercise the right of eminent domain and may condemn for the use of said District any and all lands, easements, rights of way, riparian rights, and property rights of every description, in or out of

said District, required for the public purposes and powers of said Board as herein granted, and may enter upon, take, and use such lands as it may deem necessary for such purposes.

Section 18. Water a Common Enemy—It is hereby declared that in said District, surface waters, which shall include rainfall and the overflow of rivers and streams, are a common enemy, and the said District and any individual or agency holding a permit to do so from said District shall have the right to dike, dam, and construct levees to protect the said District or any part thereof, or the property of said individual or agency against the same, and thereby divert the course and flow of such surface waters and/or pump the water from within such dikes and levees.

Section 19. Unit Development; Powers of Supervisors to Designate Units of District and Adopt System of Progressive Drainage by Units; Plans of Reclamation and Financing Assessments, etc., for Each Unit.—The Board of Supervisors of Acme Improvement District shall have the power and is hereby authorized in its discretion to drain and reclaim or more completely and intensively to drain and reclaim the lands in said District by designated areas or parts of said District to be called “Units.” The units into which said District may be so divided shall be given appropriate numbers or names by said Board of Supervisors so that said units may be readily identified and distinguished. The Board of Supervisors shall have the power to fix and determine the location, area, and boundaries of lands to be included in each and all such units, the order of development thereof, and the method of carrying on the work in each unit. The unit system of drainage provided by this section may be conducted and all of the proceedings by this section and this Act authorized in respect to such unit or units may be carried on and conducted at the same time as or after the work of draining and reclaiming of the entire District has been or is being or shall be instituted or carried on under the provisions of this Act. If the Board of Supervisors shall determine that it is advisable to conduct the work of draining and reclaiming the lands in said District by units, as authorized by this section of this Act, said Board shall, by resolution duly adopted and entered upon its minutes, declare its purpose to conduct such work accordingly, and shall at the same time and manner fix the number, location, and boundaries of and description of lands within such unit or units and give them appropriate numbers or names. As soon as practicable after the adoption and recording of such resolution, said Board of Supervisors shall publish notice once a week for two (2) consecutive weeks in a newspaper published in Palm Beach County, Florida, briefly describing the units into which said District has been divided and the lands embraced in each unit, giving the name, number, or other designation of such units, requiring all owners of lands in said District to show cause in writing before said Board of Supervisors at a time and place stated in such notice why such division of said District into such units should not be approved, and said system of development by units should not be adopted and given effect by said Board, and why the proceedings and powers authorized by this section of this Act should not be had, taken, and exercised. At the time and place stated in said notice, said Board of Supervisors shall hear all objections or causes of objection (all of which shall be in writing) of any landowner in said District to the matters mentioned and referred to in such notice, and if no objections are made, or if said objections, if made, shall be

overruled by said Board, then said Board shall enter in its minutes its finding and order confirming said resolution and may thereafter proceed with the development, drainage, and reclamation of said District by units pursuant to such resolution and to the provisions of this Act. If, however, said Board of Supervisors shall find as a result of such objections, or any of them, or the hearing thereon, that the division of said District into such units as aforesaid should not be approved, or that said system of development by units should not be adopted and given effect, or that the proceedings and powers authorized by this section of this Act should not be had, taken, or exercised, or that any other matter or thing embraced in said resolution would not be in the best interest of the landowners of said District or would be unjust or unfair to any landowner therein or otherwise inconsistent with fair and equal protection and enforcement of the rights of every landowner in said District, then said Board of Supervisors shall not proceed further under such resolution, but said Board of Supervisors may, as a result of such hearing, modify or amend said resolution so as to meet such objections so made, and thereupon said Board may confirm said resolution as so modified or amended and may thereafter proceed accordingly. The sustaining of such objections and the rescinding of such resolutions shall not exhaust the power of said Board under this section; however, at any time not less than one (1) year after the date of the hearing upon any such resolution, the Board of Supervisors may adopt other resolutions under this section and thereupon proceed on due notice in like manner as above. If said Board of Supervisors shall overrule or refuse to sustain any such objections in whole or in part made by any landowner in the District, or if any such landowner shall deem himself or herself aggrieved by any action of the Board of Supervisors in respect to any objections so filed, such landowner may, within ten (10) days after the ruling of said Board, file his or her bill of complaint in the Circuit Court for Palm Beach County, Florida, in Chancery, against said District, praying an injunction or other appropriate relief against the action or any part of such action proposed by such resolution or resolutions of said Board, and such suits shall be conducted like other Chancery suits, except that said suits shall have preference over all other pending actions except criminal actions and writs of habeas corpus. Upon the hearing of said cause, said Circuit Court shall have the power to hear the objections and receive the evidence thereon of all parties to such cause and approve or disapprove said resolutions and action of said Board, in whole or in part, and to render such decree in such cause as right and justice require. When said resolutions creating said unit system shall be confirmed by the Board of Supervisors (or by the Circuit Court for Palm Beach County, Florida, if such proposed action shall be challenged by a landowner by the judicial proceedings hereinabove authorized), said Board of Supervisors may adopt a plan or plans of reclamation for and in respect to any or all such units, and to have the benefits and damages resulting therefrom assessed and apportioned by Commissioners appointed by the Circuit Court, and the report of the said Commissioners considered and confirmed, all in like manner as is provided by law in regard to Plans of Reclamation for and assessments for benefits and damages of the entire District. With respect to the Plan of Reclamation, notices, appointment of Commissioners to assess benefits and damages, report of Commissioners and notice and confirmation thereof, the levy of assessments and taxes, including maintenance taxes, and the issuance of bonds and all other

proceedings as to each and all of such units, said Board shall follow and comply with the same procedure as is provided by law with respect to the entire District, and said Board of Supervisors shall have the same powers in respect to each and all of such units as is vested in them with respect to the entire District. All the provisions of this Act shall apply to the drainage, reclamation, and improvement of each, any, and all of such units, and the enumeration of or reference to specific powers or duties of the Supervisors or any other officers or other matters in this Act as hereinabove set forth shall not limit or restrict the application of any and all of the proceedings and powers herein to the drainage and reclamation of such units as fully and completely as if such unit or units were specifically and expressly named in every section and clause of this Act where the entire District is mentioned or referred to. All assessments, levies, taxes, bonds, and other obligations made, levied, assessed, or issued for or in respect to any such unit or units shall be a lien and charge solely and only upon the lands in such unit or units, respectively, for the benefit of which the same shall be levied, made, or issued, and not upon the remaining units or lands in said District. The Board of Supervisors may at any time amend its said resolutions by changing the location and description of lands in any such unit or units, provided, further, that if the location of or description of lands located in any such unit or units is so changed, notice of such change shall be published as hereinabove required in this section for notice of the formation or organization of such unit or units, and all proceedings shall be had and done in that regard as are provided in this section for the original creation of such units or units, provided, however, that no lands against which benefits shall have been assessed may be detached from any such unit after the confirmation of the Commissioners' Report of benefits in such unit or units or the issuance of bonds or other obligations which are payable from taxes or assessments for benefits levied upon the lands within such unit or units. However, if, after the confirmation of the Commissioners' Report of benefits in such unit or units, or the issuance of bonds or other obligations which are payable from taxes or assessments for benefits levied upon lands within such unit or units, the Board of Supervisors finds the Plan of Reclamation for any such unit or units insufficient or inadequate for efficient development, the Plan of Reclamation may be amended or changed as provided in chapter 298, Florida Statutes, and the unit or units may be amended or changed as provided in this section, by changing the location and description of lands in any such unit or units, by detaching lands therefrom, or by adding lands thereto, upon the approval of at least fifty-one percent (51%) of the landowners according to acreage, in any such unit and of all of the holders of bonds issued in respect to any such unit, and in such event all assessments, levies, taxes, bonds, and other obligations made, levied, assessed, incurred, or issued for or in respect to any such unit or units may be allocated and apportioned to the amended unit or units in proportion to the benefits assessed by the Commissioners' Report for the amended Plan of Reclamation and said report shall specifically provide for such allocation and apportionment. The landowners and all of the bondholders shall file their approval of or objections to such amended Plan of Reclamation, and shall file their approval of or objections to the amendment of such unit as provided in this section. No lands shall be detached from any unit after the issuance of bonds or other obligations for such unit except upon the consent of all the holders of such

bonds or other obligations. In the event of the change of the boundaries of any unit as provided herein and the allocation and apportionment to the amended unit or units of assessments, levies, taxes, bonds, and other obligations in proportion to the benefits assessed by the Commissioner's Report for the amended Plan of Reclamation, the holder of bonds or other obligations heretofore issued for the original unit who consent to such allocations and apportionment shall be entitled to all rights and remedies against any lands added to the amended unit or units as fully and to the same extent as if such added lands had formed and constituted a part of the original unit or units at the time of the original issuance of such bonds or other obligations, and regardless of whether the holders of such bonds or other obligations are the original holders thereof or the holders from time to time hereafter, and the rights and remedies of such holders against the lands in the amended unit or units, including any lands added thereto, under such allocation and apportionment, shall constitute vested and irrevocable rights and remedies to the holders from time to time of such bonds or other obligations as fully and to the same extent as if such bonds or other obligations had been originally issued to finance the improvements in such amended unit or units under such amended Plan of Reclamation.

Section 4. The Acme Improvement District may amend its master water management plan in the manner provided by chapter 298, Florida Statutes, as it may from time to time be amended, and consistent with other applicable provisions of law.

Section 5. If any provision of this act or the application thereof to any person or circumstance is held invalid, the invalidity shall 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 6. This act shall be construed as a remedial act and shall be liberally construed to promote the purpose for which it is intended.

Section 7. Chapters 28557 (1953), 30391 (1955), 57-568, 57-1103, 59-706, 63-864, 70-856, 75-470, 77-619, 79-537, 82-349, 83-490, 87-440, 90-416, 91-371, 92-342, 94-473, 94-474, and 2000-419, Laws of Florida, are repealed.

Section 8. The Acme Improvement District, an independent special District created by a Special Act of the Legislature, became a dependent District of the Village of Wellington on March 28, 1996. All Special Acts of the Acme Improvement District became ordinances of the Village of Wellington on March 28, 1996. The assets, liabilities, and written contracts of the Acme Improvement District, including all rights, obligations, duties, and relationships now existing by law or agreement, are unaffected and remain in full force and effect and shall be those of the District as a dependent District of the Village of Wellington. All rights, claims, action, orders, and contracts of the special District and all legal or administrative proceedings involving the District shall continue in full force and effect under the jurisdiction of the District as a dependent District of the Village of Wellington.

Section 9. To the extent not inconsistent with the Village of Wellington Charter, all resolutions and policies of the Acme Improvement District shall remain in effect until amended, revised, or repealed by the Village Council.

Section 10. Additional provisions which are necessary to effect the transition and to provide for the operation of the Acme Improvement District as a dependent District of the Village of Wellington shall be adopted by ordinance.

Section 11. This act shall take effect upon becoming a law.

Approved by the Governor June 26, 2003.

Filed in Office Secretary of State June 26, 2003.