

Committee Substitute for House Bill No. 1541

An act relating to the Pine Tree Water Control District, Palm Beach County; codifying the district's charter; providing legislative intent; amending, codifying, reenacting, and repealing chapters 80-572, 82-358, and 2005-295, Laws of Florida; providing for the applicability of chapters 298 and 189, Florida Statutes, and other general laws; 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. (1) The reenactment of existing law in this act shall not be construed as a grant of additional authority to nor to supersede the authority of any entity pursuant to law. Exceptions to law contained in any special act that are reenacted pursuant to this act shall continue to apply.

(2) The reenactment of existing law in this act shall not be construed to modify, amend, or alter any covenants, contracts, or other obligations of the district with respect to bonded indebtedness. Nothing pertaining to the reenactment of existing law in this act shall be construed to affect the ability of the district to levy and collect taxes, assessments, fees, or charges for the purpose of redeeming or servicing bonded indebtedness of the district.

Section 2. Chapters 80-572, 82-358, and 2005-295, Laws of Florida, are amended, codified, reenacted, and repealed as herein provided.

Section 3. The charter for the Pine Tree Water Control District, an independent 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 such 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 the 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, an independent drainage district is hereby created and established in Palm Beach County, to be known as the Pine Tree Water Control District, the territorial boundaries of which shall be as follows, to wit:

Beginning at the Southeast corner of Section 24, Township 44 South, Range 40 East, run South 89° 43' 08" West, along the South line of said Section 24 a distance of 2,674.64 feet to the Northerly right of way of Canal L-40; thence North 56° 54' 19" West along said right of way of Canal L-40, a distance of 9,479.62 feet; thence North 42° 15' 14" West and continuing along said Canal right of way 7,363.27 feet to the West line of Section 10, Township 44 South, Range 40 East; thence South 01°

16' 05" West, along said West line of said Section 10, a distance of 57.57 feet; thence North 25° 11' 01" West along the aforementioned Northerly right of way of Canal L-40, a distance of 12,185.26 feet to the West line of Hiatus Lot 4; thence North 01° 14' 08" East along the West line of Hiatus Lot 4, a distance of 113.66 feet to the Southwest corner of Section 33, Township 43 South, Range 40 East; thence North 01° 14' 08" East along the West line of said Section 33, a distance of 1,532.34 feet to the South right-of-way line of the West Palm Beach Canal; thence South 88° 23' 22" East along said Canal right of way 4,981.18 feet; thence South 01° 04' 07" West, 1,541 feet to the South line of Section 33, Township 43 South, Range 40 East; thence South 42° 09' 30" East, 643.43 feet to the Northeast corner of Section 4, Township 44 South, Range 40 East; thence South 01° 16' 05" West along the East line of said Section 4, a distance of 5,314.41 feet to the Southeast corner of said Section 4; thence North 89° 44' 30" East along the North line of Section 10, Township 44 South, Range 40 East, 4,875.18 feet; thence run North 01° 15' 49" East, 5,304.15 feet to a point on the South line of Hiatus Lot 3; thence North 01° 25' 51" East, 515.41 feet; thence North 87° 27' 20" West, 106.75 feet; thence North 00° 51' 10" East, 1,336.85 feet to the South right-of-way line of West Palm Beach Canal; thence South 88° 21' 18" East along the South right of way of said Canal 363,94 feet; thence continue along the South line of said Canal right of way South 88° 28' 22" East, 200.02 feet; thence South 00° 56' 00" West, 1,544.21 feet to the South line of Section 35, Township 43, South, Range 40 East; thence South 24° 36' 48" East, 325 feet to the North line of Section 2, Township 44 South, Range 40 East, said line also being the South line of Hiatus Lot 2; thence South 01° 15' 44" West, 5,302.88 feet to the South line of said Section 2; thence South 89° 44' 30" West along the South line of said Section 2, a distance of 200.07 feet to the Southwest corner of said Section 2; thence South 01° 15' 44" West, along the West line of Section 11, Township 44 South, Range 40 East, 5,278.18 feet to the Southwest corner of said Section 11; thence North 89° 43' 57" East; along the North lines of Sections 14 and 13, Township 44 South, Range 40 East, 10,536.48 feet to the Northeast corner of said Section 13; thence South 01° 17' 26" West along the East line of said Section 13, a distance of 5,276.29 feet to the Southeast corner of said Section 13; thence South 01° 20' 00" West along the East line of Section 24, Township 44 South, Range 40 East, 5,279.90 feet to the Southeast corner of said Section 24 and the Point of Beginning.

Containing 4,022 acres, more or less.

which said boundary line embraces and includes those certain tracts or parcels of land situate in Palm Beach County, Florida, described as follows:

All of that part of the East Quarter of the Southeast Quarter of Section 34, Township 43 South, Range 40 East, lying South of the South right-of-way line of West Palm Beach Canal, the West boundary of which parcel being established by that certain Boundary Line Agreement dated November 1, 1956, recorded in Deed Book 1161, page 371, of the Public Records of Palm Beach County, Florida; all that part of the West 200 feet of Section 35, Township 43 South, Range 40 East, lying South of the

South right-of-way line of West Palm Beach Canal; the West 200 feet of Hiatus Lot 2, between Townships 43 and 44 South, Range 40 East; all of that part of Hiatus Lot 3, between Townships 43 and 44 South, Range 40 East, which lies East of that certain lines established as a boundary line by Boundary Line Agreement dated November 1, 1956, recorded in Deed Book 1161, page 371, Public Records of Palm Beach County, Florida; all of that part of Hiatus Lot 4, between Townships 43 and 44 South, Range 40 East, lying Easterly of the East right-of-way line of Levee L-40, excepting therefrom the east triangular portion lying East of a line running from the Southeast corner to a point 293 feet West of the Northeast corner thereof; the West 200 feet of Section 2, the East 400 feet of Section 3, all that part of Sections 4, 9, 15, 16, 22, 23 and 24, lying North and East of the Northeasterly boundary of the right-of-way of Levee L-40, and all of Section 10, 13 and 14, all in Township 44 South, Range 40 East, in Palm Beach County, Florida.

All of Section 33 lying South of West Palm Beach Canal in Township 43 South, Range 40 East, less the East 293 feet.

Section 2. Provisions of other laws made applicable.—The Pine Tree Water Control District, created in 1971, shall continue to be a public corporation of this state. The provisions of the Drainage and Water Control Laws of Florida applicable to water control districts which are embodied in chapter 298, Florida Statutes, so far as not inconsistent with this act, are declared to be applicable to the Pine Tree Water Control District. The Pine Tree Water Control District shall have all of the powers and authorities mentioned in or conferred by chapters 298 and 189, Florida Statutes, and all other applicable general laws, except as herein otherwise provided.

Section 3. Additional powers of the district.—The Pine Tree Water Control District, a water management district, in Palm Beach County, created under chapter 298, Florida Statutes, being an act relating to the creation and organization of water management districts, shall have in addition to the powers provided for in chapter 298, Florida Statutes, the power to construct, improve, pave, and maintain roadways and roads necessary and convenient for the exercise of the powers or duties or any of the powers or duties of the district; and in furtherance of the purposes and intent of chapter 298, Florida Statutes, to construct, improve, pave, and maintain streets, roadways, and roads necessary and convenient to provide access to and efficient development of areas made suitable and available for cultivation, agricultural, settlement, and other beneficial use and development as a result of the drainage, irrigation, and reclamation operations of the district.

Section 4. Board of supervisors.—The Board of Supervisors of the Pine Tree Water Control District in Palm Beach County shall be qualified and elected in accordance with the provisions of chapter 298, Florida Statutes; provided, however, that at least one of the members of the board of supervisors shall be a legal resident of Rustic Ranches in addition to the other qualifications provided for in chapter 298, Florida Statutes.

Section 5. Amendment of master plan.—The Pine Tree Water Control District may amend its master water management plan in the manner

provided by chapter 298, Florida Statutes, and consistent with other applicable provisions of law.

Section 4. 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 5. This act shall be construed as a remedial act and shall be liberally construed to promote the purpose for which it is intended.

Section 6. Chapters 80-572, 82-358, and 2005-295, Laws of Florida, are repealed.

Section 7. To the extent not inconsistent with general law, all agreements, obligations, resolutions, and policies of the Pine Tree Water Control District now in effect shall remain in effect until amended, revised, or repealed by the board of supervisors.

Section 8. This act shall take effect upon becoming a law.

Approved by the Governor June 1, 2009.

Filed in Office Secretary of State June 1, 2009.