

CHAPTER 2026-223

Committee Substitute for House Bill No. 4093

An act relating to the Fellsmere Water Control District, Indian River County; amending chapter 2017-203, Laws of Florida; providing that the district is a dependent district of Indian River County; providing that the Board of County Commissioners of Indian River County shall be the governing board of the district; revising the boundaries of the district; providing for maintenance and use of certain canals; providing for certain access to public records; providing a contingent effective date.

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

Section 1. Chapter 2017-203, Laws of Florida, is amended to read:

Section 1. Status and boundaries of Fellsmere Water Control District. The Fellsmere Water Control District is declared to be a dependent ~~an independent~~ water control district and a public corporation of the state pursuant to chapters 189 and 298, Florida Statutes, and the lands lying within the area described as follows in Indian River County shall constitute the Fellsmere Water Control District:

ALL THAT PART OF THE LANDS SITUATED AND BEING IN UNSURVEYED TOWNSHIP 31 SOUTH, RANGE 37 EAST AND UNSURVEYED TOWNSHIP 32 SOUTH, RANGE 37 EAST, INDIAN RIVER COUNTY FLORIDA, EMBRACED WITHIN THE FOLLOWING BOUNDARY LINES:

BEGIN AT THE NORTHEAST CORNER OF TRACT 123 OF THE "PLAT OF FELLSMERE FARMS COMPANY'S SUBDIVISION OF UNSURVEYED TOWNSHIP 32 SOUTH, RANGE 37 EAST, IN ST. LUCIE COUNTY, STATE OF FLORIDA" AS RECORDED IN PLAT BOOK 2, PAGE 8 OF THE PUBLIC RECORDS OF ST. LUCIE COUNTY, NOW INDIAN RIVER COUNTY, FLORIDA; SAID CORNER ALSO BEING ON THE SOUTH RIGHT OF WAY LINE OF DITCH AND ROAD 24 AS SHOWN ON SAID "PLAT OF FELLSMERE FARMS COMPANY'S SUBDIVISION OF UNSURVEYED TOWNSHIP 32 SOUTH, RANGE 37 EAST, IN ST. LUCIE COUNTY, STATE OF FLORIDA" AND ON THE "PLAT OF FELLSMERE FARMS COMPANY'S SUBDIVISION OF ALL UNSURVEYED TOWNSHIP 31 SOUTH, RANGE 37 EAST, IN ST. LUCIE COUNTY, STATE OF FLORIDA" AS RECORDED IN PLAT BOOK 2, PAGES 1 AND 2 OF THE PUBLIC RECORDS OF ST. LUCIE COUNTY, NOW INDIAN RIVER COUNTY, FLORIDA;

THENCE RUN WESTERLY, ALONG SAID SOUTH RIGHT OF WAY LINE OF SAID DITCH AND ROAD 24, APPROXIMATELY 2.32 MILES TO THE EAST RIGHT OF WAY LINE OF PARK LATERAL

CANAL, A 125-FOOT-WIDE RIGHT OF WAY AS RECORDED IN DEED BOOK 10, PAGE 15, INDIAN RIVER COUNTY, FLORIDA PUBLIC RECORDS;

THENCE RUN NORTHERLY, ALONG SAID EAST RIGHT OF WAY LINE OF PARK LATERAL CANAL, APPROXIMATELY 0.01 MILES TO THE NORTH RIGHT OF WAY LINE OF SAID DITCH AND ROAD 24;

THENCE RUN WESTERLY, ALONG SAID NORTH RIGHT OF WAY LINE OF DITCH AND ROAD 24, APPROXIMATELY 0.02 MILES TO THE WEST RIGHT OF WAY LINE OF SAID PARK LATERAL CANAL;

THENCE RUN NORTHERLY, ALONG SAID WEST RIGHT OF WAY LINE OF PARK LATERAL CANAL, APPROXIMATELY 0.99 MILES TO THE NORTH LINE OF TRACT 2128, ALSO BEING THE SOUTH RIGHT OF WAY LINE OF DITCH AND ROAD 20, OF SAID "PLAT OF FELLSMERE FARMS COMPANY'S SUBDIVISION OF ALL UNSURVEYED TOWNSHIP 31 SOUTH, RANGE 37 EAST, IN ST. LUCIE COUNTY, STATE OF FLORIDA";

THENCE RUN WESTERLY ALONG SAID NORTH LINE OF TRACT 2128, APPROXIMATELY 0.03 MILES, TO THE EAST LINE OF THE WEST 405.5 FEET OF SAID TRACT 2128;

THENCE RUN SOUTHERLY ALONG SAID EAST LINE OF THE WEST 405.5 FEET OF TRACT 2128, APPROXIMATELY 0.12 MILES, TO THE SOUTH LINE OF SAID TRACT 2128;

THENCE RUN WESTERLY ALONG THE SOUTH LINE OF SAID TRACT 2128 AND THE SOUTH LINE OF TRACTS 2127, 2126 AND 2125, APPROXIMATELY 0.46 MILES, TO THE WEST LINE OF SAID TRACT 2125, AS SHOWN ON SAID "PLAT OF FELLSMERE FARMS COMPANY'S SUBDIVISION OF ALL UNSURVEYED TOWNSHIP 31 SOUTH, RANGE 37 EAST, IN ST. LUCIE COUNTY, STATE OF FLORIDA";

THENCE RUN NORTHERLY ALONG SAID WEST LINE OF TRACT 2125, APPROXIMATELY 0.12 MILES, TO THE NORTHWEST CORNER OF SAID TRACT 2125 AND THE SOUTH RIGHT OF WAY LINE OF SAID DITCH AND ROAD 20 AS SHOWN ON SAID "PLAT OF FELLSMERE FARMS COMPANY'S SUBDIVISION OF UNSURVEYED TOWNSHIP 31 SOUTH, RANGE 37 EAST, IN ST. LUCIE COUNTY, STATE OF FLORIDA";

THENCE RUN WESTERLY ALONG SAID SOUTH LINE OF DITCH AND ROAD 20, APPROXIMATELY 1.16 MILES, TO THE CENTERLINE OF LATERAL "U" CANAL AS LAID OUT AND IN USE; SAID CANAL CENTERLINE ALSO BEING THE APPROXIMATE CENTERLINE OF THE LATERAL "U" RIGHT OF WAY OF SAID "PLAT OF FELLSMERE FARMS COMPANY'S SUBDIVISION OF ALL

UNSURVEYED TOWNSHIP 31 SOUTH, RANGE 37 EAST, IN ST. LUCIE COUNTY, STATE OF FLORIDA”;

THENCE RUN NORTHERLY ALONG SAID CENTERLINE OF LATERAL “U” CANAL, APPROXIMATELY 4.98 MILES TO THE NORTHERLY LIMITS OF SAID “PLAT OF FELLSMERE FARMS COMPANY’S SUBDIVISION OF ALL UNSURVEYED TOWNSHIP 31 SOUTH, RANGE 37 EAST, IN ST. LUCIE COUNTY, STATE OF FLORIDA”; SAID NORTHERLY LIMITS ALSO BEING THE COMMON TOWNSHIP LINE OF TOWNSHIP 30 AND 31 SOUTH, RANGE 37 EAST AND THE NORTH LIMITS OF INDIAN RIVER COUNTY, FLORIDA;

THENCE RUN EASTERLY ALONG SAID NORTHERLY LIMITS OF “PLAT OF FELLSMERE FARMS COMPANY’S SUBDIVISION OF ALL UNSURVEYED TOWNSHIP 31 SOUTH, RANGE 37 EAST, IN ST. LUCIE COUNTY, STATE OF FLORIDA”, SAID COMMON TOWNSHIP LINE OF TOWNSHIP 30 AND 31 SOUTH, RANGE 37 EAST, AND SAID NORTH COUNTY LINE, APPROXIMATELY 3.14 MILES TO THE INTERSECTION WITH THE SOUTHWESTERLY LINE OF THE FLEMING GRANT;

THENCE RUN SOUTHEASTERLY ALONG SAID SOUTHWESTERLY LINE OF THE FLEMING GRANT, APPROXIMATELY 1.21 MILES TO THE INTERSECTION WITH THE EAST LINE OF UNSURVEYED TOWNSHIP 31 SOUTH, RANGE 37 EAST, ALSO BEING THE COMMON RANGE LINE OF RANGE 37 AND 38 EAST AS SHOWN ON SAID “PLAT OF FELLSMERE FARMS COMPANY’S SUBDIVISION OF ALL UNSURVEYED TOWNSHIP 31 SOUTH, RANGE 37 EAST, IN ST. LUCIE COUNTY, STATE OF FLORIDA”;

THENCE RUN SOUTHERLY ALONG SAID EAST LINE OF UNSURVEYED TOWNSHIP 31 SOUTH, RANGE 37 EAST, AND THE EAST LINE OF UNSURVEYED TOWNSHIP 32 SOUTH, RANGE 37 EAST, APPROXIMATELY 5.15 MILES TO THE POINT OF BEGINNING.

SAID DESCRIBED DISTRICT LIMITS CONTAINING 14,090 ACRES MORE OR LESS.

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

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

~~TOWNSHIP 32 SOUTH, RANGE 36 EAST; UNSURVEYED TOWNSHIP 31 SOUTH, RANGE 37 EAST; AND UNSURVEYED TOWNSHIP 32 SOUTH, RANGE 37 EAST; INDIAN RIVER COUNTY, FLORIDA, EMBRACED WITHIN THE FOLLOWING BOUNDARY LINES:~~

~~BEGINNING AT A POINT ON THE EAST BOUNDARY LINE OF TRACT 1122 OF THE "PLAT OF FELLSMERE FARMS COMPANY'S SUBDIVISION OF UNSURVEYED TOWNSHIP 32 SOUTH, RANGE 36 EAST, IN ST. LUCIE COUNTY, STATE OF FLORIDA" AS RECORDED IN PLAT BOOK 2, PAGE 18 OF THE PUBLIC RECORDS OF ST. LUCIE COUNTY, NOW INDIAN RIVER COUNTY, FLORIDA, SAID LINE ALSO BEING THE WEST RIGHT OF WAY LINE OF LATERAL "S" CANAL (225' WIDE RIGHT OF WAY), SAID POINT BEING DISTANT 200 FEET SOUTHERLY FROM THE NORTHEAST CORNER OF SAID TRACT 1122;~~

~~THENCE RUN WESTERLY ALONG THE LINE BEING 200 FEET SOUTH OF, NORMAL TO, AND PARALLEL WITH THE NORTH BOUNDARY LINE OF SAID TRACT 1122, APPROXIMATELY 0.13 MILES TO THE INTERSECTION WITH A LINE BEING 680 FEET WEST OF, NORMAL TO, AND PARALLEL WITH THE EAST BOUNDARY LINE OF SAID TRACT 1122, AND TRACT 1022 OF SAID "PLAT OF FELLSMERE FARMS COMPANY'S SUBDIVISION OF UNSURVEYED TOWNSHIP 32 SOUTH, RANGE 36 EAST";~~

~~THENCE RUN NORTHERLY ALONG SAID PARALLEL LINE, APPROXIMATELY 0.12 MILES, ACROSS SAID TRACTS 1122, "DITCH AND ROAD 34", TRACT 1022 TO THE INTERSECTION WITH THE NORTH LINE OF THE SOUTH 400 FEET OF SAID TRACT 1022, SAID NORTH LINE BEING A PORTION OF THOSE CERTAIN PARCELS OF LAND OF THE ST. JOHNS RIVER WATER MANAGEMENT DISTRICT "QUIT CLAIM DEED" RECORDED IN OFFICIAL RECORDS BOOK 2042, PAGE 2262, PUBLIC RECORDS OF INDIAN RIVER COUNTY, FLORIDA, AS MENTIONED IN "SPECIAL WARRANTY DEED", OFFICIAL RECORDS BOOK 722, PAGE 1151, PUBLIC RECORDS OF INDIAN RIVER COUNTY, FLORIDA;~~

~~THENCE RUN WESTERLY ALONG SAID NORTH LINE APPROXIMATELY 0.13 MILES TO THE WEST BOUNDARY LINE OF SAID TRACT 1022;~~

~~THENCE RUN SOUTHERLY ALONG SAID WEST BOUNDARY LINE OF TRACT 1022, ALSO BEING THE EAST BOUNDARY LINE OF TRACT 1021 OF SAID PLAT OF FELLSMERE FARMS COMPANY'S SUBDIVISION OF UNSURVEYED TOWNSHIP 32 SOUTH, RANGE 36 EAST, APPROXIMATELY 0.02 MILES TO THE INTERSECTION WITH THE NORTH LINE OF THE SOUTH 310 FEET OF SAID TRACT 1021, AND TRACTS 1020, 1019, 1018, 1017, 1016 AND 1015 OF SAID PLAT OF FELLSMERE FARMS COMPANY'S~~

~~SUBDIVISION OF UNSURVEYED TOWNSHIP 32 SOUTH, RANGE 36 EAST, APPROXIMATELY 1.73 MILES, ACROSS SAID TRACTS 1021, 1020, 1019, "50 FEET ROAD RIGHT OF WAY", 1018, 1017, 1016 AND 1015 TO THE INTERSECTION WITH A LINE BEING 430 FEET EAST OF, NORMAL TO, AND PARALLEL WITH THE WEST BOUNDARY LINE OF SAID TRACT 1015;~~

~~THENCE RUN NORTHERLY ALONG SAID PARALLEL LINE, APPROXIMATELY 0.04 MILES, ACROSS SAID TRACT 1015 TO THE INTERSECTION WITH A LINE BEING THE SOUTH LINE OF THE NORTH 770 FEET OF SAID TRACT 1015;~~

~~THENCE RUN WESTERLY ALONG SAID SOUTH LINE TO THE INTERSECTION WITH A LINE BEING 230 FEET EAST OF, NORMAL TO, AND PARALLEL WITH THE WEST BOUNDARY LINE OF SAID TRACT 1015;~~

~~THENCE RUN NORTHERLY ALONG SAID PARALLEL LINE, AND EAST LINE OF THAT CERTAIN PARCEL OF LAND DESCRIBED AS "L-75 LEVEE", OFFICIAL RECORDS BOOK 1472, PAGE 547, PUBLIC RECORDS OF INDIAN RIVER COUNTY, FLORIDA, APPROXIMATELY 0.42 MILES ACROSS SAID TRACT 1015, AND "DITCH AND ROAD 33", TRACT 915, "DITCH AND ROAD 32", AND TRACT 815 OF SAID "PLAT OF FELLSMERE FARMS COMPANY'S SUBDIVISION OF UNSURVEYED TOWNSHIP 32 SOUTH, RANGE 36 EAST" TO A POINT OF CUSP;~~

~~THENCE RUN SOUTHEASTERLY ALONG THE CURVE CONCAVE TO THE NORTH OF THAT CERTAIN SOUTHERLY BOUNDARY PORTION OF PARCEL OF THE ST. JOHNS RIVER WATER MANAGEMENT "LA 2001-58 B", HAVING A PARCEL ID NO. OF 31360000001141800001.0 BY THE INDIAN RIVER COUNTY PROPERTY APPRAISER'S, A RADIUS OF 4,044.41 FEET AND AN ARC LENGTH OF APPROXIMATELY 1.06 MILES ACROSS SAID "DITCH AND ROAD 32", TRACT 915, 916, 917, 918 OF SAID "PLAT OF FELLSMERE FARMS COMPANY'S SUBDIVISION OF UNSURVEYED TOWNSHIP 32 SOUTH, RANGE 36 EAST" TO A POINT OF REVERSE CURVATURE;~~

~~THENCE CONTINUE AND RUN NORTHEASTERLY ALONG THE CURVE CONCAVE TO THE SOUTH AND SAID CERTAIN SOUTHERLY BOUNDARY PORTION OF PARCEL OF THE ST. JOHNS RIVER WATER MANAGEMENT "LA 2001-58 B", HAVING A RADIUS OF 170.01 FEET AND AN ARC LENGTH OF APPROXIMATELY 0.02 MILES, ACROSS SAID TRACT 918 AND "50 FEET ROAD RIGHT OF WAY" OF SAID "PLAT OF FELLSMERE FARMS COMPANY'S SUBDIVISION OF UNSURVEYED TOWNSHIP 32 SOUTH, RANGE 36 EAST" TO THE POINT OF TANGENCY;~~

~~THENCE RUN EASTERLY ALONG THE LINE BEING APPROXIMATELY 883 FEET NORTH OF, NORMAL TO AND PARALLEL WITH THE SOUTH BOUNDARY LINE OF TRACTS 919, 920, 921 AND 922 OF SAID "PLAT OF FELLSMERE FARMS COMPANY'S SUBDIVISION OF UNSURVEYED TOWNSHIP 32 SOUTH, RANGE 36 EAST" TO THE INTERSECTION WITH A LINE BEING 680 FEET WEST OF THE EAST BOUNDARY LINE OF SAID TRACT 922;~~

~~THENCE RUN NORTHERLY ALONG SAID PARALLEL LINE, APPROXIMATELY 0.71 MILES, ACROSS SAID TRACT 922, 822, 722, 622, "DITCH AND ROAD 32", "DITCH AND ROAD 31", AND "DITCH AND ROAD 30" OF SAID "PLAT OF FELLSMERE FARMS COMPANY'S SUBDIVISION OF UNSURVEYED TOWNSHIP 32 SOUTH, RANGE 36 EAST" TO THE INTERSECTION WITH A LINE BEING 640 FEET SOUTH OF, NORMAL TO, AND PARALLEL WITH THE NORTH BOUNDARY LINE OF SAID TRACT 622;~~

~~THENCE RUN WESTERLY ALONG SAID PARALLEL LINE, APPROXIMATELY 0.58 MILES, ACROSS TRACTS 622, 621 AND 620 OF SAID "PLAT OF FELLSMERE FARMS COMPANY'S SUBDIVISION OF UNSURVEYED TOWNSHIP 32 SOUTH, RANGE 36 EAST" TO THE INTERSECTION WITH A LINE BEING 1,021 FEET WEST OF, NORMAL TO, AND PARALLEL WITH THE EAST BOUNDARY LINE OF SAID TRACT 620;~~

~~THENCE RUN NORTHERLY ALONG SAID PARALLEL LINE, APPROXIMATELY 0.25 MILES, ACROSS SAID TRACT 620, TRACT 520 AND "DITCH AND ROAD 29" OF SAID "PLAT OF FELLSMERE FARMS COMPANY'S SUBDIVISION OF UNSURVEYED TOWNSHIP 32 SOUTH, RANGE 36 EAST" TO THE INTERSECTION WITH A LINE BEING 640 FEET SOUTH OF, NORMAL TO, AND PARALLEL WITH THE NORTH BOUNDARY LINE OF SAID TRACT 520;~~

~~THENCE RUN WESTERLY ALONG SAID PARALLEL LINE, APPROXIMATELY 0.46 MILES, ACROSS SAID TRACT 520, TRACT 519, 50 FEET WIDE ROAD RIGHT OF WAY AND TRACT 518 OF SAID "PLAT OF FELLSMERE FARMS COMPANY'S SUBDIVISION OF UNSURVEYED TOWNSHIP 32 SOUTH, RANGE 36 EAST" TO THE INTERSECTION WITH A LINE BEING 680 FEET WEST OF, NORMAL TO, AND PARALLEL WITH THE EAST BOUNDARY LINE OF SAID TRACT 518;~~

~~THENCE RUN NORTHERLY ALONG SAID PARALLEL LINE, APPROXIMATELY 0.38 MILES, ACROSS SAID TRACT 518, TRACT 418, "DITCH AND ROAD 28" AND "DITCH AND ROAD NO 27 OF SAID "PLAT OF FELLSMERE FARMS COMPANY'S SUBDIVISION OF UNSURVEYED TOWNSHIP 32 SOUTH, RANGE 36 EAST" TO THE NORTH RIGHT OF WAY LINE OF SAID "DITCH AND ROAD NO. 27", SAID NORTH RIGHT OF WAY LINE ALSO BEING THE SOUTH BOUNDARY LINE OF TRACT 318 OF SAID "PLAT OF~~

~~FELLSMERE FARMS COMPANY'S SUBDIVISION OF UNSURVEYED TOWNSHIP 32 SOUTH, RANGE 36 EAST";~~

~~THENCE RUN WESTERLY ALONG SAID SOUTH BOUNDARY LINE OF TRACT 318, APPROXIMATELY 0.06 MILES TO THE INTERSECTION WITH A LINE BEING 1,021 FEET WEST OF, NORMAL TO, AND PARALLEL WITH THE EAST BOUNDARY LINE OF SAID TRACT 318;~~

~~THENCE RUN NORTHERLY ALONG SAID PARALLEL LINE, APPROXIMATELY 0.25 MILES, ACROSS SAID TRACT 318 AND "DITCH AND ROAD 26" TO THE NORTH RIGHT OF WAY LINE OF SAID "DITCH AND ROAD 26", SAID NORTH RIGHT OF WAY LINE ALSO BEING THE SOUTH BOUNDARY LINE OF TRACT 218 OF SAID "PLAT OF FELLSMERE FARMS COMPANY'S SUBDIVISION OF UNSURVEYED TOWNSHIP 32 SOUTH, RANGE 36 EAST";~~

~~THENCE RUN WESTERLY ALONG SAID SOUTH BOUNDARY LINE OF TRACT 218 AND TRACT 217 OF SAID "PLAT OF FELLSMERE FARMS COMPANY'S SUBDIVISION OF UNSURVEYED TOWNSHIP 32 SOUTH, RANGE 36 EAST", APPROXIMATELY 0.19 MILES TO THE INTERSECTION WITH A LINE BEING 680 FEET WEST OF, NORMAL TO, AND PARALLEL WITH THE EAST BOUNDARY LINE OF SAID TRACT 217;~~

~~THENCE RUN NORTHERLY ALONG SAID PARALLEL LINE, APPROXIMATELY 0.25 MILES, ACROSS SAID TRACT 217 AND "DITCH AND ROAD 25" TO THE NORTH RIGHT OF WAY LINE OF SAID "DITCH AND ROAD 25", SAID NORTH RIGHT OF WAY LINE ALSO BEING THE SOUTH BOUNDARY LINE OF TRACT 117 OF SAID "PLAT OF FELLSMERE FARMS COMPANY'S SUBDIVISION OF UNSURVEYED TOWNSHIP 32 SOUTH, RANGE 36 EAST";~~

~~THENCE RUN WESTERLY ALONG SAID SOUTH BOUNDARY LINE OF TRACT 117, APPROXIMATELY 0.06 MILES TO THE INTERSECTION WITH A LINE BEING 1,021 FEET WEST OF, NORMAL TO, AND PARALLEL WITH THE EAST BOUNDARY LINE OF SAID TRACT 117;~~

~~THENCE RUN NORTHERLY ALONG SAID PARALLEL LINE, APPROXIMATELY 0.25 MILES, ACROSS SAID TRACT 117 AND THE SOUTH ONE-HALF RIGHT OF WAY OF "DITCH AND ROAD 24" (60' WIDE R.O.W.) TO THE NORTH BOUNDARY LIMITS OF THE "PLAT OF FELLSMERE FARMS COMPANY'S SUBDIVISION OF UNSURVEYED TOWNSHIP 32 SOUTH, RANGE 36 EAST, IN ST. LUCIE COUNTY, STATE OF FLORIDA" AS RECORDED IN PLAT BOOK 2, PAGE 18 OF THE PUBLIC RECORDS OF ST. LUCIE COUNTY, NOW INDIAN RIVER COUNTY, FLORIDA, SAID NORTH BOUNDARY LIMITS ALSO BEING THE SOUTH BOUNDARY LIMITS OF THE "PLAT OF FELLSMERE FARMS COMPANY'S~~

~~SUBDIVISION OF UNSURVEYED TOWNSHIP 31 SOUTH, RANGE 36 EAST, IN ST. LUCIE COUNTY, STATE OF FLORIDA” AS RECORDED IN PLAT BOOK 2, PAGE 9 OF THE PUBLIC RECORDS OF ST. LUCIE COUNTY, NOW INDIAN RIVER COUNTY, FLORIDA;~~

~~THENCE CONTINUE NORTHERLY ALONG THE PARALLEL LINE BEING 1,021 FEET WEST OF, NORMAL TO, AND PARALLEL WITH THE EAST BOUNDARY LINES OF TRACTS 2417, 2317, 2217, 2117, 2017 OF SAID “PLAT OF FELLSMERE FARMS COMPANY’S SUBDIVISION OF UNSURVEYED TOWNSHIP 31 SOUTH, RANGE 36 EAST, IN ST. LUCIE COUNTY, STATE OF FLORIDA”, APPROXIMATELY 1.08 MILES, ACROSS SAID TRACTS 2417, 2317, 2217, 2117, 2017, THE NORTH ONE-HALF RIGHT OF WAY OF “DITCH AND ROAD 24” (60’ WIDE R.O.W.), “DITCH AND ROAD 23”, “DITCH AND ROAD 22”, “DITCH AND ROAD 21” AND “DITCH AND ROAD 20” TO A LINE BEING APPROXIMATELY 573 FEET NORTH OF, NORMAL TO, AND PARALLEL WITH THE SOUTH BOUNDARY LINE OF SAID TRACT 2017;~~

~~THENCE RUN WESTERLY ALONG SAID PARALLEL LINE AND THE NORTH LINE OF THAT CERTAIN SOUTHERLY BOUNDARY PORTION OF PARCEL OF THE ST. JOHNS RIVER WATER MANAGEMENT “LA 2001-58 B”, HAVING A PARCEL ID NO. OF 31360000001141800001.0 BY THE INDIAN RIVER COUNTY PROPERTY APPRAISER’S, ACROSS SAID TRACT 2017 AND TRACT 2016, OF SAID PLAT OF FELLSMERE FARMS COMPANY’S SUBDIVISION OF UNSURVEYED TOWNSHIP 31 SOUTH, RANGE 36 EAST, IN ST. LUCIE COUNTY, STATE OF FLORIDA, APPROXIMATELY 0.13 MILES TO A POINT OF CURVATURE;~~

~~THENCE RUN SOUTHWESTERLY ALONG THE CURVE CONCAVE TO THE SOUTHEAST OF SAID NORTH LINE OF THAT CERTAIN SOUTHERLY BOUNDARY PORTION OF PARCEL OF THE ST. JOHNS RIVER WATER MANAGEMENT “LA 2001-58 B”, A RADIUS OF 2,125.25 FEET AND AN ARC LENGTH OF APPROXIMATELY 0.63 MILES ACROSS SAID TRACT 2016, 2015, 2115, 2215, “DITCH AND ROAD 20” AND “DITCH AND ROAD 21” OF SAID “PLAT OF FELLSMERE FARMS COMPANY’S SUBDIVISION OF UNSURVEYED TOWNSHIP 31 SOUTH, RANGE 36 EAST” TO A POINT OF CUSP ON THE AFORESAID EAST LINE OF THAT CERTAIN PARCEL OF LAND DESCRIBED AS “L-75 LEVEE”, OFFICIAL RECORDS BOOK 1472, PAGE 547, PUBLIC RECORDS OF INDIAN RIVER COUNTY, FLORIDA;~~

~~THENCE RUN NORTHERLY ALONG SAID EAST LINE OF CERTAIN PARCEL OF LAND DESCRIBED AS “L-75 LEVEE”, BEING 230 FEET EAST OF, NORMAL TO, AND PARALLEL WITH THE WEST BOUNDARY LINE OF SAID TRACTS 2215 AND 2115, APPROXIMATELY 0.28 MILES ACROSS SAID TRACTS 2215, 2115, AND “DITCH AND ROAD 21”, OF SAID “PLAT OF FELLSMERE FARMS~~

~~COMPANY'S SUBDIVISION OF UNSURVEYED TOWNSHIP 31 SOUTH, RANGE 36 EAST" TO A LINE BEING 10 FEET NORTH OF, NORMAL TO, AND PARALLEL WITH THE NORTH LINE OF SAID TRACT 2115, ALSO BEING THE SOUTH LINE OF SAID "DITCH AND ROAD 20";~~

~~THENCE RUN EASTERLY ALONG SAID PARALLEL LINE APPROXIMATELY 0.02 MILES ACROSS "DITCH AND ROAD 20" TO A LINE BEING 380 FEET EAST OF, NORMAL TO, AND PARALLEL WITH THE WEST BOUNDARY LINE OF SAID TRACT 2015 AND TRACT 1915 OF SAID "PLAT OF FELLSMERE FARMS COMPANY'S SUBDIVISION OF UNSURVEYED TOWNSHIP 31 SOUTH, RANGE 36 EAST";~~

~~THENCE RUN NORTHERLY ALONG SAID PARALLEL LINE APPROXIMATELY 0.35 MILES ACROSS SAID TRACT 2015, 1915, "DITCH AND ROAD 20" AND "DITCH AND ROAD 19" TO A LINE BEING APPROXIMATELY 450 FEET NORTH OF, NORMAL TO, AND PARALLEL WITH THE SOUTH BOUNDARY LINE OF SAID TRACT 1915;~~

~~THENCE RUN WESTERLY ALONG SAID PARALLEL LINE APPROXIMATELY 0.04 MILES ACROSS SAID TRACT 1915 TO A LINE BEING 150 FEET EAST OF SAID WEST BOUNDARY LINE OF TRACT 1915, SAID LINE ALSO BEING THE EAST LINE OF AFORESAID CERTAIN PARCEL OF LAND DESCRIBED AS "L 75 LEVEE";~~

~~THENCE RUN NORTHERLY ALONG SAID EAST LINE OF CERTAIN PARCEL OF LAND DESCRIBED AS "L 75 LEVEE" APPROXIMATELY 0.22 MILES ACROSS SAID TRACT 1915, TRACT 1815 AND "DITCH AND ROAD 18" TO A POINT OF CUSP;~~

~~THENCE RUN SOUTHEASTERLY ALONG THE CURVE CONCAVE TO THE NORTHEAST OF THE SOUTH LINE OF THAT CERTAIN NORTHERLY BOUNDARY PORTION OF PARCEL OF THE ST. JOHNS RIVER WATER MANAGEMENT "LA 2001-58 B", A RADIUS OF 2,125.25 FEET AND AN ARC LENGTH OF APPROXIMATELY 0.63 MILES ACROSS SAID TRACT 1915, 2015, 2016, "DITCH AND ROAD 18" AND "DITCH AND ROAD 19" OF SAID "PLAT OF FELLSMERE FARMS COMPANY'S SUBDIVISION OF UNSURVEYED TOWNSHIP 31 SOUTH, RANGE 36 EAST" TO A POINT OF CURVATURE;~~

~~THENCE RUN EASTERLY ALONG A LINE BEING 457 FEET SOUTH OF THE NORTH BOUNDARY LINE OF TRACT 2016 AND 2017 OF SAID "PLAT OF FELLSMERE FARMS COMPANY'S SUBDIVISION OF UNSURVEYED TOWNSHIP 31 SOUTH, RANGE 36 EAST" APPROXIMATELY 0.15 MILES TO A LINE BEING 1021 FEET WEST OF THE EAST BOUNDARY LINE OF SAID TRACT 2017;~~

~~THENCE RUN NORTHERLY ALONG SAID PARALLEL LINE APPROXIMATELY 0.09 MILES ACROSS SAID TRACT 2017 TO THE NORTH BOUNDARY LINE OF SAID TRACT 2017, SAID LINE ALSO BEING THE SOUTH RIGHT OF WAY LINE OF "DITCH AND ROAD 19", ALL OF SAID "PLAT OF FELLSMERE FARMS COMPANY'S SUBDIVISION OF UNSURVEYED TOWNSHIP 31 SOUTH, RANGE 36 EAST";~~

~~THENCE RUN EASTERLY ALONG SAID NORTH BOUNDARY LINE OF TRACT 2017 AND TRACT 2018 OF SAID "PLAT OF FELLSMERE FARMS COMPANY'S SUBDIVISION OF UNSURVEYED TOWNSHIP 31 SOUTH, RANGE 36 EAST", APPROXIMATELY 0.32 MILES TO THE INTERSECTION WITH A LINE BEING 680 FEET WEST OF, NORMAL TO, AND PARALLEL WITH THE EAST BOUNDARY LINE OF SAID TRACT 2018;~~

~~THENCE RUN NORTHERLY ALONG THE LINE BEING 680 FEET WEST OF, NORMAL TO, AND PARALLEL WITH THE EAST BOUNDARY LINES OF TRACTS 1918, 1818, 1718 AND 1618, APPROXIMATELY 0.89 MILES, ACROSS SAID TRACTS 1918, 1818, 1718, 1618, "DITCH AND ROAD 19", "DITCH AND ROAD 18", "DITCH AND ROAD 17", AND "DITCH AND ROAD 16" OF SAID "PLAT OF FELLSMERE FARMS COMPANY'S SUBDIVISION OF UNSURVEYED TOWNSHIP 31 SOUTH, RANGE 36 EAST" TO THE INTERSECTION WITH A LINE BEING 640 FEET NORTH OF, NORMAL TO AND PARALLEL WITH THE SOUTH BOUNDARY LINE OF SAID TRACT 1618, TRACTS 1619, 1620, 1621 AND 1622;~~

~~THENCE RUN EASTERLY ALONG SAID PARALLEL LINE, APPROXIMATELY 1.17 MILES, ACROSS SAID TRACT 1618, A 50 FEET WIDE ROAD RIGHT OF WAY, SAID TRACT 1619, 1620, 1621 AND 1622 TO THE WEST RIGHT OF WAY LINE OF LATERAL "S" CANAL (225' WIDE RIGHT OF WAY) OF SAID "PLAT OF FELLSMERE FARMS COMPANY'S SUBDIVISION OF UNSURVEYED TOWNSHIP 31 SOUTH, RANGE 36 EAST";~~

~~THENCE RUN NORTHERLY ALONG SAID WEST RIGHT OF WAY LINE OF LATERAL "S" CANAL, APPROXIMATELY 0.02 MILES TO THE INTERSECTION WITH THE WESTERLY PROJECTION OF THE NORTH BOUNDARY LINES OF TRACTS 1692, 1691, 1690, 1689, 1688 AND 1687 OF THE "PLAT OF FELLSMERE FARMS COMPANY'S SUBDIVISION OF UNSURVEYED TOWNSHIP 31 SOUTH, RANGE 37 EAST, IN ST. LUCIE COUNTY, STATE OF FLORIDA" AS RECORDED IN PLAT BOOK 2, PAGES 1 AND 2 OF THE PUBLIC RECORDS OF ST. LUCIE COUNTY, NOW INDIAN RIVER COUNTY, FLORIDA;~~

~~THENCE RUN EASTERLY ALONG SAID WESTERLY PROJECTION AND NORTH BOUNDARY LINES, APPROXIMATELY 0.83 MILES, ACROSS SAID LATERAL "S" CANAL (225' WIDE RIGHT OF WAY);~~

~~TRACT 1600 AND ALONG SAID NORTH BOUNDARY LINES OF TRACT 1692, 1691, 1690, 1689, 1688 AND 1687 TO THE INTERSECTION WITH A LINE BEING 170 FEET WEST OF, NORMAL TO AND PARALLEL WITH THE EAST BOUNDARY LINES OF TRACTS 1606, 1587, 1506, 1487, 1406, 1387, 1306, 1287, 1206, 1187, 1106, 1087, 1006, 987, 906, 887, 806, 787, 706, 687, 606, 587, 506, 487 AND 406 OF SAID "PLAT OF FELLSMERE FARMS COMPANY'S SUBDIVISION OF UNSURVEYED TOWNSHIP 31 SOUTH, RANGE 37 EAST";~~

~~THENCE RUN NORTHERLY ALONG SAID PARALLEL LINE, APPROXIMATELY 3.13 MILES, ACROSS SAID TRACTS 1606, 1587, 1506, 1487, 1406, 1387, 1306, 1287, 1206, 1187, 1106, 1087, 1006, 987, 906, 887, 806, 787, 706, 687, 606, 587, 506, 487, 406, "DITCH AND ROAD 15", "DITCH AND ROAD 14", NORTH AND SOUTH "DITCH AND ROAD 13", FELLSMERE RAILROAD (100' WIDE RIGHT OF WAY), "DITCH AND ROAD 12", "DITCH AND ROAD 11", "DITCH AND ROAD 10", "DITCH AND ROAD 9", "DITCH AND ROAD 8", "DITCH AND ROAD 7", "DITCH AND ROAD 6", "DITCH AND ROAD 5", "DITCH AND ROAD 4" AND "DITCH AND ROAD 3" TO THE NORTH RIGHT OF WAY LINE OF SAID "DITCH AND ROAD 3", SAID NORTH RIGHT OF WAY LINE ALSO BEING THE SOUTH BOUNDARY LINE OF TRACT 384 OF SAID "PLAT OF FELLSMERE FARMS COMPANY'S SUBDIVISION OF UNSURVEYED TOWNSHIP 31 SOUTH, RANGE 37 EAST";~~

~~THENCE RUN WESTERLY ALONG SAID SOUTH BOUNDARY LINE, APPROXIMATELY 0.06 MILES TO A LINE BEING 510 FEET WEST OF, NORMAL TO AND PARALLEL WITH THE EAST BOUNDARY LINE OF SAID TRACT 384;~~

~~THENCE RUN NORTHERLY ALONG SAID PARALLEL LINE, APPROXIMATELY 0.12 MILES TO THE NORTH BOUNDARY LINE OF SAID TRACT 384;~~

~~THENCE RUN WESTERLY ALONG SAID NORTH BOUNDARY LINE, APPROXIMATELY 0.03 MILES TO THE NORTHWEST CORNER OF SAID TRACT 384, ALSO BEING THE SOUTHWEST CORNER OF TRACT 306 OF SAID "PLAT OF FELLSMERE FARMS COMPANY'S SUBDIVISION OF UNSURVEYED TOWNSHIP 31 SOUTH, RANGE 37 EAST";~~

~~THENCE RUN NORTHERLY ON THE WEST BOUNDARY LINE OF SAID TRACT 306, APPROXIMATELY 0.03 MILES TO THE INTERSECTION WITH A LINE BEING 480 FEET SOUTH OF, NORMAL TO AND PARALLEL WITH THE NORTH BOUNDARY LINES OF TRACTS 305, 304, 303, 302 AND 301 OF SAID "PLAT OF FELLSMERE FARMS COMPANY'S SUBDIVISION OF UNSURVEYED TOWNSHIP 31 SOUTH, RANGE 37 EAST";~~

~~THENCE RUN WESTERLY ALONG SAID PARALLEL LINE, APPROXIMATELY 0.71 MILES, ACROSS SAID TRACTS 305, 304, 303, 302, 301, 300 AND A PORTION OF THE LATERAL "S" CANAL (225' WIDE RIGHT OF WAY) TO THE WEST BOUNDARY LIMITS OF SAID "PLAT OF FELLSMERE FARMS COMPANY'S SUBDIVISION OF UNSURVEYED TOWNSHIP 31 SOUTH, RANGE 37 EAST";~~

~~THENCE CONTINUE WESTERLY ALONG SAID PARALLEL LINE, APPROXIMATELY 0.09 MILES, ACROSS REMAINING SAID LATERAL "S" CANAL (225' WIDE RIGHT OF WAY) AND TO THE INTERSECTION WITH A LINE BEING 340 FEET WEST OF, NORMAL TO AND PARALLEL WITH THE EAST BOUNDARY LINE OF TRACTS 322, AND 222 OF THE "PLAT OF FELLSMERE FARMS COMPANY'S SUBDIVISION OF UNSURVEYED TOWNSHIP 31 SOUTH, RANGE 36 EAST, IN ST. LUCIE COUNTY, STATE OF FLORIDA" AS RECORDED IN PLAT BOOK 2, PAGE 9 OF THE PUBLIC RECORDS OF ST. LUCIE COUNTY, NOW INDIAN RIVER COUNTY, FLORIDA;~~

~~THENCE RUN NORTHERLY ALONG SAID PARALLEL LINE, APPROXIMATELY 0.39 MILES, ACROSS SAID TRACTS 322, 222, "DITCH AND ROAD 2", "DITCH AND ROAD 1" TO THE NORTH RIGHT OF WAY LINE OF SAID "DITCH AND ROAD 1", SAID RIGHT OF WAY LINE ALSO BEING THE SOUTH BOUNDARY LINE OF TRACT 122 OF SAID "PLAT OF FELLSMERE FARMS COMPANY'S SUBDIVISION OF UNSURVEYED TOWNSHIP 31 SOUTH, RANGE 36 EAST";~~

~~THENCE RUN WESTERLY ALONG SAID SOUTH BOUNDARY LINE OF TRACT 122, APPROXIMATELY 0.06 MILES TO THE INTERSECTION WITH A LINE BEING 680 FEET WEST OF, NORMAL TO AND PARALLEL WITH THE EAST BOUNDARY LINE OF SAID TRACT 122;~~

~~THENCE RUN NORTHERLY ALONG SAID PARALLEL LINE, APPROXIMATELY 0.16 MILES, ACROSS SAID TRACT 122 AND THE "MAIN CANAL" RIGHT OF WAY TO THE NORTH LIMITS OF SAID "PLAT OF FELLSMERE FARMS COMPANY'S SUBDIVISION OF UNSURVEYED TOWNSHIP 31 SOUTH, RANGE 36 EAST", SAID LIMITS ALSO BEING THE COMMON TOWNSHIP LINE OF TOWNSHIP 30 AND 31 SOUTH AND THE NORTH LIMITS OF INDIAN RIVER COUNTY, FLORIDA;~~

~~THENCE RUN EASTERLY ALONG SAID COMMON TOWNSHIP LINE AND NORTH COUNTY LINE, APPROXIMATELY 5.29 MILES TO THE INTERSECTION WITH THE SOUTHWESTERLY LINE OF FLEMING GRANT;~~

~~THENCE RUN SOUTHEASTERLY ALONG SAID SOUTHWESTERLY LINE OF FLEMING GRANT, APPROXIMATELY 1.21~~

~~MILES TO THE INTERSECTION WITH THE EAST LINE OF TOWNSHIP 31 SOUTH, RANGE 37 EAST, ALSO BEING THE COMMON RANGE LINE OF RANGE 37 AND 38 EAST;~~

~~THENCE RUN SOUTHERLY ALONG SAID EAST LINE OF TOWNSHIP 31 SOUTH, RANGE 37 EAST AND THE EAST LINE OF TOWNSHIP 32 SOUTH, RANGE 37 EAST, APPROXIMATELY 7.71 MILES TO THE INTERSECTION WITH A LINE BEING 200 FEET SOUTH OF, NORMAL TO AND PARALLEL WITH THE NORTH BOUNDARY LINE OF SAID TRACT 1123 OF THE "PLAT OF FELLSMERE FARMS COMPANY'S SUBDIVISION OF UNSURVEYED TOWNSHIP 32 SOUTH, RANGE 37 EAST, IN ST. LUCIE COUNTY, STATE OF FLORIDA" AS RECORDED IN PLAT BOOK 2, PAGE 8 OF THE PUBLIC RECORDS OF ST. LUCIE COUNTY, NOW INDIAN RIVER COUNTY, FLORIDA;~~

~~THENCE RUN WESTERLY ALONG SAID PARALLEL LINE APPROXIMATELY 6.00 MILES, ACROSS SAID TRACT 1123, TRACTS 1122, 1121, 1120, A 30 FEET WIDE ROAD RIGHT OF WAY, TRACTS 1119, 1118, 1117, 1116, A 60 FEET WIDE ROAD RIGHT OF WAY; TRACT 1115, PARK LATERAL CANAL (92.25' WIDE RIGHT OF WAY), TRACTS 1114, 1113, 1112, A 30 FEET WIDE ROAD RIGHT OF WAY, TRACTS 1111, 1110, 1109, 1108, LATERAL "U" CANAL (156' WIDE RIGHT OF WAY), TRACTS 1107, 1106, 1105, 1104, A 30 FEET WIDE ROAD RIGHT OF WAY, TRACTS 1103, 1102, 1101, 1100 AND A PORTION OF LATERAL "S" CANAL (225' WIDE RIGHT OF WAY) OF SAID "PLAT OF FELLSMERE FARMS COMPANY'S SUBDIVISION OF UNSURVEYED TOWNSHIP 32 SOUTH, RANGE 37 EAST" TO THE WEST LIMITS OF SAID PLAT;~~

~~THENCE CONTINUE WESTERLY ALONG SAID PARALLEL LINE, APPROXIMATELY 0.02 MILES, ACROSS REMAINING SAID LATERAL "S" CANAL (225' WIDE RIGHT OF WAY) TO THE INTERSECTION WITH THE WEST RIGHT OF WAY LINE OF SAID LATERAL "S" CANAL, ALSO BEING THE EAST LINE OF AFORESAID TRACT 1122 OF THE "PLAT OF FELLSMERE FARMS COMPANY'S SUBDIVISION OF UNSURVEYED TOWNSHIP 32 SOUTH, RANGE 36 EAST, IN ST. LUCIE COUNTY, STATE OF FLORIDA" AS RECORDED IN PLAT BOOK 2, PAGE 18 OF THE PUBLIC RECORDS OF ST. LUCIE COUNTY, NOW INDIAN RIVER COUNTY, FLORIDA, AND POINT OF BEGINNING.~~

~~SAID DESCRIBED DISTRICT LIMITS CONTAINING 34,441 ACRES MORE OR LESS.~~

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

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

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

(3) The governing body of the Fellsmere Water Control District shall be the members of the Board of County Commissioners of Indian River County. As soon as practicable after the County Commissioners of Indian River County have assumed office, the commissioners shall meet to organize as the governing board of the Fellsmere Water Control District. The Clerk of the Circuit Court of Indian River County shall act as secretary and treasurer without right to vote as a member of the board or hold other office thereon without additional compensation for his or her services, exercising all powers and performing all duties as provided by this act. At this meeting, the board shall elect a chair from among their members and consider establishing a citizens advisory committee. In accordance with chapter 189, Florida Statutes, this act, and ss. 298.11 and 298.12, Florida Statutes, as may be amended from time to time, the governing board of the district shall be designated the "Board of Supervisors of the Fellsmere Water Control District" and shall be composed of three persons, who shall be qualified to hold such office if they are landowners within the district, residents of the state, and citizens of the United States, elected on a 1-acre, one-vote basis by the landowners in the district; however, landowners owning less than 1 acre in the aggregate shall be entitled to one vote. Landowners with more than 1 acre shall be entitled to one additional vote for any fraction of an acre greater than ½ acre owned when a landowner's acreage has been aggregated for purposes of voting. The membership and organization of the governing board shall be as set forth in this charter and chapter 298, Florida Statutes, as may be amended from time to time, provided this charter controls with respect to any inconsistency.

~~(4) The compensation of the governing board members shall be governed by this act and chapter 298, Florida Statutes, as may be amended from time to time.~~

~~(5) The administrative duties of the governing board shall be as set forth in this act and chapters 189 and 298, Florida Statutes, as may be amended from time to time.~~

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

~~(7) The procedures and requirements governing the issuance of bonds, notes, and other evidence of indebtedness by the district shall be as set forth in chapters 189 and 298, Florida Statutes, and applicable general laws, as may be amended from time to time.~~

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

~~(4)(9)~~ The district may be financed by any method established in this act, chapter 298, Florida Statutes, and other applicable general laws of the state, as may be amended from time to time.

~~(5)(10)~~ The methods for collecting non-ad valorem assessments, fees, or service charges shall be as set forth in chapters 197 and 298, Florida Statutes, and other applicable general laws of the state, as may be amended from time to time.

~~(6)(11)~~ The district’s planning requirements shall be as set forth in chapters 189 and 298, Florida Statutes, as may be amended from time to time.

~~(7)(12)~~ The district’s geographic boundary shall be as set forth in this act.

Section 3. Maintenance and use of the Lateral “U” Canal, Park Lateral Canal, and Main Canal.

(1) Lateral “U” Canal.—As described in section 1, the western boundary of the Fellsmere Water Control District is the centerline of the Lateral “U” Canal. The Fellsmere Water Control District shall be responsible for the maintenance of the eastern bank of the Lateral “U” Canal for the portion within the district boundary and shall retain the right to utilize the full width of said canal for all purposes permitted under applicable water control laws and regulations. The district shall share responsibility for the maintenance and aquatic vegetation of the canal with the landowners bordering the west of the Lateral “U” Canal until such time as a new water control district, Headwaters Water Control District, is established west of and adjacent to the Fellsmere Water Control District, at which time the maintenance and aquatic vegetation management will transfer to the Headwaters Water Control District as described below.

When the Headwaters Water Control District is duly established to the west of and adjacent to the Fellsmere Water Control District, such newly established Headwaters Water Control District shall assume full responsibility for all maintenance, including dredging and aquatic vegetation management, within the entire Lateral “U” Canal, not including the eastern bank. The Fellsmere Water Control District shall bear no further responsibility or liability for such maintenance activities. The canal shall be maintained to the designed level of service, as described in the 2017 Fellsmere Water Control District Water Control Plan, as may be amended from time to time. The newly established Headwaters Water Control District

shall have the right to utilize the full width of the Lateral “U” Canal for all purposes permitted under applicable water control laws and regulations.

(2) Main Canal.—Upon the establishment of the Headwaters Water Control District to the west of and adjacent to the Fellsmere Water Control District, the Headwaters Water Control District shall assume full responsibility for all maintenance, including dredging and aquatic vegetation management, of the Main Canal, from the centerline of the Lateral “U” Canal eastward for a distance of one mile. The Fellsmere Water Control District shall bear no further responsibility or liability for such maintenance activities. The canal shall be maintained to the designed level of service as described in the 2017 Fellsmere Water Control District Water Control Plan, as may be amended from time to time.

(3) Park Lateral Canal.—The Fellsmere Water Control District shall retain full responsibility for all maintenance, including dredging and aquatic vegetation management, of the Park Lateral Canal located within the Fellsmere Water Control District boundary. The Headwaters Water Control District shall bear no further responsibility or liability for such maintenance activities. The Headwaters Water Control District shall retain the historic drainage rights through the Park Lateral Canal to the Main Canal. The districts shall collaborate on a water management plan to define usage of the canal during emergency situations and other situations consistent with the original, permitted design of the system. The plan shall be adopted no later than October 1, 2027. If either district opposes any part of a proposed Water Control Plan amendment by the other district, the disputed language will be submitted to the Division of Administrative Hearings Alternative Dispute Resolution program. Should the districts fail to reach agreement through this process, either district may request a formal hearing before the Division of Administrative Hearings. The districts will share equally all costs charged by the Division of Administrative Hearings, while each district will pay its own legal fees and expenses regardless of the outcome.

Each district shall have the right to access, travel over, and cross the other district’s property at the point of intersection at the Lateral “U” Canal and the Park Lateral Canal as may be reasonably necessary to fulfill the maintenance and management duties outlined in this section, as well as any emergency repairs. Additionally, the Headwaters Water Control District shall have the right to utilize the full length of the Main Canal for all purposes permitted under applicable water control laws and regulations.

The Fellsmere Water Control District shall retain full responsibility for all maintenance, including dredging and aquatic vegetation management, of the remaining portion of the Main Canal. The Headwaters Water Control District shall bear no further responsibility or liability for such maintenance activities. The canal shall be maintained to the designed level of service as

described in the 2017 Fellsmere Water Control District Water Control Plan, as may be amended from time to time.

Future amendments to the 2017 Fellsmere Water Control Plan relating to the Lateral “U” Canal, Main Canal, or Park Lateral Canal, shall be made in collaboration with the Headwaters Water Control District.

Unless otherwise noted, all facilities lying within each district boundary are the responsibility of that particular district. Each district shall be responsible for any obstruction, interference, or other activity by each district or its landowners that adversely impacts the flow and drainage of water in the Lateral Canals or the Main Canal. To the extent either district fails to maintain the Lateral Canals or the Main Canal as set forth herein, the other district shall have the right but not the obligation to perform such necessary corrective action and seek reimbursement of costs, including attorneys fees, from the non-complying district. In the event that one district intends to undertake repairs or corrective actions due to another district’s non-compliance, the initiating district shall provide the non-complying district with no less than 30 days’ written notice of its intent to perform such corrective action. The non-complying district shall have the opportunity to cure the non-compliance within this notice period. If the non-complying district commences and diligently pursues the necessary corrective actions within the 30-day period, it shall not be held liable under this section. The non-complying district shall be granted necessary and reasonable extensions of time to take corrective action except in an emergency situation requiring immediate action. In the event of an emergency, the other district shall give the non-complying district notice via telephone and email before commencing corrective action.

Section ~~4.3~~. Provisions of chapter 298, Florida Statutes, made applicable.—The Fellsmere Water Control District is a dependent ~~an independent~~ water control district and a public corporation of this state. The provisions of state law applicable to water control districts or subdistricts which are embodied in chapter 298, Florida Statutes, as may be amended from time to time, so far as not inconsistent with this act, are declared to be applicable to the Fellsmere Water Control District. The Fellsmere Water Control District shall have all of the powers and authority conferred in this act and chapter 298, Florida Statutes, as may be amended from time to time.

Section ~~5.4~~. Severability.—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 ~~6.5~~. Construction.—This act shall be construed as a remedial act and shall be liberally construed to promote the purpose for which it is intended.

Section 2. This act shall take effect October 1, 2026, if HB 4095 or similar legislation takes effect, if such legislation is adopted in the same legislative session or an extension thereof and becomes a law.

Approved by the Governor June 8, 2026.

Filed in Office Secretary of State June 8, 2026.