

CHAPTER 2026-224

Committee Substitute for Committee Substitute for House Bill No. 4095

An act relating to the Headwaters Water Control District, Indian River County; creating the Headwaters Water Control District as a public corporation; providing the district's charter; providing status and boundaries; providing minimum charter requirements; providing for maintenance and use of certain canals; providing requirements for charter amendments; providing applicability of specified laws to the district; providing severability; providing a contingent effective date.

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

Section 1. Status and boundaries of Headwaters Water Control District. The Headwaters Water Control District is hereby declared to be 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 hereby constitute the Headwaters Water Control District:

ALL THAT PART OF THE 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:

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 SOUTHERLY ALONG SAID EAST LINE OF UNSURVEYED TOWNSHIP 32 SOUTH, RANGE 37 EAST, APPROXIMATELY 2.56 MILES TO THE INTERSECTION WITH A LINE

BEING 200 FEET SOUTH OF, NORMAL TO AND PARALLEL WITH THE NORTH LINE OF TRACT 1123 OF SAID "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 200 FOOT PARALLEL LINE APPROXIMATELY 0.26 MILES, ACROSS SAID TRACT 1123, TO THE EAST LINE OF TRACT 1122 OF SAID "PLAT OF FELLSMERE FARMS COMPANY'S SUBDIVISION OF UNSURVEYED TOWNSHIP 32 SOUTH, RANGE 37 EAST, IN ST. LUCIE COUNTY, STATE OF FLORIDA";

THENCE RUN SOUTHERLY ALONG SAID EAST LINE OF SAID TRACT 1122 APPROXIMATELY 0.20 MILES TO THE SOUTH LINE OF SAID TRACT 1122 OF "PLAT OF FELLSMERE FARMS COMPANY'S SUBDIVISION OF UNSURVEYED TOWNSHIP 32 SOUTH, RANGE 37 EAST, IN ST. LUCIE COUNTY, STATE OF FLORIDA";

THENCE RUN WESTERLY APPROXIMATELY 2.06 MILES, ALONG THE SOUTH LINES OF TRACTS 1122, 1121, 1120, ACROSS A 30 FEET WIDE ROAD RIGHT OF WAY, AND ALONG THE SOUTH LINES OF TRACTS 1119, 1118, 1117, 1116, AND ACROSS A 60 FEET WIDE ROAD RIGHT OF WAY, AND ALONG THE SOUTH LINE OF TRACT 1115 OF SAID "PLAT OF FELLSMERE FARMS COMPANY'S SUBDIVISION OF UNSURVEYED TOWNSHIP 32 SOUTH, RANGE 37 EAST, IN ST. LUCIE COUNTY, STATE OF FLORIDA" TO THE WEST LINE OF SAID TRACT 1115;

THENCE RUN NORTHERLY, ALONG SAID WEST LINE OF TRACT 1115, APPROXIMATELY 0.20 MILES TO THE INTERSECTION WITH A LINE BEING 200 FEET SOUTH OF, NORMAL TO AND PARALLEL WITH THE NORTH LINES OF TRACTS 1114, 1113, 1112, 1111, 1110, 1109, 1108, 1107, 1106, 1105, 1104, 1103, 1102, 1101, 1100 OF SAID "PLAT OF FELLSMERE FARMS COMPANY'S SUBDIVISION OF UNSURVEYED TOWNSHIP 32 SOUTH, RANGE 37 EAST";

THENCE RUN WESTERLY, ALONG SAID 200 FOOT PARALLEL LINE, APPROXIMATELY 3.68 MILES, ACROSS PARK LATERAL CANAL (92.25 FOOT 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 FOOT 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 FOOT WIDE RIGHT OF WAY) OF SAID "PLAT OF FELLSMERE FARMS COMPANY'S SUBDIVISION OF UNSURVEYED TOWNSHIP 32 SOUTH, RANGE 37 EAST", TO THE WESTERLY LIMITS OF SAID PLAT;

THENCE CONTINUE WESTERLY ALONG A LINE BEING 200 FEET SOUTH OF, NORMAL TO AND PARALLEL WITH THE NORTH 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, APPROXIMATELY 0.06 MILES, ACROSS REMAINING SAID LATERAL “S” CANAL (225 FOOT WIDE RIGHT OF WAY) AND ACROSS SAID TRACT 1122 ,TO THE INTERSECTION WITH A LINE BEING 210 FEET WEST OF, NORMAL TO, AND PARALLEL WITH THE EAST LINE OF SAID TRACT 1122, AND TRACTS 1022, AND 922 OF SAID “PLAT OF FELLSMERE FARMS COMPANY’S SUBDIVISION OF UNSURVEYED TOWNSHIP 32 SOUTH, RANGE 36 EAST”;
THENCE RUN NORTHERLY ALONG SAID 210 FOOT PARALLEL LINE, APPROXIMATELY 0.55 MILES, ACROSS TRACT 1122, “DITCH AND ROAD 34”, TRACT 1022, “DITCH AND ROAD 33”, TRACT 922, AND “DITCH AND ROAD 32” 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 32”;
THENCE RUN WESTERLY ALONG SAID NORTH RIGHT OF WAY LINE OF SAID “DITCH AND ROAD 32”, APPROXIMATELY 0.04 MILES, TO THE INTERSECTION WITH A LINE BEING 430 FEET WEST OF, NORMAL TO, AND PARALLEL WITH THE EAST LINE OF TRACTS 822, AND 722 OF SAID “PLAT OF FELLSMERE FARMS COMPANY’S SUBDIVISION OF UNSURVEYED TOWNSHIP 32 SOUTH, RANGE 36 EAST”;
THENCE RUN NORTHERLY ALONG SAID 430 FOOT PARALLEL LINE, APPROXIMATELY 0.50 MILES, ACROSS SAID TRACT 822, “DITCH AND ROAD 31”, SAID TRACT 722, AND “DITCH AND ROAD 30” 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 30”;
THENCE RUN WESTERLY ALONG SAID NORTH RIGHT OF WAY LINE OF SAID “DITCH AND ROAD 30”, APPROXIMATELY 0.12 MILES, TO THE INTERSECTION WITH A LINE BEING 1040 FEET WEST OF, NORMAL TO, AND PARALLEL WITH THE EAST LINE OF TRACT 622 OF SAID “PLAT OF FELLSMERE FARMS COMPANY’S SUBDIVISION OF UNSURVEYED TOWNSHIP 32 SOUTH, RANGE 36 EAST”;
THENCE RUN NORTHERLY ALONG SAID 1040 FOOT PARALLEL LINE, APPROXIMATELY 0.21 MILES, ACROSS SAID TRACT 622 TO THE INTERSECTION WITH A LINE BEING 150 FEET SOUTH OF, NORMAL TO, AND PARALLEL WITH THE NORTH LINE OF SAID TRACT 622 AND THE NORTH LINE OF TRACTS 621 AND 620 OF SAID “PLAT OF FELLSMERE FARMS COMPANY’S SUBDIVISION OF UNSURVEYED TOWNSHIP 32 SOUTH, RANGE 36 EAST”;
THENCE RUN WESTERLY ALONG SAID 150 FOOT PARALLEL LINE, APPROXIMATELY 0.44 MILES, ACROSS SAID TRACTS 622, 621 AND 620 TO THE INTERSECTION WITH A LINE BEING 640 FEET WEST OF, NORMAL TO, AND PARALLEL WITH THE EAST

LINE OF SAID TRACT 620 AND THE EAST LINE OF TRACT 520 OF SAID "PLAT OF FELLSMERE FARMS COMPANY'S SUBDIVISION OF UNSURVEYED TOWNSHIP 32 SOUTH, RANGE 36 EAST";
THENCE RUN NORTHERLY ALONG SAID 640 FOOT PARALLEL LINE, APPROXIMATELY 0.25 MILES, ACROSS SAID TRACT 620, "DITCH AND ROAD 29", AND TRACT 520 OF SAID "PLAT OF FELLSMERE FARMS COMPANY'S SUBDIVISION OF UNSURVEYED TOWNSHIP 32 SOUTH, RANGE 36 EAST" TO THE INTERSECTION WITH A LINE BEING 135 FEET SOUTH OF, NORMAL TO, AND PARALLEL WITH THE NORTH LINE OF SAID TRACT 520 AND TRACT 519 OF SAID "PLAT OF FELLSMERE FARMS COMPANY'S SUBDIVISION OF UNSURVEYED TOWNSHIP 32 SOUTH, RANGE 36 EAST";
THENCE RUN WESTERLY ALONG SAID 135 FOOT PARALLEL LINE, APPROXIMATELY 0.40 MILES, ACROSS SAID TRACT 520 AND TRACT 519 AND ALSO ACROSS A 50 FEET WIDE ROAD RIGHT OF WAY OF SAID "PLAT OF FELLSMERE FARMS COMPANY'S SUBDIVISION OF UNSURVEYED TOWNSHIP 32 SOUTH, RANGE 36 EAST" TO THE WEST LINE OF SAID 50 FEET WIDE ROAD RIGHT OF WAY;
THENCE RUN NORTHERLY ALONG SAID WEST LINE OF A 50 FEET WIDE ROAD RIGHT OF WAY, APPROXIMATELY 0.04 MILES TO THE NORTH LINE OF "DITCH AND ROAD 28" OF SAID "PLAT OF FELLSMERE FARMS COMPANY'S SUBDIVISION OF UNSURVEYED TOWNSHIP 32 SOUTH, RANGE 36 EAST";
THENCE RUN WESTERLY ALONG SAID NORTH LINE OF "DITCH AND ROAD 28", APPROXIMATELY 0.12 MILES, TO THE INTERSECTION WITH A LINE BEING 635 FEET WEST OF, NORMAL TO, AND PARALLEL WITH THE EAST LINE OF TRACTS 418 AND 318 OF SAID "PLAT OF FELLSMERE FARMS COMPANY'S SUBDIVISION OF UNSURVEYED TOWNSHIP 32 SOUTH, RANGE 36 EAST";
THENCE RUN NORTHERLY ALONG SAID 635 FOOT PARALLEL LINE, APPROXIMATELY 0.49 MILES, ACROSS SAID TRACT 418, AND ALSO ACROSS "DITCH AND ROAD 27" AND TRACT 318 OF SAID "PLAT OF FELLSMERE FARMS COMPANY'S SUBDIVISION OF UNSURVEYED TOWNSHIP 32 SOUTH, RANGE 36 EAST" TO THE SOUTH RIGHT OF WAY LINE OF "DITCH AND ROAD 26" OF SAID "PLAT OF FELLSMERE FARMS COMPANY'S SUBDIVISION OF UNSURVEYED TOWNSHIP 32 SOUTH, RANGE 36 EAST";
THENCE RUN WESTERLY ALONG SAID SOUTH LINE OF "DITCH AND ROAD 26", APPROXIMATELY 0.22 MILES TO THE INTERSECTION WITH A LINE BEING 435 FEET WEST OF, NORMAL TO, AND PARALLEL WITH THE EAST LINE OF TRACT 217 OF SAID "PLAT OF FELLSMERE FARMS COMPANY'S SUBDIVISION OF UNSURVEYED TOWNSHIP 32 SOUTH, RANGE 36 EAST";
THENCE RUN NORTHERLY ALONG SAID 435 FOOT PARALLEL LINE, APPROXIMATELY 0.25 MILES, ACROSS SAID "DITCH AND ROAD 26" AND TRACT 217 TO THE SOUTH RIGHT OF WAY LINE OF "DITCH AND ROAD 25" OF SAID "PLAT OF FELLSMERE FARMS

COMPANY'S SUBDIVISION OF UNSURVEYED TOWNSHIP 32 SOUTH, RANGE 36 EAST;

THENCE RUN WESTERLY ALONG SAID SOUTH LINE OF "DITCH AND ROAD 25", APPROXIMATELY 0.05 MILES TO THE INTERSECTION WITH A LINE BEING 695 FEET WEST OF, NORMAL TO, AND PARALLEL WITH THE EAST LINE OF TRACT 117 OF SAID "PLAT OF FELLSMERE FARMS COMPANY'S SUBDIVISION OF UNSURVEYED TOWNSHIP 32 SOUTH, RANGE 36 EAST";

THENCE RUN NORTHERLY ALONG SAID 695 FOOT PARALLEL LINE, APPROXIMATELY 0.26 MILES, ACROSS SAID TRACT 117 AND ALSO ACROSS THE SOUTH ONE-HALF OF THE RIGHT OF WAY OF "DITCH AND ROAD 24" (60 FOOT WIDE RIGHT OF WAY) TO THE NORTHERLY 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 NORTHERLY LIMITS ALSO BEING THE SOUTHERLY 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 SAID 695 FOOT PARALLEL LINE; SAID 695 FOOT PARALLEL LINE ALSO BEING 695 FEET WEST OF, NORMAL TO, AND PARALLEL WITH THE EAST LINES OF TRACTS 2417, 2317, 2217, 2117, AND 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 1.16 MILES, ACROSS THE NORTH ONE-HALF RIGHT OF WAY OF "DITCH AND ROAD 24" (60 FOOT WIDE RIGHT OF WAY), TRACT 2417, "DITCH AND ROAD 23", TRACT 2317, "DITCH AND ROAD 22", TRACT 2217, "DITCH AND ROAD 21", TRACT 2117, "DITCH AND ROAD 20", AND TRACT 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" TO THE INTERSECTION WITH A LINE BEING 1,000 FEET NORTH OF, NORMAL TO, AND PARALLEL WITH THE SOUTH LINE OF SAID TRACT 2017 AND TRACT 2018 OF SAID "PLAT OF FELLSMERE FARMS COMPANY'S SUBDIVISION OF UNSURVEYED TOWNSHIP 31 SOUTH, RANGE 36 EAST";

THENCE RUN EASTERLY ALONG SAID 1,000 FOOT PARALLEL LINE, APPROXIMATELY 0.29 MILES, ACROSS SAID TRACTS 2017 AND 2018 TO THE INTERSECTION WITH A LINE BEING 530 FEET WEST OF, NORMAL TO, AND PARALLEL WITH THE EAST LINE OF SAID TRACT 2018;

THENCE RUN NORTHERLY ALONG SAID 530 FOOT PARALLEL LINE, APPROXIMATELY 0.05 MILES, ACROSS SAID TRACT 2018 TO THE SOUTH RIGHT OF WAY LINE OF "DITCH AND ROAD 19" OF SAID "PLAT OF FELLSMERE FARMS COMPANY'S SUBDIVISION OF UNSURVEYED TOWNSHIP 31 SOUTH, RANGE 36 EAST, IN ST. LUCIE COUNTY, STATE OF FLORIDA";

THENCE RUN EASTERLY ALONG SAID SOUTH RIGHT OF WAY LINE OF "DITCH AND ROAD 19", APPROXIMATELY 0.02 MILES TO THE INTERSECTION WITH A LINE BEING 425 FEET WEST OF, NORMAL TO, AND PARALLEL WITH THE EAST LINE OF SAID TRACT 2018 AND ALSO TRACTS 1918, 1818, 1718, AND 1618 OF SAID "PLAT OF FELLSMERE FARMS COMPANY'S SUBDIVISION OF UNSURVEYED TOWNSHIP 31 SOUTH, RANGE 36 EAST, IN ST. LUCIE COUNTY, STATE OF FLORIDA";

THENCE RUN NORTHERLY ALONG SAID 425 FOOT PARALLEL LINE, APPROXIMATELY 0.83 MILES, ACROSS "DITCH AND ROAD 19", TRACT 1918, "DITCH AND ROAD 18", TRACT 1818, "DITCH AND ROAD 17", TRACT 1718, "DITCH AND ROAD 16", AND TRACT 1618, OF SAID "PLAT OF FELLSMERE FARMS COMPANY'S SUBDIVISION OF UNSURVEYED TOWNSHIP 31 SOUTH, RANGE 36 EAST" TO THE INTERSECTION WITH A LINE BEING 315 FEET NORTH OF, NORMAL TO AND PARALLEL WITH THE SOUTH LINE OF SAID TRACT 1618 AND TRACTS 1619, 1620, 1621 AND 1622 OF SAID "PLAT OF FELLSMERE FARMS COMPANY'S SUBDIVISION OF UNSURVEYED TOWNSHIP 31 SOUTH, RANGE 36 EAST", SAID LINE ALSO BEING 215 FEET NORTH OF, NORMAL TO AND PARALLEL WITH THE SOUTH LINE OF TRACTS 1600, 1692, 1691, 1690, 1689, 1688 AND 1687 OF 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 EASTERLY ALONG SAID 315 AND 215 FOOT PARALLEL LINE, APPROXIMATELY 1.96 MILES, ACROSS SAID TRACT 1618, A 50 FEET WIDE ROAD RIGHT OF WAY, SAID TRACT 1619, 1620, 1621, 1622, AND LATERAL "S" CANAL (225 FOOT WIDE RIGHT OF WAY) OF SAID "PLAT OF FELLSMERE FARMS COMPANY'S SUBDIVISION OF UNSURVEYED TOWNSHIP 31 SOUTH, RANGE 36 EAST" AND ALSO ACROSS TRACTS 1600, 1692, 1691, 1690, 1689, 1688 AND 1687 OF THE "PLAT OF FELLSMERE FARMS COMPANY'S SUBDIVISION OF ALL UNSURVEYED TOWNSHIP 31 SOUTH, RANGE 37 EAST, IN ST. LUCIE COUNTY, STATE OF FLORIDA" TO THE INTERSECTION WITH A LINE BEING 105 FEET WEST OF, NORMAL TO, AND PARALLEL WITH THE EAST LINE OF SAID TRACT 1687;

THENCE RUN NORTHERLY ALONG SAID 105 FOOT PARALLEL LINE, APPROXIMATELY 0.08 MILES, ACROSS SAID TRACT 1687 TO THE NORTH LINE OF SAID TRACT 1687;

THENCE RUN EASTERLY ALONG SAID NORTH LINE OF TRACT 1687 AND THE NORTH LINE OF TRACT 1686 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", APPROXIMATELY 0.04 MILES, TO THE INTERSECTION WITH A LINE BEING 550 FEET WEST OF, NORMAL TO AND PARALLEL WITH THE EAST LINES OF TRACTS 1607, 1586, 1507, 1486, 1407, 1386, 1307, 1286, 1207, 1186, 1107, 1086, 1007, 986, 907, 886, 807, 786, 707, 686, 607, 586, 507, 486 AND 407 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 550 FOOT PARALLEL LINE, APPROXIMATELY 3.12 MILES, ACROSS TRACT 1607, "DITCH AND ROAD 15", TRACTS 1586 AND 1507, "DITCH AND ROAD 14", TRACTS 1486 AND 1407, SOUTH "DITCH AND ROAD 13", FELLSMERE RAILROAD (100 FOOT WIDE RIGHT OF WAY), NORTH "DITCH AND ROAD 13", TRACTS 1386 AND 1307, "DITCH AND ROAD 12", TRACTS 1286 AND 1207, "DITCH AND ROAD 11", TRACTS 1186 AND 1107, "DITCH AND ROAD 10", TRACTS 1086 AND 1007, "DITCH AND ROAD 9", TRACTS 986 AND 907, "DITCH AND ROAD 8", TRACTS 886 AND 807, "DITCH AND ROAD 7", TRACTS 786 AND 707, "DITCH AND ROAD 6", TRACTS 686 AND 607, "DITCH AND ROAD 5", TRACTS 586 AND 507, "DITCH AND ROAD 4", TRACTS 486 AND 407 TO THE SOUTH RIGHT OF WAY LINE OF "DITCH AND ROAD 3" 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 SOUTH RIGHT OF WAY LINE OF "DITCH AND ROAD 3", APPROXIMATELY 0.06 MILES TO THE INTERSECTION WITH A LINE BEING 165 FEET WEST OF, NORMAL TO AND PARALLEL WITH THE EAST LINE OF TRACT 384 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 165 FOOT PARALLEL LINE, APPROXIMATELY 0.13 MILES TO THE NORTH LINE OF SAID TRACT 384;

THENCE RUN WESTERLY ALONG SAID NORTH LINE OF TRACT 384, APPROXIMATELY 0.10 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 ALL UNSURVEYED TOWNSHIP 31 SOUTH, RANGE 37 EAST, IN ST. LUCIE COUNTY, STATE OF FLORIDA";

THENCE RUN NORTHERLY ALONG THE WEST LINE OF SAID TRACT 306, APPROXIMATELY 0.07 MILES TO THE INTERSECTION WITH A LINE BEING 270 FEET SOUTH OF, NORMAL TO AND PARALLEL WITH THE NORTH LINE OF TRACT 305 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 270 FOOT PARALLEL LINE, APPROXIMATELY 0.13 MILES TO THE WEST LINE OF SAID TRACT 305;

THENCE RUN NORTHERLY ALONG THE WEST LINE OF SAID TRACT 305, APPROXIMATELY 0.02 MILES TO THE INTERSECTION WITH A LINE BEING 190 FEET SOUTH OF, NORMAL TO AND PARALLEL WITH THE NORTH LINES OF TRACTS 304, 303, 302, 301, AND 300 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 190 FOOT PARALLEL LINE AND THE WESTERLY EXTENSION THEREOF, APPROXIMATELY 0.58 MILES, ACROSS SAID TRACTS 304, 303, 302, 301, 300 AND A PORTION OF THE LATERAL “S” CANAL (225 FOOT WIDE RIGHT OF WAY) TO THE WESTERLY 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”;

THENCE RUN NORTHERLY ALONG SAID WESTERLY 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”, APPROXIMATELY 0.50 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 AND THE NORTH LIMITS OF INDIAN RIVER COUNTY, FLORIDA;

THENCE RUN EASTERLY ALONG SAID COMMON TOWNSHIP LINE OF TOWNSHIP 30 AND 31 SOUTH AND NORTH COUNTY LINE, APPROXIMATELY 2.00 MILES, TO THE INTERSECTION WITH THE NORTHERLY EXTENSION OF 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 SOUTHERLY ALONG SAID CENTERLINE OF LATERAL “U”, APPROXIMATELY 4.98 MILES TO 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 EASTERLY ALONG SAID SOUTH RIGHT OF WAY LINE OF DITCH AND ROAD 20, APPROXIMATELY 1.16 MILES, TO THE NORTHWEST CORNER OF TRACT 2125 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 SOUTHERLY ALONG THE WEST LINE OF SAID TRACT 2125, APPROXIMATELY 0.12 MILES, TO THE SOUTH LINE OF SAID TRACT 2125 OF "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 EASTERLY ALONG THE SOUTH LINE OF SAID TRACT 2125, AND ALSO TRACTS 2126, 2127, AND 2128 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", APPROXIMATELY 0.46 MILES, TO THE EAST LINE OF THE WEST 405.5 FEET OF SAID TRACT 2128;

THENCE RUN NORTHERLY ALONG SAID EAST LINE OF THE WEST 405.5 FEET OF TRACT 2128, APPROXIMATELY 0.12 MILES, TO THE NORTH LINE OF SAID TRACT 2128, ALSO BEING SAID SOUTH RIGHT OF WAY LINE OF "DITCH AND ROAD 20" AS SHOWN ON "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 EASTERLY ALONG SAID NORTH LINE OF TRACT 2128, APPROXIMATELY 0.03 MILES, TO THE WEST 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 SOUTHERLY ALONG SAID WEST RIGHT OF WAY LINE OF PARK LATERAL CANAL, APPROXIMATELY 0.99 MILES, TO THE NORTH RIGHT OF WAY LINE OF "DITCH AND ROAD 24" OF THE "PLAT OF FELLSMERE FARMS COMPANY'S SUBDIVISION OF UNSURVEYED TOWNSHIP 32 SOUTH, RANGE 37 EAST, IN ST. LUCIE COUNTY, STATE OF FLORIDA";

THENCE RUN EASTERLY ALONG SAID NORTH RIGHT OF WAY LINE OF DITCH AND ROAD 24, APPROXIMATELY 0.02 MILES TO THE EAST RIGHT OF WAY LINE OF SAID PARK LATERAL CANAL;
THENCE RUN SOUTHERLY, ALONG SAID EAST RIGHT OF WAY LINE OF PARK LATERAL CANAL, APPROXIMATELY 0.01 MILES TO THE SOUTH RIGHT OF WAY LINE OF SAID DITCH AND ROAD 24;

THENCE RUN EASTERLY ALONG SAID SOUTH RIGHT OF WAY LINE OF DITCH AND ROAD 24, APPROXIMATELY 2.32 MILES TO THE POINT OF BEGINNING.

SAID DESCRIBED DISTRICT LIMITS CONTAINING 19,691 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.

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 Headwaters Water Control District:

(1) The district is organized and exists for all purposes set forth in this act and chapter 298, Florida Statutes.

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

(3) In accordance with chapter 189, Florida Statutes, this act, and ss. 298.11 and 298.12, Florida Statutes, the governing board of the district shall be designated the "Board of Supervisors of the Headwaters Water Control District" and shall be composed of five persons, who shall be qualified to hold such office if they are officers of landowners or 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, 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.

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

(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.

(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.

(8) The procedures for conducting district elections or referenda and for qualification of electors shall be pursuant to chapters 189 and 298, Florida Statutes; 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.

(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.

(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.

(11) The district’s planning requirements shall be as set forth in chapters 189 and 298, Florida Statutes.

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

(13) All properties within the district remain subject to, and must comply with, the relevant comprehensive plan and land development regulations of the City of Fellsmere and Indian River County, as required by the Community Planning Act in chapter 163, Florida Statutes, and the Annexation Agreement between the City of Fellsmere, Indian River County, and Fellsmere East, LLC, Bernard A. Egan Groves, Inc., and Fellsmere Joint Venture, LLP, recorded on July 5, 2007, in Official Records Book 2181, Page 989 of Public Records of Indian River County, Florida, as such may be amended in the future.

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

(1) Lateral “U” Canal.—The Headwaters Water Control District shall assume full responsibility for all maintenance, including dredging and aquatic vegetation management, of the entire Lateral “U” Canal. 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.

Notwithstanding the foregoing, the Fellsmere Water Control District shall retain the right to use the full extent of the Lateral “U” Canal located within the Fellsmere Water Control District Boundary for all purposes permitted under applicable water control laws and regulations.

(2) Main Canal.—

(a) The Headwaters Water Control District shall assume full responsibility for all maintenance, including dredging and aquatic vegetation management, of the Main Canal located within the Fellsmere Water Control District, from the centerline of the Lateral “U” Canal eastward for 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. The Headwaters Water Control District shall have the right to use the full length of the Main Canal for all purposes permitted under applicable water control laws and regulations.

(b) 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.

(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 canals 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.

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 to bring a canal up to its design level of service 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. Charter amendments.—If the district intends to seek future legislation to add additional powers to this charter, it shall provide written notice to Indian River County and the City of Fellsmere at least 60 days prior to any meeting of the Indian River Legislative Delegation at which the matter will be considered.

Section 5. Provisions of chapter 298, Florida Statutes, made applicable. The Headwaters Water Control District hereby created shall be 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, so far as not inconsistent with this act, are hereby declared to be applicable to the Headwaters Water Control District. The Headwaters Water Control District shall have all of the powers and authorities conferred in this act and chapter 298, Florida Statutes.

Section 6. 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 7. This act shall take effect on the same date that HB 4093 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.