

House Bill No. 1043

An act relating to the North Lauderdale Water Control District, Broward County; amending, reenacting, repealing, and codifying chapters 63-661, 82-273, 85-385, 94-428, and 97-370, Laws of Florida, relating to the North Lauderdale Water Control District; revising district boundaries; revising the powers of the district to provide that the district may borrow money at a rate not exceeding that which is provided by law; providing that the members of the board of supervisors shall be the “city commission,” rather than the “city council,” of the City of North Lauderdale and that a board chair and vice chair shall be elected at each annual meeting and as necessary to fill vacancies; providing meeting notice requirements and requiring that meetings be held at a public place; providing that the City Clerk of the City of North Lauderdale shall serve as the district secretary; providing for reimbursement of supervisors for travel expenses pursuant to s. 112.061, F.S.; providing that the interest rate on bonds issued by the board not exceed the maximum rate allowed by law; providing that the interest rates on tax anticipation notes issued by the board shall not exceed the maximum rate allowed by law; deleting provision relating to payment of taxes not authorized in advance; providing for the use of non-ad valorem assessments; updating references to ch. 298, F.S.; providing for severability; 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 a codification of all special acts relating to the dependent special district known as the North Lauderdale Water Control District. It is the intent of the Legislature in enacting this law to provide a single, comprehensive special act charter for the district, including all current legislative authority granted to the district by its several legislative enactments and any additional authority granted by this act.

Section 2. Chapters 63-661, 82-273, 85-385, 94-428, and 97-370, Laws of Florida, are codified, reenacted, amended, and repealed as herein provided.

Section 3. The North Lauderdale Water Control District is re-created and reenacted to read:

Section 1. District created and boundaries thereof.—That for the purpose of reclaiming, draining, and conserving 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 established in Broward County, to be known as the “North Lauderdale Water Control

District,” a dependent drainage district, the territorial boundaries of which are to-wit:

The City of North Lauderdale, being a portion of Sections 1,2,3,10,11 and 12, of Township 49 South, Range 41 East, of Section 34, of Township 48 South Range 41 East, and a portion of Section 6 and 7 of Township 49 South, Range 41 East. All in Broward County, Florida, being more particularly described as follows:

BEGIN at the Southwest corner of Section 35; Township 48 South, Range 41 East;

THENCE N 89°50'31" E along the South line of Section 35, Township 48 South, same being the North line of Section 2, Township 49 South, Range 41 East, distance of 4233.31 feet to the Northeast corner of said Section 1, Township 49 South, Range 41 East;

THENCE S 01°40'11" E along the East line of said Section 1 a distance of 2268.50 feet to the South line of a 80' canal right-of-way as shown on KIMBERLY FOREST, according to the plat thereof, as recorded in Plat Book 68, Page 31 of the Public Records of Broward County, Florida;

THENCE N 89°39'55" E along said South right-of-way line a distance of 2586.31 feet to the East right-of-way line of Southwest 64th Terrace, a 60.00 foot right-of-way as shown on KIMBERLY VILLAGE- Section 3, according to the plat thereof, as recorded in Plat Book 70 of, Page 13 of the Public Records of Broward County, Florida;

THENCE S 01°40'52" E along said East right-of-way line a distance of 657.68 feet to the Northwest corner of Lot 14, Block 17, of KIMBERLY VILLAGE- Section Two according to the plat thereof as recorded in Plat Book 66, Page 6 of the Public Records of Broward County, Florida;

THENCE N 89°37'08" East along the North line of said KIMBERLY VILLAGE-Section Two and along the North line of KIMBERLY VILLAGE-Section 1 according to the Plat thereof, as recorded in Plat Book 65, Page 16 of the Public Records of Broward County, Florida and the Easterly prolongation thereof of 2562.16 feet to a point on the right-of-way line of State Road Number 7, a 100.00 foot (½) right-of-way as shown on KELLY PLAT, according to the plat thereof as recorded in Plat Book 136, Page 39 of the Public Records of Broward County, Florida;

THENCE N 90°00'00" E a distance of 7.61 feet;

THENCE S 06°30'04" W a distance of 12.46 feet;

THENCE S 01°43'32" E along said West right-of-way line a distance of 351.72 feet;

THENCE N 88°16'28" E a distance of 180.28 feet to a point on the West right-of-way line of State Road Number 7, a 80 foot more or less (½) right-of-way as shown on SERINO PARK, Section 3, according to the Plat thereof, as recorded in Plat Book 81, Page 46 of the Public Records of Broward County, Florida;

THENCE S 01°36'29" E along said right-of-way line a distance of 1524.08 feet to the South right-of-way line of S.W. 11th Street a 50.00

right-of-way as shown on HERITAGE PINES, according to the plat thereof, as recorded in Plat Book 99, Page 10 of the Public Records of Broward County, Florida;

THENCE N 89°22'00" E along said South right-of-way line a distance of 335.91 feet;

THENCE S 01°42'30" E a distance of 712.89 feet to a point on the South line of OAKLAND HILLS 7th Section, according to the plat thereof as recorded in Plat Book 81, Page 30 of the Public Records of Broward County, Florida, said point also being the North right-of-way line of an unnamed 20 right-of-way being a part of THE PALM BEACH FARMS COUNTY PLAT NO. 3 according to the plat thereof, as recorded in Plat Book 2, Pages 45-54 of the Public Records of Palm Beach County, Florida.

THENCE N 89°21'59" E along the South line of said OAKLAND HILLS 7th Section and the North line of said unnamed right-of-way a distance of 1107.78 feet to the West line of said OAKLAND HILLS 7th Section;

THENCE N 01°11'43" E along said West line a distance of 713.33 feet to the previously described South right-of-way line of S.W. 11th Street;

THENCE N 89°21'59" E along said South right-of-way line a distance of 1219.85 feet to a point on the West right-of-way line of a 25.00 unnamed right-of-way as shown on said PALM BEACH FARMS COUNTY, Plat No. 3

THENCE S 00°56'19" E along said right-of-way line and along the East line of Parcel B OUR LADY QUEEN OF HEAVEN CEMETERY PLAT according to the Plat thereof, as recorded in Plat Book 152, Page 21 of the Public Records of Broward County, Florida a distance of 1539.82 feet to a point on the Westerly right-of-way line of the SUNSHINE STATE PARKWAY as shown on said OUR LADY QUEEN OF HEAVEN CEMETERY PLAT;

THENCE S 04°20'47" E a distance of 495.04 feet to a point on the East right-of-way line of said SUNSHINE STREET said point being the Northeast corner of MARINERS COVE, according to the Plat thereof, as recorded in Plat Book 147, Page 44 of the Public records of Broward County, Florida;

THENCE S 00°56'05" E along the East line of said MARINERS COVE a distance of 2276.59 feet to the Southeast corner of said MARINERS COVE;

THENCE N 88°58'55" W along the South line of said MARINERS COVE a distance of 1349.57 feet to the Northerly right-of-way line of Northwest 62nd Street, as shown on said MARINERS COVE;

THENCE S 89°45'09" W a distance of 307.79 feet to a point on the Southerly right-of-way line of Northwest 62nd Street;

THENCE S 89°30'45" W a distance of 79.68 feet to a point on the Easterly right-of-way line of said SUNSHINE STATE PARKWAY, as shown on said MARINERS COVE;

THENCE S 89°18'13" W a distance of 382.37 feet to a point on the Westerly right-of-way line of the said SUNSHINE STATE PARKWAY point also being the Northeast corner of The Cummings Plat No. 1 according to the Plat thereof, as recorded in Plat Book 126, Page 35 of the Public Records of Broward County, Florida;

THENCE S 36°59'06" W along the Easterly line of said THE CUMMINGS PLAT NO. 1, and along said Westerly right-of-way line a distance of 956.81 feet to a point on the Easterly right-of-way line of State Road 7 as shown on said THE CUMMINGS PLAT NO. 1, and projected Southerly;

THENCE S 89°33'52" W a distance of 117.29 feet to a point on the West right-of-way line of State Road 7, as shown on Bailey Road Plaza according to the Plat thereof, as recorded in Plat Book 86, Page 1 of the Public Records of Broward County, Florida and projected Northerly;

THENCE N 01°41'42" W along said Westerly right-of-way line a distance of 2152.83 feet to a point on the Southerly right-of-way line of McNab Road being on the arc of a non-tangent curve concave to the Southwest, a radial line of said curve through said point having a bearing of N 57°05'20" E,

THENCE Northwesterly and Westerly along the arc of said curve to the left, having a central angle of 47°07'44" and a radius of 975.00 feet for an arc distance of 801.99 feet to a point on a non-tangent line, said line being 35.00 feet South of and parallel to the North Line of Section 12, Township 49, South, Range 41 East;

THENCE S 89°23'29" W along said parallel line and continuing along the South right-of-way line of McNab Road (Southwest 15th Street) PER BROADVIEW COUNTRY CLUB ESTATES, according to the Plat thereof, as recorded in Plat Book 44, Page 31 of the Public Records of Broward County, Florida a distance of 1805.38 feet;

THENCE S 89°42'10" W, continue along said right-of-way line, a distance of 2405.94 feet;

THENCE S 01°31'23" E a distance of 2588.98 feet to a point on the South line of the North one-half (N½) of Section 12, Township 49 South, Range 41 East, said line also being the centerline of Bailey Road a 50.00 foot (½) right-of-way, as shown on SPRINGBANK PARK, according to the Plat thereof, as recorded in Plat Book 63, Page 47 of the Public Records of Broward County, Florida.

THENCE S 89°31'43" W along said centerline a distance of 188.48 feet to the East one-quarter (E¼) corner of Section 11, Township 49 South, Range 41 East;

THENCE S 01°23'15" E a distance of 50.11 feet to a point on the Southerly right-of-way line of Bailey Road;

THENCE S 89°31'14" W along said Southerly right-of-way line a distance of 3954.25 feet to a point on the centerline of Northwest 61st Avenue, 60.00 un-named right-of-way as shown on BANYAN LAKES according to the Plat thereof, as recorded in Plat Book 102, Page 18 of the Public records of Broward County, Florida;

THENCE N 01°12'41" W along said centerline a distance of 49.96 feet to the previously described centerline of Bailey Road;

THENCE S 89°30'59" W along said centerline a distance of 1318.70 feet to the West line of said Section 11;

THENCE S 01°27'35" E along said Section line, a distance of 1323.04 feet to the Northeast corner of The MAINLANDS OF TAMARAC LAKES EIGHTH SECTION according to the Plat thereof, as recorded in Plat Book 67, Page 35 of the Public Records of Broward County, Florida;

THENCE S 89°31'30" W along the North line of said MAINLANDS OF TAMARAC SECTION EIGHT, a distance of 1320.00 feet to the Southeast corner of The MAINLANDS OF TAMARAC LAKES TENTH SECTION, according to the Plat thereof, as recorded in Plat Book 68, Page 36 of the Public Records of Broward County, Florida;

THENCE N 01°27'23" W along the East line of said MAINLANDS OF TAMARAC LAKES TENTH SECTION, a distance of 1320.00 feet to the Northeast corner of said plat;

THENCE S 89°31'30" W along the North line of said MAINLANDS OF TAMARAC LAKES TENTH SECTION, a distance of 1320.00 feet to the Southeast corner of The Mainlands of Tamarac Lakes Unit Fifteen according to the plat thereof, as recorded in Plat Book 71, Page 3 of the Public Records of Broward County, Florida;

THENCE N 01°27'23" W along the East line of said MAINLANDS OF TAMARAC LAKES UNIT FIFTEEN a distance of 2642.99 feet to the North line of Section 10 said LINE BEING 15.00 feet South of and parallel with the North right-of-way line of McNab Road as shown on said Plat;

THENCE N 89°31'07" E along said North line a distance of 1320.00 feet to the East line of McNab Commercial Subdivision No. 1 plat (71-13);

THENCE N 01°40'37" W along said east line a distance of 7231.05 feet to the South line of Section 34;

THENCE S 89°52'23" E along said South line a distance of 158.14 feet;

THENCE N 01°15'23" W a distance of 535.22 feet to the Southerly right-of-way line of the South Florida Water Management District Canal C-14 (Pompano Canal) per North Lauderdale Village Section Five plat (109-25);

THENCE N 88°59'53" E along said Southerly right-of-way line a distance of 2257.64 feet to the East line of Section 34;

THENCE S 01°08'20" E a distance of 574.37 feet to the POINT OF BEGINNING;

AND ALSO:

Portions of Sections 12 and 13, Township 49 South, Range 41 East, Broward County, Florida; Together with portions of Sections 7 and 18, Township 49 South, Range 42 East Broward County, Florida; Together with portions of Tracts 4, 8, 9, and 16, "FORT LAUDERDALE TRUCK

FARMS” according to the Public Records of Broward County, Florida; Together with a portion of Tract 10, Block 96, “PALM BEACH FARMS CO. PLAT NO. 3”, Plat Book 2, Page 54, Palm Beach County Records; Together with all of the following plats recorded in the Public Records of Broward County, Florida, “BROADVIEW COUNTRY CLUB ESTATES”, Plat Book 44, Page 31, “BROADVIEW COUNTRY CLUB ESTATES, 1st ADDITION”, Plat Book 46, Page 4, “BROADVIEW COUNTRY CLUB ESTATES, 2ND ADDITION”, Plat Book 47, Page 22, “BROADVIEW COUNTRY CLUB ESTATES, 3RD ADDITION”, Plat Book 47, Page 41, “BROADVIEW COUNTRY CLUB ESTATES, 4TH ADDITION”, Plat Book 48, Page 5, “BROADVIEW COUNTRY CLUB ESTATES, 5TH ADDITION”, Plat Book 48, Page 25, “BROADVIEW COUNTRY CLUB ESTATES, 6TH ADDITION”, Plat Book 51, Page 49, “BROADVIEW COUNTRY CLUB ESTATES, 7TH ADDITION”, Plat Book 51, PAGE 50, “POMPANO PARK SECTION 1”, Plat Book 52, Page 7, “POMPANO PARK SECTION 2”, Plat Book 54, Page 12, “POMPANO PARK SECTION 3”, Plat Book 55, Page 20, “BROADVIEW COUNTRY CLUB ESTATES, 9TH ADDITION”, Plat Book 56, Page 3, “BROADVIEW COUNTRY CLUB ESTATES, 11TH ADDITION”, Plat Book 56, Page 28, “BROADVIEW COUNTRY CLUB ESTATES, 12TH ADDITION”, Plat Book 57, Page 18, “BROADVIEW COUNTRY CLUB ESTATES, 14TH ADDITION”, Plat Book 58 Page 18, “BROADVIEW COUNTRY CLUB ESTATES, 15TH ADDITION”, Plat Book 62, Page 35, “PERRY’S ADDITION TO BROADVIEW COUNTRY CLUB ESTATES”, Plat Book 62, Page 43, “SPRINGBANK PARK”, Plat Book 63, Page 47, “SPRINGBANK PARK, SECTION 2”, Plat Book 69, Page 23, “SOUTHERN FEDERAL AT TAMARAC”, Plat Book 82, Page 36, “SLOATE & ZITO CENTER”, Plat Book 83, Page 13, “BUNTROCK PLAT”, Plat Book 84, Page 30, “BAILEY ROAD PLAZA”, Plat Book 86, Page 1, “STAPLES COMMERCIAL PLAT”, Plat Book 93, Page 2, “CONTINENTAL PLAZA”, Plat Book 96, Page 14, “ZACKOWITZ PLAT”, Plat Book 100, Page 38, “DARGEL-MINNET PLAT”, Plat Book 104, Page 16, “GUARDIAN PLAT”, Plat Book 111, Page 50, “TAMARAC MINI STORAGE PLAT No. 1” PLAT BOOK 112, Page 2, “WELLENS COMMERCIAL”, Plat Book 115, Page 44, “PLAZA SEVEN SUBDIVISION”, Plat Book 117, PAGE 24, “THE POINT”, Plat Book 119, Page 28, “K.M.R. PLAT”, Plat Book 127, Page 4, “ANDY PLAT”, Plat Book 127, Page 16, “CENTRUM-ROBAINA PLAT”, Plat Book 127, Page 27, “HIDDEN LAKE ESTATES”, Plat Book 144, Page 46, and the “WILEY PLAT”, Plat Book 168, Page 29, said portions being more particularly described as follows:

Beginning at the intersection of a line lying 170.00 feet East of the West line of said Section 12, and the North line of said Section 12; said line also being the municipal limits of North Lauderdale per Chapter 83-475, House Bill No. 926, Laws of Florida;

THENCE along said North line and said Municipal Limits line, South 88°55’02” East, 5,098.96 feet to an intersection with a point on a line lying 15 feet West of and parallel with the East Line of the Northeast Quarter (N.E. ¼) of said Section 12;

THENCE along said parallel line, and said Municipal Limits line South 00°00’00” East, 2,644.43 feet;

THENCE South 00°00'03" East 98.89 feet to a point on the Westerly right of way of Florida's Turnpike;

THENCE North 37°42'49" East along said Westerly right of way and said Municipal Limits line to the Northerly prolongation of the West line of Tract 7, Block 96 of said PALM BEACH FARMS CO. Plat No. 3;

THENCE South 00°01'14" East along the said Northerly prolongation and along the East right of way line of State Road 7 said line also being the Municipal Limits of Fort Lauderdale as per Chapter 69-1057 House Bill 2628 of the Laws of Florida and City of Ft. Lauderdale Ordinance No. C-00-71 to the North right-of-way line of Prospect Road, as shown on the State of Florida Department of Transportation right-of-way map Section 86100-2501 Sheet 7 (Latest Date 4/17/95);

THENCE easterly along said North right-of-way line, to a POINT OF INTERSECTION with a line lying 249.00 feet East of and parallel with the East right-of-way line of said State Road 7;

THENCE Southerly along said line to an intersection with the south line of the aforesaid Tract 10;

THENCE along said South line, 987.82 feet to an intersection with the Northerly Extension of the Westerly line of "LINPRO LONESTAR PARK", according to the plat thereof as recorded in Plat Book 124, Page 12, of the Public Records of Broward County, Florida;

THENCE South 00°07'30" East, along said Westerly line and the Westerly line of "PROSPECT INDUSTRIAL AND COMMERCIAL PARK" according to the plat thereof as recorded in Plat Book 14, Page 17, of the Public Records of Broward County, Florida, said line also being the Municipal Limits of Fort Lauderdale per Ordinance C-72-22, 2,059.89 feet to the South line of said PROSPECT INDUSTRIAL AND COMMERCIAL PARK Plat;

THENCE easterly along the said South line and said Municipal Limits line, South 88°20'25" East, 1,323.66 feet to an intersection with the West Line of the East Half (E. ½) of said Section 18;

THENCE Southerly along said West line, and said Municipal Limits line, South 00°11'46" East, 1,120.59 feet to an intersection with the North right-of-way line of Commercial Boulevard (N.W. 50th Street);

THENCE along said North right of way line, said line also being the Municipal Limits of Tamarac per Ordinance 0-81-17, said line also being the south lines of said "GUARDIAN PLAT", said "KMR PLAT" and said "THE POINT PLAT", to a line 861.25 feet West of the East Boundary of the Southwest Quarter (S.W. ¼) of said Section 18;

THENCE along said Municipal Limits line the following Two (2) Courses; (1) THENCE North 00°29'16" West along said line said line also being the East line "TAMARAC BUSINESS CENTER" according to the plat thereof, as recorded in Plat Book 61, Page 27 of the Public Records of Broward county, Florida 446.72 feet (2) THENCE along the North line of said Plat, North 88°29'17" West, 462.40 feet to an intersection with the Southerly Extension of the Westerly line of said "TAMARAC MINI STORAGE PLAT NO. 1";

THENCE along the Municipal Limits of Fort Lauderdale per Ordinance C-73-4 the following Three (3) Courses, and along said Southerly Extension of said Westerly line and the Westerly line of said "TAMARAC MINI STORAGE PLAT NO. 1", (1) North 00°07'30" West, 660.26 feet to the Northeast Corner of "LEDER COMMERCIAL SUBDIVISION", according to the Plat thereof as recorded in Plat Book 79, Page 25 of the Public Records of Broward County, Florida; (2) THENCE along the North line of said "LEDER COMMERCIAL SUBDIVISION" Plat, North 88°33'38" West, 1,271.42 feet to the East right of way line of State Road 7; (3) THENCE along said East right of way line, South 00°00'30" East, 658.62 feet to the South line of the Northwest Quarter (N.W. ¼) of said Section 18;

THENCE along the Municipal Limits of Tamarac, per Ordinance 0-81-17, the following Nine (9) Courses; (1) THENCE North 88°29'17" West 153 feet along said South line and the Westerly prolongation thereof to the West right of way line of State Road 7; (2) THENCE Northerly along said West right of way line to an intersection with the South line of the Southeast Quarter of Section 12, Township 49 South, Range 41 East; (3) THENCE along said South line, North 88°57'06" West 1,220 feet, more or less, to the intersection with the West line of said Tract 16 and the Southerly extension of the West line of said "POMPANO PARK" Plat; (4) THENCE along said West line, said line also being the East line of Tract 15 of said FT. LAUDERDALE TRUCK FARMS Plat, North 00°02'53" West, 1,320.05 feet to the Southeast Corner of said "POMPANO PARK SECTION 1" PLAT; (5) THENCE along the South line of the aforesaid "POMPANO PARK SECTION 1" Plat and the South line of said Tract 10, North 88°57'12" West, 1,153.35 feet to a POINT OF INTERSECTION with the line lying 165.83 feet East of the West line of said Tract 10; (6) THENCE Northerly along said line 163.73 feet; (7) THENCE Westerly along a line 163.73 feet North of the South line of said Tract 10, 165.83 feet to a Point on the West line of said Tract 10; (8) THENCE along the West line of said Tract 10, North 01°03'51" East, 1,155.20 feet to an intersection with the South line of the North (N ½) of said Section 12; (9) THENCE along said South line, North 88°56'09" West 2,470.48 feet to a POINT OF INTERSECTION with said line lying 170.00 feet East of and parallel with the West line of said Section 12;

THENCE along said parallel line said line also being the Municipal Limits of the City of North Lauderdale per Chapter 83-475 House Bill 926 Laws of Florida, North 00°00'05" East, 2,646.09 feet to the POINT OF BEGINNING. Together with all of the "ANDY PLAT" Plat Book 127, Page 16 of the Public Records of Broward County, Florida, and a portion of Section 18, Township 49 south, Range 42 East, more particularly described as follows:

Begin at the Northwest Corner of said "ANDY PLAT";

THENCE along the North line of said Plat and Easterly prolongation thereof, said line also being the Municipal Limits of Tamarac per Ordinance 0-81-17, South 88°32'02" East, 130.09 feet;

THENCE South 00°08'24" East along the Municipal Limits of Oakland Park per Chapter 79-458 House Bill 1498, Laws of Florida, 426.14 feet;

THENCE along the South line of said "ANDY PLAT" and Easterly prolongation thereof, said line also being the Municipal Limits of Lauderdale Lakes per Chapter 84-463, House Bill 1082, Laws of Florida, 130.09 feet;

THENCE along the West line of said Plat, said line also being the Municipal Limits of Lauderdale Lakes per Ordinance 87-10, North 00°08'24" West, 426.14 feet to the POINT OF BEGINNING. Together with: all of the "CONTINENTAL PLAZA", Plat Book 96, Page 14 of the Public Records of Broward County, Florida, and a portion of Section 18, Township 49 South, Range 42 East, more particularly described as follows:

BEGIN at the Northwest Corner of said CONTINENTAL PLAZA;

THENCE along the North line of said Plat and Easterly prolongation thereof, said line also being the Municipal Limits of Tamarac per Ordinance 0-81-17, South 88°32'02" East, 299.77 feet;

THENCE along the West line of CARVEL CORPORATION PLAT, per Plat Book 123, Page 17, of the Public Records of Broward County, Florida, said line also being the Municipal Limits of Lauderdale Lakes per Ordinance 87-10, South 00°11'09" East, 426.14 Feet;

THENCE along the south line of said CONTINENTAL PLAZA Plat and the Easterly prolongation thereof said line also being the Municipal Limits of Lauderdale Lakes per Chapter 84-463, House Bill 1082, Laws of Florida, North 88°32'02" West, 299.43 feet;

THENCE along the west line of said Plat, said line also being the Municipal Limits of Tamarac per Ordinance 0-81-7, North 00°11'09" West, 426.15 feet to the POINT OF BEGINNING.

LESS THEREFROM: that portion of the City of Ft. Lauderdale as per Ordinance C-73-4 lying in Section 18, Township 49, Range 42 East, Broward County, Florida, being more particularly described as follows:

BEGINNING at the Northwest corner of the South half (S ½) of the Southeast one (S.E. ¼) of the Northwest One Quarter (N.W. ¼) of Section 18, Township 49 South, Range 42 East;

THENCE North 00°07'30" West along the Extension of the West line of the South half (S ½) of the Southeast One Quarter (N.W. ¼), a distance of 15.00 feet;

THENCE North 88°33'38" West, a distance of 10.00 feet;

THENCE South 00°07'30" East, 10.00 feet West of and parallel to the said West line of the South half (S ½) of the Southeast One Quarter (S.E. ¼) of the Northwest One Quarter (N.W. ¼), a distance of 33.33 feet;

THENCE South 88°33'38" East, a distance of 10.00 feet to a point on the West line of said South half (S ½) of the Southeast One Quarter (S.E. ¼) of the Northwest One Quarter (N.W. ¼);

THENCE North 00°07'30" West, along the said West line of the South half (S ½) of the Southeast One Quarter (S.E. ¼) of the Northwest One Quarter (N.W. ¼), a distance of 18.33 feet to the POINT OF BEGINNING.

AND ALSO:

Portions of Section 18, Township 49 South, Range 42 East Broward County, Florida;

TOGETHER with all of the following plats recorded in the public records of Broward County, Florida. DARGEL-MINNET PLAT, Plat Book 104, Page 16, "GUARDIAN PLAT," Plat Book 111, Page 50, "TAMARAC MINI STORAGE PLAT No. 1," Plat Book 112, Page 2, "THE POINT," Plat Book 119, Page 28, "K.M.R. Plat," Plat Book 127, Page 4, said portions being more particularly described as follows:

BEGINNING at the North West Plat Corner of Tract "A", TAMARAC MINI STORAGE PLAT No. 1, Plat Book 112, Page 2, according to the Plat thereof;

THENCE South 88°20'25" East along the North line of said Tract "A" and Easterly extension thereof, and along the North line of said DARGEL-MINNET PLAT and Easterly extension thereof to the intersection of the East line of the Northwest Quarter (NW ¼) of said Section 18, a distance of 1323.66 feet;

THENCE South 00°11'46" East along said East line and along the East line of the Southwest Quarter (SW ¼) of said Section 18 a distance of 1131.18 feet to the North Right-of-way line of Commercial Boulevard (N.W. 50th Street) said line also being the City of Tamarac Boundary per Ordinance No. 0-81-17;

THENCE along said Right-of-way and Boundary line North 88°32'02" West, 859.65 feet to an intersection with the Easterly line of "TAMARAC BUSINESS CENTER," according to the Plat thereof as recorded in Plat Book 61, Page 27 of the public records of Broward County, Florida;

THENCE North 00°29'16" West along the Easterly line of said "TAMARAC BUSINESS CENTER" and said Boundary line 456.73 feet to the Northeast corner of said "TAMARAC BUSINESS CENTER";

THENCE North 88°29'17" West along the Northerly line of said "TAMARAC BUSINESS CENTER" and said Boundary Line 462.40 feet to an intersection with the Southerly extension of the West line of said "TAMARAC MINI STORAGE PLAT No. 1" and said Boundary line;

THENCE along said Southerly extension and West line, North 00°07'30" West, 678.60 feet to the POINT OF BEGINNING.

Said lands situate and lying in Broward County, Florida.

It is hereby determined, declared, and enacted that said lands in their present condition are wet and subject to overflow and that the drainage, reclamation, and protection of said lands from the effects of water and thereby the making of said lands available for agricultural purposes, by

drainage, reclamation, and improvement, in the creation of said district with the powers vested in it by this act are in the interest of and conducive to the public welfare, health, and convenience.

Section 2. Provisions of chapter 298, Florida Statutes, made applicable.—A public corporation and a political subdivision of the state is hereby created under the name and style of “North Lauderdale Water Control District.” The provisions of the general drainage laws of Florida applicable to drainage districts which are embodied in chapter 298, Florida Statutes, and all the laws amendatory thereof, now existing or hereinafter enacted so far as not inconsistent with this act, are hereby declared to be applicable to said North Lauderdale Water Control District. Said North Lauderdale Water Control District shall have all the powers and authorities mentioned in or conferred by chapter 298, Florida Statutes, and acts amendatory thereof, except as herein otherwise provided.

Section 3. Powers of the district.—Said 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 as may be necessary and convenient to carry out the purposes, or any of the purposes, of this act and chapter 298, Florida Statutes; to construct, operate, and maintain canals, ditches, drains, levees, dikes, 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 the powers or duties or any of the powers or duties of said district or the supervisors thereof; to pump water into and out of canals, ditches, drains, and other works of the district, or onto or from the lands in said district, and to regulate and control the flow of water into and out of said district; in maintaining and operating canals, drains, levees, dikes, dams, locks, reservoirs, pumping stations, and water control structures, the board of supervisors and its agents and employees shall have the authority to enter at all reasonable times upon the lands adjacent to any such drainage works in order to transport and use men and women, equipment, machinery, and materials necessary to properly maintain, preserve, and operate such drainage works and in furtherance of the purposes and intent of this act and chapter 298, Florida Statutes, to construct, improve, and pave 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 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 not exceeding the rate prescribed by Florida general or special 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 or chapter 298, Florida Statutes. 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.

Section 4. Board of supervisors; organization; powers, duties, and terms of office.—There is hereby created a Board of Supervisors of North Lauderdale Water Control District, which shall be the governing body of said district. The board of supervisors of said district shall be composed of five members, who shall be the five sitting members of the City Commission of the City of North Lauderdale.

(1) The term of office of each member of the board of supervisors shall be coincidental with that member's term of office as a member of the city commission. Each member shall assume full duties as a member of the board of supervisors once he or she takes the oath of office as a member of the city commission.

(2) Terms of office for the board of supervisors shall be concurrent with the length of time the commission member is in office.

(3) An annual meeting of the board of supervisors shall be held during the first week of June and otherwise in accordance with this act. At the annual meeting of the board of supervisors and as necessary to fill a vacancy, the board shall elect, from its members, a chair and a vice chair, who shall serve in said positions until the next annual meeting or expiration of his or her term, whichever occurs first.

Section 5. Meetings of board of supervisors.—The board of supervisors shall have the power to call special meetings at any time to receive reports or consider and act upon any matter. Notice of all meetings shall be given by the board of supervisors by causing publication thereof to be made once at least 7 days prior to such meeting in some newspaper published in Broward County or by sending notice through the mail to each landowner. In cases of emergency as determined by a majority of the board, this notice requirement may be waived. The meetings shall be held in some public place in accordance with chapter 286, Florida Statutes, and the place, day, and hour of holding such meeting shall be stated in the notice. The chair of the board of supervisors shall preside at such meeting. The City Clerk of the City of North Lauderdale shall serve as the secretary of the board of supervisors at all meetings. The Board of Supervisors of the North Lauderdale Water Control District shall meet not less than 3 times per year to conduct the business of the district as provided for in this act.

Section 6. Compensation of the board.—Each supervisor shall serve without compensation, except that he or she shall be reimbursed for his or her travel expenses pursuant to section 112.061, Florida Statutes, as may be amended from time to time, for each mile actually traveled in going to and from his or her place of residence to the place of meeting.

Section 7. Taxes and assessments, levied and apportioned, and the collection thereof.—Taxes and non-ad valorem assessments shall be levied and apportioned as provided for by the general drainage and water control laws of Florida, chapter 298, Florida Statutes, and amendments thereto, and the general or special laws of the state; except that the following provisions shall apply to said district: the board of supervisors shall determine, order, and levy the amount of the annual taxes or non-ad valorem assessments levied under chapter 298, Florida Statutes, which shall become due and be collected during each year at the same time that county taxes are due and collected, which said annual tax, assessment, and levy shall be evidenced to and certified by said board, no later than July 1 of each year, to the property appraiser of Broward County. Said tax or assessment shall be extended by the county property appraiser on the county tax roll and shall be collected by the tax collector in the same manner and time as county taxes, and the proceeds thereof paid to said district.

Section 8. Maintenance tax.—The provisions of section 298.54, Florida Statutes, and amendments thereto shall not be applicable to said district. In lieu thereof, the following provisions shall apply to said district: to maintain and preserve the improvements made pursuant to this chapter and to repair and restore the same, when needed, and for the purpose of defraying the current expenses of the district, the board of supervisors may, upon completion of said improvements in whole or in part as may be certified to said board by the chief engineer, levy annually a tax upon each tract or parcel of land within the district, to be known as “maintenance tax.” Said maintenance tax shall be apportioned upon the basis of the net non-ad valorem assessments of benefits assessed as accruing for original construction, and shall be evidenced to and certified by said board not later than July 1 of each year to the property appraiser of Broward County, and shall be extended by the county property appraiser on the county tax roll, and shall be collected by the county property appraiser in the same manner and time as county taxes and the proceeds therefrom paid to said district. Said tax shall be a lien until paid on the property upon which assessed, and enforceable in like manner as county taxes.

Section 9. Levy of taxes and assessments on fractional acres.—In levying and assessing all taxes and assessments, each tract or parcel of land more than 1 acre in area which contains a fraction of an acre shall be assessed at the nearest whole number of acres. However, each tract or parcel of land less than 1 acre in area shall be assessed as a full acre.

Section 10. Enforcement of taxes and assessments.—The collection and enforcement of all taxes and assessments levied by said district shall be at the same time and in like manner as the county. The provisions of the Florida Statutes relating to the sale of lands for unpaid and delinquent county taxes and assessments, the issuance, sale, and delivery of tax certificates for such unpaid and delinquent county taxes, the redemption thereof, the issuance to individuals of tax deeds based thereon, and all other procedures in connection therewith shall be applicable to said district and the delinquent and unpaid taxes and assessments of said district to the same extent as if said statutory provisions were expressly set forth in this act. All

taxes and assessments shall be subject to the same discounts as county taxes.

Section 11. When unpaid tax or assessment is delinquent; penalty.—All taxes provided for in this act shall be and become delinquent and bear penalties in the amount of said taxes in the same manner as county taxes. Assessments provided for in this act and authorized in chapter 298, Florida Statutes, shall be and become delinquent and bear penalties and interest at the highest rate authorized by Florida general or special law, or as otherwise provided in district legislation imposing the assessment.

Section 12. Bonds may be issued; sale and disposition of proceeds; interest; levy to pay bonds; bonds and duties of treasurer, etc.—

(1) The board of supervisors may, if in their judgment it seems best, issue bonds not to exceed 90 percent of the total amount of the taxes levied under the provisions of section 298.305, Florida Statutes, in denominations of not less than \$100, bearing interest from the date of issuance at a rate as provided by general law, payable annually or semiannually, to mature at annual intervals within 40 years commencing after a period of not later than 10 years, to be determined by the board of supervisors; both principal and interest payable at some convenient place designated by the board of supervisors to be named in said bonds; and said bonds shall be signed by the chair of the board of supervisors, attested with the seal of said district, and by the signature of the secretary of said board. All of said bonds shall be executed and delivered to the treasurer of said district, who shall sell the same in such quantities and at such dates as the board of supervisors may deem necessary to meet the payments for the works and improvements in the district. Said bonds shall not be sold for less than 90 cents on the dollar, with accrued interest, shall show on their face the purpose for which they are issued, and shall be payable out of moneys derived from the aforesaid taxes. A sufficient amount of the drainage tax shall be appropriated by the board of supervisors for the purpose of paying the principal and interest of said bonds and the same shall, when collected, be preserved in a separate fund for that purpose and no other. All bonds and coupons not paid at maturity shall bear interest at the rate of 6 percent per annum from maturity until paid, or until sufficient funds have been deposited at the place of payment, and said interest shall be appropriated by the board of supervisors out of the penalties and interest collected on delinquent taxes or other available funds of the district. Provided, however, that it may, in the discretion of said board, be provided that at any time, after such date as shall be fixed by said board, said bonds may be redeemed before maturity at the option of said board, or their successors in office, by being made callable prior to maturity at such times and upon such prices and terms and other conditions as said board shall determine. If any bond so issued subject to redemption before maturity shall not be presented when called for redemption, it shall cease to bear interest from and after the date so fixed for redemption.

(2) The board of supervisors of said district shall have authority to issue refunding bonds to take up any outstanding bonds and any interest accrued thereon when, in the judgment of said board, it shall be for the best interest of said district to do so. Said board is hereby authorized and empowered to

issue refunding bonds to take up and refund all bonds of said district outstanding that are subject to call and prior redemption, and all interest accrued to the date of such call or prior redemption, and all bonds of said district that are not subject to call or redemption, together with all accrued interest thereon, where the surrender of said bonds can be procured from the holders thereof at prices satisfactory to the board or can be exchanged for such outstanding bonds with the consent of the holder thereof. Such refunding bonds may be issued at any time when, in the judgment of said board, it will be to the interest of the district financially or economically to secure a lower rate of interest on said bonds or by extending the time of maturity of said bonds, or for any other reason in the judgment of said board advantageous to said district. Such refunding bonds may mature at any time or times in the discretion of said board, not later, however, than 40 years from the date of issuance of said refunding bonds. Said refunding bonds shall bear such dates of issue and such other details as said board shall determine and may, in the discretion of said board, be made callable prior to maturity at such times and upon such prices and terms and other conditions as said board shall determine. All the other applicable provisions of this act not inconsistent therewith shall apply fully to said refunding bonds and the holders thereof shall have all the rights, remedies, and security of the outstanding bonds refunded, except as may be otherwise provided in the resolution of the board authorizing the issuance of such refunding bonds. Any funds available in the sinking fund for the payment of the principal and interest of outstanding bonds may be retained in the fund to be used for the payment of principal and interest of the refunding bonds, in the discretion of the board of supervisors. Any expenses incurred in buying any or all bonds authorized under the provisions of this section and the interest thereon and a reasonable compensation for paying same shall be paid out of the funds in the hands of the treasurer and collected for the purpose of meeting the expenses of administration. It shall be the duty of said board of supervisors in making the annual tax levy as heretofore provided to take into account the maturing bonds and interest on all bonds and expenses and to make provision in advance for the payment of same.

(3) In case the proceeds of the original tax levy made under the provisions of section 298.305, Florida Statutes, are not sufficient to pay the principal and interest of all bonds issued, then the board of supervisors shall make such additional levy or levies upon the benefits assessed as are necessary for this purpose, and under no circumstances shall any tax levies be made that will in any manner or to any extent impair the security of said bonds or the funds available for the payment of the principal and interest of same. Said treasurer shall, at the time of the receipt by him or her of said bonds, execute and deliver to the chair of the board of said district a bond with good and sufficient surety to be approved by said board, on the condition that he or she shall account for and pay over as required by law and as ordered by said board of supervisors any and all moneys received by him or her on the sale of such bonds, or any of them, and that he or she will only sell and deliver such bonds to the purchaser or purchasers thereof under and according to the terms herein prescribed, and that he or she will return to the board of supervisors and duly cancel any and all bonds not sold when ordered by said board to do so. Said bonds when so returned shall remain in the custody of the chair of the board of supervisors, who shall produce the same for

inspection or for use as evidence whenever and wherever legally requested so to do. Said treasurer shall promptly report all sales of bonds to the board of supervisors. The board shall, at a reasonable time thereafter, prepare and issue warrants in substantially the form provided in section 298.17, Florida Statutes, for the payment of maturing bonds so sold and the interest payments coming due on all bonds sold. Each of said warrants shall specify what bonds and accruing interest it is to pay, and the treasurer shall place sufficient funds at the place of payment to pay the maturing bonds and coupons when due, together with necessary compensation for paying same. The successor in office of any such treasurer shall not be entitled to said bonds or the proceeds thereof until he or she shall have complied with all of the foregoing provisions applicable to his or her predecessor in office. The aforesaid bond of said treasurer, if said board shall so direct, may be furnished by a surety or bonding company, which may be approved by said board of supervisors; provided, if it should be deemed more expedient to said board of supervisors as to money derived from the sale of bonds issued, said board may, by resolution, select some suitable bank or banks or other depository as temporary treasurer or treasurers to hold and disburse said moneys upon the order of said board as the work progresses, until such fund is exhausted or transferred to the treasurer by order of said board of supervisors. The funds derived from the sale of said bonds or any of them shall be used for the purpose of paying the cost of the drainage works and improvements, and such costs, fees, expenses, and salaries as may be authorized by law, and used for no other purpose.

Section 13. Full authority for issue and sale of bonds authorized.—

(1) This act shall, without reference to any other act of the Legislature, be full authority for the issuance and sale of bonds authorized in this act, 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 irrevocable contract between said board of supervisors and said North Lauderdale Water Control 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 by equity, 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 said bonds or to the correct enforcement and application of the taxes for the payment thereof.

(2) 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 opened for inspection by any bondholder at any time.

Section 14. Floating indebtedness.—

(1) After the levy of taxes in any years, and before the collection thereof, the board of supervisors shall have the power to issue tax anticipation notes. Said notes shall bear interest at a rate not exceeding the maximum rate allowed by general or special law, shall be payable at such times, and may be sold or discounted at such price or on such terms as said board may deem advisable, and the board may pledge the whole or any part of the tax levy for the payment thereof.

(2) The board shall also have the right to issue temporary obligations or interim certificates after the issuance of any bonds authorized under this act but, prior to the sale thereof, said temporary obligations and interim certificates shall be paid within 2 years from the proceeds of the sale of said bonds.

(3) Said temporary obligations and interim certificates shall have all the rights and privileges of the permanent bondholders.

(4) The tax anticipation notes, temporary obligations, and interim certificates shall be termed "floating indebtedness" in order to distinguish the same from the bonded debt as provided for herein.

Section 15. Eminent domain.—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 16. 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 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 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 17. 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.—

(1) The Board of Supervisors of North Lauderdale Water Control 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 and 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, 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 2 consecutive weeks in a newspaper published in Broward County, or duly notify the landowners by regular U.S. mail or hand-delivery, 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 to be 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 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 objections are made and are overruled by said board, then said board shall enter in its minutes its findings 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 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 but, at any time not less than 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 a 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 10 days after the ruling of said board, file his or her bill of complaint in the Circuit Court in and for Broward County 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 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 in and for Broward County, 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 have the benefits and the damages resulting therefrom assessed and apportioned by commissioners appointed by the circuit court, and have the report of 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 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 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; and 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 unit 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.

(2) Provided, however, that 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 land thereto, upon the approval of at least 51 percent of the landowners according to acreage in any such unit and 75 percent of the holders of bonds issued in respect to any such unit, and provided that 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 bondholders shall file their approval of or objections to such amended plan of reclamation in accordance with section 298.301, Florida Statutes, and shall file their approval of or objections to the amendment of such unit as provided in this section.

(3) No lands shall be detached from any unit after the issuance of bonds or other obligations for such unit except upon the consent of 75 percent 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 commissioners' report for the amended plan of reclamation, the holder of bonds or other obligations heretofore issued for the original unit who consents 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, regardless of whether the holder of such bonds or other obligations is the original holder thereof or the holder from time to time hereafter, and the rights and remedies of such holder 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 holder 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 18. Severability.—In case any one or more of the sections or provisions of this act or the application of such sections or provisions to any situation, circumstances, or person shall for any reason be held to be unconstitutional, such unconstitutionality shall not affect any other sections or provisions of this act or the application of such sections or provisions to any

other situation, circumstances, or person, and it is intended that this law shall be construed and applied as if such section or provision had not been included herein for any unconstitutional application.

Section 4. Chapters 63-661, 82-273, 85-385, 94-428, and 97-370, Laws of Florida, are repealed.

Section 5. This act shall take effect upon becoming a law.

Approved by the Governor June 13, 2005.

Filed in Office Secretary of State June 13, 2005.