

1 A bill to be entitled
2 An act relating to Osceola County; creating the
3 Waterlin Stewardship District; providing a short
4 title; providing legislative findings and intent;
5 providing definitions; stating legislative policy
6 regarding creation of the district; establishing
7 compliance with minimum requirements in s. 189.031(3),
8 F.S., for creation of an independent special district;
9 providing for creation and establishment of the
10 district; establishing the legal boundaries of the
11 district; providing for the jurisdiction and charter
12 of the district; providing for a governing board and
13 establishing membership criteria and election
14 procedures; providing for board members' terms of
15 office; providing for board meetings; providing for
16 administrative duties of the board; providing a method
17 for transition of the board from landowner control to
18 control by the resident electors of the district;
19 providing for a district manager and district
20 personnel; providing for a district treasurer,
21 selection of a public depository, and district budgets
22 and financial reports; providing for the general
23 powers of the district; providing for the special
24 powers of the district to plan, finance, and provide
25 community infrastructure and services within the

26 | district; providing for bonds; providing for
 27 | borrowing; providing for future ad valorem taxation;
 28 | providing for special assessments; providing for
 29 | issuance of certificates of indebtedness; providing
 30 | for tax liens; providing for competitive procurement;
 31 | providing for fees and charges; providing for
 32 | amendment to charter; providing for required notices
 33 | to purchasers of residential units within the
 34 | district; defining district public property; providing
 35 | for construction; providing severability; providing
 36 | for a referendum; providing an effective date.

37 |

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

39 |

40 | **Section 1.** This act may be cited as the "Waterlin
 41 | Stewardship District Act."

42 | **Section 2.** Legislative findings and intent; definitions;
 43 | policy.

44 | (1) LEGISLATIVE INTENT AND PURPOSE OF THE DISTRICT.

45 | (a) The extensive lands located wholly within Osceola
 46 | County and covered by this act contain many opportunities for
 47 | thoughtful, comprehensive, responsible, and consistent
 48 | development over a long period.

49 | (b) There is a need to use a special and limited purpose
 50 | independent special district unit of local government for the

51 Waterlin Stewardship District lands located within Osceola
52 County and covered by this act to provide for a more
53 comprehensive communities development approach, which will
54 facilitate an integral relationship between transportation, land
55 use and urban design to provide for a diverse mix of housing and
56 regional employment and economic development opportunities,
57 rather than fragmented development with underutilized
58 infrastructure generally associated with urban sprawl.

59 (c) The establishment of a special and limited purpose
60 independent special district for the Waterlin Stewardship
61 District lands will allow for cooperation with Osceola County
62 for the responsible management of waterways adjacent to Lake
63 Tohopekaliga through the recognition of the Lake Toho Protection
64 Area, located a minimum of 250 feet and an average of 500 feet
65 along the Lake Tohopekaliga lakeshore from the controlled high
66 water line elevation, including the Lake Toho Shoreline Regional
67 Park in accordance with the existing South Lake Toho Conceptual
68 Master Plan. The establishment of the district and the
69 recognition of the Lake Toho Protection Area and the Lake Toho
70 Shoreline Regional Park will help to facilitate the highest and
71 best use for the real property within the Waterlin Stewardship
72 District.

73 (d) There is a considerably long period of time during
74 which there is a significant burden to provide various systems,
75 facilities, and services on the initial landowners of these

76 Waterlin Stewardship District lands, such that there is a need
77 for flexible management, sequencing, timing, and financing of
78 the various systems, facilities, and services to be provided to
79 these lands, taking into consideration absorption rates,
80 commercial viability, and related factors.

81 (e) While chapter 190, Florida Statutes, provides an
82 opportunity for community development services and facilities to
83 be provided by the establishment of community development
84 districts in a manner that furthers the public interest, given
85 the size of the Waterlin Stewardship District lands and the
86 duration of development, establishing multiple community
87 development districts over these lands would result in an
88 inefficient, duplicative, and needless proliferation of local
89 special purpose government, contrary to the public interest and
90 the Legislature's findings in chapter 190, Florida Statutes.
91 Instead, it is in the public interest that the long-range
92 provision for, and management, financing, and long-term
93 maintenance, upkeep, and operation of, services and facilities
94 to be provided for ultimate development and conservation of the
95 lands covered by this act be under one coordinated entity. The
96 creation of a single district will assist in integrating the
97 management of state resources and allow for greater and more
98 coordinated stewardship of water, waste, energy, habitat and
99 natural system resources.

100 (f) Longer involvement of the initial landowner with

101 regard to the provision of systems, facilities, and services for
102 the Waterlin Stewardship District lands, coupled with the
103 special and limited purpose of the district, is in the public
104 interest.

105 (g) The existence and use of such a special and limited
106 purpose local government for the Waterlin Stewardship District
107 lands, subject to the Osceola County comprehensive plan, will
108 provide for a comprehensive and complete community development
109 approach to promote a sustainable and efficient land use pattern
110 for the Waterlin Stewardship District lands with long-term
111 planning for conservation, development, and agriculture and
112 silviculture on a large scale; provide opportunities for the
113 mitigation of impacts and development of infrastructure in an
114 orderly and timely manner; prevent the overburdening of the
115 local general purpose government and the taxpayers; and provide
116 an enhanced tax base and regional employment and economic
117 development opportunities.

118 (h) The creation and establishment of the special
119 district will encourage local government financial self-
120 sufficiency in providing public facilities and in identifying
121 and implementing physically sound, innovative, and cost-
122 effective techniques to provide and finance public facilities
123 while encouraging development, use, and coordination of capital
124 improvement plans by all levels of government, in accordance
125 with the goals of chapter 187, Florida Statutes.

126 (i) The creation and establishment of the special
127 district will encourage and enhance cooperation among
128 communities that have unique assets, irrespective of political
129 boundaries, to bring the private and public sectors together for
130 establishing an orderly and economically sound plan for current
131 and future needs and growth.

132 (j) The creation and establishment of the special
133 district is a legitimate supplemental and alternative method
134 available to manage, own, operate, construct, and finance
135 capital infrastructure systems, facilities, and services.

136 (k) In order to be responsive to the critical timing
137 required through the exercise of its special management
138 functions, an independent special district requires financing of
139 those functions, including bondable lienable and nonlienable
140 revenue, with full and continuing public disclosure and
141 accountability, funded by landowners, both present and future,
142 and funded also by users of the systems, facilities, and
143 services provided to the land area by the special district,
144 without unduly burdening the taxpayers, citizens, and ratepayers
145 of the state, Osceola County, any municipality therein, or the
146 Tohopekaliga Water Authority.

147 (l) The special district created and established by this
148 act shall not have or exercise any comprehensive planning,
149 zoning, or development permitting power; the establishment of
150 the special district shall not be considered a development order

151 within the meaning of chapter 380, Florida Statutes; and all
152 applicable planning and permitting laws, rules, regulations, and
153 policies of Osceola County control the development of the land
154 to be serviced by the special district.

155 (m) The creation by this act of the Waterlin Stewardship
156 District is not inconsistent with the Osceola County
157 comprehensive plan.

158 (n) It is the legislative intent and purpose that no debt
159 or obligation of the special district constitute a burden on any
160 local general-purpose government or the Tohopekaliga Water
161 Authority without its consent.

162 (2) DEFINITIONS. As used in this act:

163 (a) "Ad valorem bonds" means bonds that are payable from
164 the proceeds of ad valorem taxes levied on real and tangible
165 personal property and that are generally referred to as general
166 obligation bonds.

167 (b) "Assessable improvements" means, without limitation,
168 any and all public improvements and community facilities that
169 the district is empowered to provide in accordance with this act
170 that provide a special benefit to property within the district.

171 (c) "Assessment bonds" means special obligations of the
172 district which are payable solely from proceeds of the special
173 assessments or benefit special assessments levied for assessable
174 improvements, provided that, in lieu of issuing assessment bonds
175 to fund the costs of assessable improvements, the district may

176 issue revenue bonds for such purposes payable from assessments.

177 (d) "Assessments" means those nonmillage district
 178 assessments which include special assessments, benefit special
 179 assessments, and maintenance special assessments and a
 180 nonmillage, non-ad valorem maintenance tax if authorized by
 181 general law.

182 (e) "Waterlin Stewardship District" means the unit of
 183 special and limited purpose local government created and
 184 chartered by this act, and limited to the performance of those
 185 general and special powers authorized by its charter under this
 186 act, the boundaries of which are set forth by the act, the
 187 governing board of which is created and authorized to operate
 188 with legal existence by this act, and the purpose of which is as
 189 set forth in this act.

190 (f) "Benefit special assessments" are district
 191 assessments imposed, levied, and collected pursuant to the
 192 provisions of section 6(12)(b).

193 (g) "Board of supervisors" or "board" means the governing
 194 body of the district or, if such board has been abolished, the
 195 board, body, or commission assuming the principal functions
 196 thereof or to whom the powers given to the board by this act
 197 have been given by law.

198 (h) "Bond" includes "certificate," and the provisions
 199 that are applicable to bonds are equally applicable to
 200 certificates. The term also includes any general obligation

201 bond, assessment bond, refunding bond, revenue bond, bond
202 anticipation note, and other such obligation in the nature of a
203 bond as is provided for in this act.

204 (i) "Cost" or "costs," when used with reference to any
205 project, includes, but is not limited to:

206 1. The expenses of determining the feasibility or
207 practicability of acquisition, construction, or reconstruction.

208 2. The cost of surveys, estimates, plans, and
209 specifications.

210 3. The cost of improvements.

211 4. Engineering, architectural, fiscal, and legal expenses
212 and charges.

213 5. The cost of all labor, materials, machinery, and
214 equipment.

215 6. The cost of all lands, properties, rights, easements,
216 and franchises acquired.

217 7. Financing charges.

218 8. The creation of initial reserve and debt service
219 funds.

220 9. Working capital.

221 10. Interest charges incurred or estimated to be incurred
222 on money borrowed prior to and during construction and
223 acquisition and for such reasonable period of time after
224 completion of construction or acquisition as the board may
225 determine.

226 11. The cost of issuance of bonds pursuant to this act,
 227 including advertisements and printing.

228 12. The cost of any bond or tax referendum held pursuant
 229 to this act and all other expenses of issuance of bonds.

230 13. The discount, if any, on the sale or exchange of
 231 bonds.

232 14. Administrative expenses.

233 15. Such other expenses as may be necessary or incidental
 234 to the acquisition, construction, or reconstruction of any
 235 project, or to the financing thereof, or to the development of
 236 any lands within the district.

237 16. Payments, contributions, dedications, and any other
 238 exactions required as a condition of receiving any governmental
 239 approval or permit necessary to accomplish any district purpose.

240 17. Any other expense or payment permitted by this act or
 241 allowable by law.

242 (j) "District" means the Waterlin Stewardship District.

243 (k) "District manager" means the manager of the district.

244 (l) "District roads" means highways, streets, roads,
 245 alleys, intersection improvements, sidewalks, crossings,
 246 landscaping, irrigation, signage, signalization, storm drains,
 247 bridges, multi-use trails, lighting, and thoroughfares of all
 248 kinds.

249 (m) "General obligation bonds" means bonds which are
 250 secured by, or provide for their payment by, the pledge of the

251 full faith and credit and taxing power of the district.

252 (n) "Governing board member" means any member of the
 253 board of supervisors.

254 (o) "Land development regulations" means those
 255 regulations of general purpose local government, adopted under
 256 the Florida Local Government Comprehensive Planning and Land
 257 Development Regulation Act, codified as part II of chapter 163,
 258 Florida Statutes, to which the district is subject and as to
 259 which the district may not do anything that is inconsistent
 260 therewith. Land development regulations shall not mean specific
 261 management, engineering, operations, or capital improvement
 262 planning, needed in the daily management, implementation, and
 263 supplying by the district of systems, facilities, services,
 264 works, improvements, projects, or infrastructure, so long as
 265 they remain subject to and are not inconsistent with the
 266 applicable county codes.

267 (p) "Landowner" means the owner of a freehold estate as
 268 it appears on the deed record, including a trustee, a private
 269 corporation, and an owner of a condominium unit. "Landowner"
 270 does not include a reversioner, remainder-man, mortgagee, or any
 271 governmental entity which shall not be counted and need not be
 272 notified of proceedings under this act. "Landowner" also means
 273 the owner of a ground lease from a governmental entity, which
 274 leasehold interest has a remaining term, excluding all renewal
 275 options, in excess of 50 years.

276 (q) "General-purpose local government" means a county,
277 municipality, or consolidated city-county government.

278 (r) "Maintenance special assessments" are assessments
279 imposed, levied, and collected pursuant to the provisions of
280 section 6(12)(d).

281 (s) "Non-ad valorem assessment" means only those
282 assessments which are not based upon millage and which can
283 become a lien against a homestead as permitted in s. 4, Art. X
284 of the State Constitution.

285 (t) "Powers" means powers used and exercised by the board
286 of supervisors to accomplish the special and limited purpose of
287 the district, including:

288 1. "General powers," which means those organizational and
289 administrative powers of the district as provided in its charter
290 in order to carry out its special and limited purpose as a local
291 government public corporate body politic.

292 2. "Special powers," which means those powers enumerated
293 by the district charter to implement its specialized systems,
294 facilities, services, projects, improvements, and infrastructure
295 and related functions in order to carry out its special and
296 limited purposes.

297 3. Any other powers, authority, or functions set forth in
298 this act.

299 (u) "Project" means any development, improvement,
300 property, power, utility, facility, enterprise, service, system,

301 works, or infrastructure now existing or hereafter undertaken or
302 established under the provisions of this act.

303 (v) "Qualified elector" means any person at least 18
304 years of age who is a citizen of the United States and a legal
305 resident of the state and of the district and who registers to
306 vote with the Supervisor of Elections in Osceola County and
307 resides in Osceola County.

308 (w) "Reclaimed water" means water that has received at
309 least secondary treatment and basic disinfection and is reused
310 after flowing out of a domestic wastewater treatment facility.

311 (x) "Reclaimed water system" means any plant, system,
312 facility, or property, and any addition, extension, or
313 improvement thereto at any future time constructed or acquired
314 as part thereof, useful, necessary, or having the present
315 capacity for future use in connection with the development of
316 sources, treatment, purification, or distribution of reclaimed
317 water. The term includes franchises of any nature relating to
318 any such system and necessary or convenient for the operation
319 thereof.

320 (y) "Refunding bonds" means bonds issued to refinance
321 outstanding bonds of any type and the interest and redemption
322 premium thereon. Refunding bonds may be issuable and payable in
323 the same manner as refinanced bonds, except that no approval by
324 the electorate shall be required unless required by the State
325 Constitution.

326 (z) "Revenue bonds" means obligations of the district
327 that are payable from revenues, including, but not limited to,
328 special assessments and benefit special assessments, derived
329 from sources other than ad valorem taxes on real or tangible
330 personal property and that do not pledge the property, credit,
331 or general tax revenue of the district.

332 (aa) "Sewer system" means any plant, system, facility, or
333 property, and additions, extensions, and improvements thereto at
334 any future time constructed or acquired as part thereof, useful
335 or necessary or having the present capacity for future use in
336 connection with the collection, treatment, purification, or
337 disposal of sewage, including, but not limited to, industrial
338 wastes resulting from any process of industry, manufacture,
339 trade, or business or from the development of any natural
340 resource. The term also includes treatment plants, pumping
341 stations, lift stations, valves, force mains, intercepting
342 sewers, laterals, pressure lines, mains, and all necessary
343 appurtenances and equipment; all sewer mains, laterals, and
344 other devices for the reception and collection of sewage from
345 premises connected therewith; and all real and personal property
346 and any interest therein, and rights, easements, and franchises
347 of any nature relating to any such system and necessary or
348 convenient for operation thereof.

349 (bb) "Special assessments" means assessments as imposed,
350 levied, and collected by the district for the costs of

351 assessable improvements pursuant to the provisions of this act,
352 chapter 170, Florida Statutes, and the additional authority
353 under s. 197.3631, Florida Statutes, or other provisions of
354 general law, now or hereinafter enacted, which provide or
355 authorize a supplemental means to impose, levy, or collect
356 special assessments.

357 (cc) "Taxes" or "tax" means those levies and impositions
358 of the board of supervisors that support and pay for government
359 and the administration of law and that may be:

360 1. Ad valorem or property taxes based upon both the
361 appraised value of property and millage, at a rate uniform
362 within the jurisdiction; or

363 2. If and when authorized by general law, non-ad valorem
364 maintenance taxes not based on millage that are used to maintain
365 district systems, facilities, and services.

366 (dd) "Water system" means any plant, system, facility, or
367 property, and any addition, extension, or improvement thereto at
368 any future time constructed or acquired as a part thereof,
369 useful, necessary, or having the present capacity for future use
370 in connection with the development of sources, treatment,
371 purification, or distribution of water. The term also includes
372 dams, reservoirs, storage tanks, mains, lines, valves, pumping
373 stations, laterals, and pipes for the purpose of carrying water
374 to the premises connected with such system, and all rights,
375 easements, and franchises of any nature relating to any such

376 system and necessary or convenient for the operation thereof.

377 (3) POLICY. Based upon its findings, ascertainments,
378 determinations, intent, purpose, and definitions, the
379 Legislature states its policy expressly:

380 (a) The district and the district charter, with its
381 general and special powers, as created in this act, are
382 essential and the best alternative for the residential,
383 commercial, office, hotel, industrial, and other community uses,
384 projects, or functions in the included portion of Osceola County
385 consistent with the effective comprehensive plan, and designed
386 to serve a lawful public purpose. Additionally, the district and
387 the district charter are not in conflict with and shall not be
388 interpreted in a manner that is inconsistent with the
389 Tohopekaliga Water Authority Act.

390 (b) The district, which is a local government and a
391 political subdivision, is limited to its special purpose as
392 expressed in this act, with the power to provide, plan,
393 implement, construct, maintain, and finance as a local
394 government management entity systems, facilities, services,
395 improvements, infrastructure, and projects, and possessing
396 financing powers to fund its management power over the long term
397 and with sustained levels of high quality.

398 (c) The creation of the Waterlin Stewardship District by
399 and pursuant to this act, and its exercise of its management and
400 related financing powers to implement its limited, single, and

401 special purpose, is not a development order and does not trigger
402 or invoke any provision within the meaning of chapter 380,
403 Florida Statutes, and all applicable governmental planning,
404 environmental, and land development laws, regulations, rules,
405 policies, and ordinances apply to all development of the land
406 within the jurisdiction of the district as created by this act.

407 (d) The district shall operate and function subject to,
408 and not inconsistent with, the applicable comprehensive plan of
409 Osceola County and any applicable development orders (e.g.
410 detailed specific area plan development orders), zoning
411 regulations, and other land development regulations.

412 (e) The special and single purpose Waterlin Stewardship
413 District shall not have the power of a general-purpose local
414 government to adopt a comprehensive plan or related land
415 development regulation as those terms are defined in the
416 Community Planning Act.

417 (f) This act may be amended, in whole or in part, only by
418 special act of the Legislature. The board of supervisors of the
419 district shall not ask the Legislature to amend this act without
420 first obtaining a resolution or official statement from Osceola
421 County as required by s. 189.031(2)(e)4., Florida Statutes, for
422 creation of an independent special district. The board shall not
423 ask the Legislature to amend this act related to the delivery of
424 potable and nonpotable water and wastewater services in Osceola
425 County without first obtaining a resolution approving such

426 amendment from the Tohopekaliga Water Authority or its
427 successors.

428 (g) Nothing in this act is intended to, or shall be
429 construed to, conflict with the Tohopekaliga Water Authority
430 Act. Nothing in this act is intended to, or shall be construed
431 to, limit the power of the Tohopekaliga Water Authority or its
432 successors.

433 **Section 3.** Minimum charter requirements; creation and
434 establishment; jurisdiction; construction; charter.

435 (1) Pursuant to s. 189.031(3), Florida Statutes, the
436 Legislature sets forth that the minimum requirements in
437 paragraphs (a) through (o) have been met in the identified
438 provisions of this act as follows:

439 (a) The purpose of the district is stated in the act in
440 subsection (4) and in sections 2 and 3.

441 (b) The powers, functions, and duties of the district
442 regarding ad valorem taxation, bond issuance, other revenue-
443 raising capabilities, budget preparation and approval, liens and
444 foreclosure of liens, use of tax deeds and tax certificates as
445 appropriate for non-ad valorem assessments, and contractual
446 agreements are set forth in section 6.

447 (c) The provisions for methods for establishing the
448 district are in this section.

449 (d) The methods for amending the charter of the district
450 are set forth in section 2.

451 (e) The provisions for the membership and organization of
452 the governing body and the establishment of a quorum are in
453 section 5.

454 (f) The provisions regarding maximum compensation of each
455 board member are in section 5.

456 (g) The provisions regarding the administrative duties of
457 the governing body are found in sections 5 and 6.

458 (h) The provisions applicable to financial disclosure,
459 noticing, and reporting requirements generally are set forth in
460 sections 5 and 6.

461 (i) The provisions regarding procedures and requirements
462 for issuing bonds are set forth in section 6.

463 (j) The provisions regarding elections or referenda and
464 the qualifications of an elector of the district are in sections
465 2 and 5.

466 (k) The provisions regarding methods for financing the
467 district are generally in section 6.

468 (l) Other than taxes levied for the payment of bonds and
469 taxes levied for periods not longer than 2 years when authorized
470 by vote of the electors of the district, the provisions for the
471 authority to levy ad valorem tax and the authorized millage rate
472 are in section 6.

473 (m) The provisions for the method or methods of
474 collecting non-ad valorem assessments, fees, or service charges
475 are in section 6.

476 (n) The provisions for planning requirements are in this
477 section and section 6.

478 (o) The provisions for geographic boundary limitations of
479 the district are set forth in sections 4 and 6.

480 (2) The Waterlin Stewardship District is created and
481 incorporated as a public body corporate and politic, an
482 independent special and limited purpose local government, an
483 independent special district, under s. 189.031, Florida
484 Statutes, as amended from time to time, and as defined in this
485 act and in s. 189.012(3), Florida Statutes, as amended from time
486 to time, in and for portions of Osceola County. Any amendments
487 to chapter 190, Florida Statutes, after January 1, 2025,
488 granting additional general powers, special powers, authorities,
489 or projects to a community development district by amendment to
490 its uniform charter, ss. 190.006-190.041, Florida Statutes,
491 which are not inconsistent with the provisions of this act,
492 shall constitute a general power, special power, authority, or
493 function of the Waterlin Stewardship District. All notices for
494 the enactment by the Legislature of this special act have been
495 provided pursuant to the State Constitution, the Laws of
496 Florida, and the Rules of the Florida House of Representatives
497 and of the Florida Senate. No referendum subsequent to the
498 effective date of this act is required as a condition of
499 establishing the district. Therefore, the district, as created
500 by this act, is established on the property described in this

501 act.

502 (3) The territorial boundary of the district shall
503 embrace and include all of that certain real property described
504 in section 4.

505 (4) The jurisdiction of this district, in the exercise of
506 its general and special powers, and in the carrying out of its
507 special and limited purposes, is both within the external
508 boundaries of the legal description of this district and
509 extraterritorially when limited to, and as authorized expressly
510 elsewhere in, the charter of the district as created in this act
511 or applicable general law. This special and limited purpose
512 district is created as a public body corporate and politic, and
513 local government authority and power is limited by its charter,
514 this act, and subject to the provisions of other general laws,
515 including chapter 189, Florida Statutes, except that an
516 inconsistent provision in this act shall control and the
517 district has jurisdiction to perform such acts and exercise such
518 authorities, functions, and powers as shall be necessary,
519 convenient, incidental, proper, or reasonable for the
520 implementation of its special and limited purpose regarding the
521 sound planning, provision, acquisition, development, operation,
522 maintenance, and related financing of those public systems,
523 facilities, services, improvements, projects, and infrastructure
524 works as authorized herein, including those necessary and
525 incidental thereto. The district shall exercise any of its

526 powers extraterritorially within Osceola County upon execution
 527 of an interlocal agreement between the district and Osceola
 528 County consenting to the district's exercise of any of such
 529 powers within Osceola County or an applicable development order
 530 issued by Osceola County. The district shall exercise its power
 531 concerning the acquisition, development, operation, and
 532 management of a water system, reclaimed water system, and sewer
 533 system within the boundaries or the service area of the
 534 Tohopekaliga Water Authority upon execution of and in a manner
 535 consistent with an interlocal or similar agreement between the
 536 district and the Tohopekaliga Water Authority or an investor
 537 owned utility regulated by the Florida Public Service
 538 Commission.

539 (5) The exclusive charter of the Waterlin Stewardship
 540 District is this act and, except as otherwise provided in
 541 subsection (2), may be amended only by special act of the
 542 Legislature.

543 **Section 4.** Legal description of the Waterlin Stewardship
 544 District. The metes and bounds legal description of the
 545 district, within which there are no parcels of property owned by
 546 those who do not wish their property to be included within the
 547 district, is as follows:

548 WATERLIN (Overall)

549 WEST SIDE:

550 DESCRIPTION: A parcel of land being a part of THE

551 SEMINOLE LAND AND INVESTMENT COMPANY'S SUBDIVISION of
552 Section 33, Township 26 South, Range 30 East,
553 according to the plat thereof, recorded in Plat Book
554 B, Page 17, of the Public Records of Osceola County,
555 Florida; together with THE SEMINOLE LAND AND
556 INVESTMENT COMPANY'S SUBDIVISION of Section 9,
557 Township 27 South, Range 30 East, according to the
558 plat thereof, recorded in Plat Book B, Page 39, of the
559 Public Records of Osceola County, Florida; together
560 with part of THE SEMINOLE LAND AND INVESTMENT
561 COMPANY'S SUBDIVISION of Section 10, Township 27
562 South, Range 30 East, according to the plat thereof,
563 recorded in Plat Book B, Page 36, of the Public
564 Records of Osceola County, Florida; together with part
565 of THE SEMINOLE LAND AND INVESTMENT COMPANY'S
566 SUBDIVISION of Section 14, Township 27 South, Range 30
567 East, according to the plat thereof, recorded in Plat
568 Book B, Page 38, of the Public Records of Osceola
569 County, Florida; together with part of THE SEMINOLE
570 LAND AND INVESTMENT COMPANY'S SUBDIVISION of Section
571 15, Township 27 South, Range 30 East, according to the
572 plat thereof, recorded in Plat Book B, Page 42, of the
573 Public Records of Osceola County, Florida; together
574 with THE SEMINOLE LAND AND INVESTMENT COMPANY'S
575 SUBDIVISION of Section 16, Township 27 South, Range 30

576 East, according to the plat thereof, recorded in Plat
577 Book B, Page 43, of the Public Records of Osceola
578 County, Florida; together with THE SEMINOLE LAND AND
579 INVESTMENT COMPANY'S SUBDIVISION of Section 17,
580 Township 27 South, Range 30 East, according to the
581 plat thereof, recorded in Plat Book B, Page 44, of the
582 Public Records of Osceola County, Florida, and;
583 together with lands lying in Sections 33 and 34,
584 Township 26 South, Range 30 East, and Sections 3, 4,
585 5, 8 and 9, Township 27 South, Range 30 East, Osceola
586 County, Florida, and being more particularly described
587 as follows:
588 COMMENCE at the Northwest corner of said Section 3,
589 run thence along the West boundary of said Section 3,
590 S.00°03'04"W., a distance of 598.17 feet to a point on
591 the South boundary of that certain parcel of land
592 described in Official Records Book 1022, Page 2684, of
593 the Public Records of Osceola County, Florida, said
594 point also being the POINT OF BEGINNING; thence along
595 said South boundary of land described in Official
596 Records Book 1022, Page 2684, N.89°53'45"E., a
597 distance of 1320.60 feet to the Southeast corner
598 thereof, also being a point on the East boundary of
599 the Northwest 1/4 of the Northwest 1/4 of aforesaid
600 Section 3; thence along the East boundary of said land

601 described in Official Records Book 1022, Page 2684,
 602 also being said East boundary of the Northwest 1/4 of
 603 the Northwest 1/4 of Section 3, N.00°01'34"E., a
 604 distance of 598.04 feet to the Northwest corner of the
 605 Northeast 1/4 of said Northwest 1/4 of Section 3,
 606 thence along the North boundary of said Northeast 1/4
 607 of the Northwest 1/4 of Section 3, N.89°53'40"E., a
 608 distance of 139.32 feet to a point on a curve on the
 609 Southerly right of way line of FRIAR'S COVE ROAD, per
 610 Florida State Turnpike Authority SUNSHINE STATE
 611 PARKWAY (Project No. 2) Right of Way Map Section 10,
 612 Station 3914+00 Station 4177+50.00 to Station
 613 4283+36.17 and Right of Way Map , Osceola County,
 614 Florida; thence along said Southerly right of way line
 615 the following two (2) courses: 1) Easterly, 430.17
 616 feet along the arc of a non-tangent curve to the left
 617 having a radius of 1220.92 feet and a central angle of
 618 20°11'13" (chord bearing S.80°00'44"E., 427.95 feet)
 619 to a point of tangency; 2) N.89°53'40"E., a distance
 620 of 133.39 feet to the Westerly limited access right of
 621 way line of FLORIDA'S TURNPIKE, per said Florida State
 622 Turnpike Authority, SUNSHINE STATE PARKWAY (Project
 623 No. 2) Right of Way Map Section 10, Station 4177+50.00
 624 to Station 4283+36.17 and Right of Way Map Section 10
 625 Station 3914+00 to Station 4010+00, Osceola County,

626 Florida; thence along said Westerly limited access
627 right of way line, the following three (3) course: 1)
628 S.07°25'17"E., a distance of 4885.86 feet to a point
629 of curvature; 2) Southerly, 1145.53 feet along the arc
630 of a tangent curve to the left having a radius of
631 5929.58 feet and a central angle of 11°04'08" (chord
632 bearing S.12°57'21"E., 1143.75 feet) to a point of
633 tangency; 3) S.18°29'25"E., a distance of 10328.78
634 feet to a point on the South boundary of aforesaid
635 Section 14; thence along said South boundary of
636 Section 14, S.89°59'16"W., a distance of 849.54 feet
637 to the Southwest corner thereof; thence along the
638 South boundary of the Southeast 1/4 of aforesaid
639 Section 15, S.89°52'01"W., a distance of 2599.36 feet
640 to the South 1/4 corner of said Section 15; thence
641 along the South boundary of the Southwest 1/4 of said
642 Section 15, S.89°51'47"W., a distance of 2600.37 feet
643 to the Southwest corner of said Section 15; thence
644 along the South boundary of the Southeast 1/4 of
645 aforesaid Section 16, S.89°40'18"W., a distance of
646 2607.41 feet to the South 1/4 corner of said Section
647 16; thence along the South boundary of the Southwest
648 1/4 of said Section 16, S.89°39'46"W., a distance of
649 2607.05 feet to the Southwest corner of said Section
650 16; thence along the South boundary of the Southeast

651 1/4 of aforesaid Section 17, N.89°49'09"W., a distance
652 of 2600.62 feet to the South 1/4 corner of said
653 Section 17; thence along the West boundary of the East
654 1/2 of said Section 17, N.00°31'25"W., a distance of
655 5299.06 feet to the North 1/4 corner of said Section
656 17; thence along the South boundary of the Southwest
657 1/4 of aforesaid Section 8, S.89°58'34"W., a distance
658 of 2601.44 feet to the Southwest corner of said
659 Section 8; thence along the West boundary of said
660 Section 8, N.02°20'38"W., a distance of 1019.52 feet
661 to the Ordinary High Water line of Lake Tohopekaliga;
662 thence Northeasterly along said Ordinary High Water
663 line of Lake Tohopekaliga the following seventy-two
664 (72) courses: 1) N.37°54'41"E., a distance of 81.76
665 feet; 2) N.37°04'33"E., a distance of 131.69 feet; 3)
666 N.39°26'27"E., a distance of 203.30 feet; 4)
667 N.34°22'02"E., a distance of 248.92 feet; 5)
668 N.38°34'19"E., a distance of 255.02 feet; 6)
669 N.34°58'38"E., a distance of 157.97 feet; 7)
670 N.32°39'38"E., a distance of 243.71 feet; 8)
671 N.33°50'07"E., a distance of 132.31 feet; 9)
672 N.37°31'13"E., a distance of 610.86 feet; 10)
673 N.26°36'10"E., a distance of 315.01 feet; 11)
674 N.25°43'26"E., a distance of 277.07 feet; 12)
675 N.41°49'15"E., a distance of 255.86 feet; 13)

676 N.35°12'03"E., a distance of 263.02 feet; 14)
 677 N.26°15'05"E., a distance of 198.26 feet; 15)
 678 N.32°25'48"E., a distance of 299.79 feet; 16)
 679 N.33°14'27"E., a distance of 224.71 feet; 17)
 680 N.29°39'52"E., a distance of 215.77 feet; 18)
 681 N.12°28'24"E., a distance of 210.93 feet; 19)
 682 N.29°25'22"E., a distance of 339.17 feet; 20)
 683 N.30°48'46"E., a distance of 374.15 feet; 21)
 684 N.24°23'09"E., a distance of 317.92 feet; 22)
 685 N.26°25'24"E., a distance of 243.41 feet; 23)
 686 N.31°03'40"E., a distance of 219.41 feet; 24)
 687 N.24°02'21"E., a distance of 231.64 feet; 25)
 688 N.32°48'49"E., a distance of 336.29 feet; 26)
 689 N.31°44'20"E., a distance of 395.85 feet; 27)
 690 N.29°51'44"E., a distance of 301.96 feet; 28)
 691 N.58°06'19"E., a distance of 197.64 feet; 29)
 692 N.38°22'12"E., a distance of 299.31 feet; 30)
 693 N.29°50'50"E., a distance of 207.18 feet; 31)
 694 N.33°22'53"E., a distance of 292.67 feet; 32)
 695 N.36°07'47"E., a distance of 172.06 feet; 33)
 696 N.41°18'59"E., a distance of 187.80 feet; 34)
 697 N.40°28'50"E., a distance of 178.78 feet; 35)
 698 N.40°30'39"E., a distance of 169.37 feet; 36)
 699 N.39°19'04"E., a distance of 149.24 feet; 37)
 700 N.27°15'25"E., a distance of 216.35 feet; 38)

701 N.23°08'10"E., a distance of 170.61 feet; 39)
 702 N.27°57'49"E., a distance of 176.45 feet; 40)
 703 N.37°44'39"E., a distance of 181.54 feet; 41)
 704 N.36°28'02"E., a distance of 230.86 feet; 42)
 705 N.36°31'29"E., a distance of 124.83 feet; 43)
 706 N.31°04'09"E., a distance of 174.22 feet; 44)
 707 N.72°24'30"E., a distance of 158.28 feet; 45)
 708 N.46°34'47"E., a distance of 211.16 feet; 46)
 709 N.60°24'05"E., a distance of 166.95 feet; 47)
 710 N.38°46'17"E., a distance of 175.58 feet; 48)
 711 N.47°53'42"E., a distance of 205.67 feet; 49)
 712 N.64°19'16"E., a distance of 135.98 feet; 50)
 713 N.57°41'44"E., a distance of 182.18 feet; 51)
 714 S.87°39'54"E., a distance of 111.77 feet; 52)
 715 S.44°06'37"W., a distance of 133.74 feet; 53)
 716 S.32°04'08"E., a distance of 228.05 feet; 54)
 717 S.00°57'13"E., a distance of 33.18 feet; 55)
 718 S.23°29'48"W., a distance of 47.37 feet; 56)
 719 S.43°50'35"E., a distance of 93.44 feet; 57)
 720 S.64°47'43"E., a distance of 183.02 feet; 58)
 721 S.86°31'39"E., a distance of 88.54 feet; 59)
 722 S.68°58'07"E., a distance of 147.89 feet; 60)
 723 N.43°44'46"E., a distance of 128.68 feet; 61)
 724 N.39°03'02"E., a distance of 133.28 feet; 62)
 725 N.33°13'44"E., a distance of 191.62 feet; 63)

726 N.34°47'49"E., a distance of 186.47 feet; 64)
 727 N.34°35'25"E., a distance of 144.16 feet; 65)
 728 N.89°54'55"E., a distance of 73.66 feet; 66)
 729 S.83°34'00"E., a distance of 123.39 feet; 67)
 730 N.26°18'38"E., a distance of 246.40 feet; 68)
 731 N.59°15'32"W., a distance of 117.78 feet; 69)
 732 N.25°50'27"W., a distance of 73.80 feet; 70)
 733 N.35°14'55"W., a distance of 108.23 feet; 71)
 734 N.11°58'30"W., a distance of 127.77 feet; 72)
 735 N.02°32'54"W., a distance of 111.01 feet to a point on
 736 the South boundary of that certain land described in
 737 Official Records Book 935, Page 2041, of the Public
 738 Records of Osceola County, Florida; thence along said
 739 South boundary of land described in Official Records
 740 Book 935, Page 2041, N.89°44'06"E., a distance of
 741 1720.24 feet to the Southwest corner of that certain
 742 land described in Official Records Book 5053, Page
 743 2286, of the Public Records of Osceola County,
 744 Florida; thence along the West boundary of said land
 745 described in Official Records Book 5053, Page 2286,
 746 N.00°32'39"W., a distance of 914.34 feet to the
 747 Northwest corner thereof, also being a point on the
 748 South right of way line of aforesaid FRIAR'S COVE
 749 ROAD, according to Deed Book 163, Page 407, of the
 750 Public Records of Osceola County, Florida; thence

751 along said South right of way line, N.89°44'47"E., a
 752 distance of 562.19 feet; thence along aforesaid
 753 Southerly right of way line of FRIAR'S COVE ROAD, per
 754 Florida State Turnpike Authority SUNSHINE STATE
 755 PARKWAY (Project No. 2) Right of Way Map Section 10,
 756 Station 3914+00 Station 4177+50.00 to Station
 757 4283+36.17 and Right of Way Map , Osceola County,
 758 Florida, the following three (3) courses: 1)
 759 S.00°07'30"E., a distance of 23.01 feet; 2)
 760 N.89°52'30"E., a distance of 73.53 feet to a point of
 761 curvature; 3) Easterly, 520.85 feet along the arc of a
 762 tangent curve to the right having a radius of 1100.92
 763 feet and a central angle of 27°06'25" (chord bearing
 764 S.76°34'18"E., 516.01 feet) to the Northwest corner of
 765 aforesaid land described in Official Records Book
 766 1022, Page 2684; thence along the Westerly boundary of
 767 said land described in Official Records Book 1022,
 768 Page 2684, S.10°37'28"W., a distance of 1807.59 feet
 769 to the Southwest corner thereof; thence along
 770 aforesaid South Boundy of land described in Official
 771 Records Book 1022, Page 2684, N.89°53'45"E., a
 772 distance of 245.61 feet to the POINT OF BEGINNING.

773
 774 Containing 4,132.763 acres, more or less.
 775

776 EAST SIDE:
 777
 778 DESCRIPTION: A parcel of land being a part of THE
 779 SEMINOLE LAND AND INVESTMENT COMPANY'S SUBDIVISION of
 780 Section 10, Township 27 South, Range 30 East,
 781 according to the plat thereof, recorded in Plat Book
 782 B, Page 36, of the Public Records of Osceola County,
 783 Florida; together with part of THE SEMINOLE LAND AND
 784 INVESTMENT COMPANY'S SUBDIVISION of Section 11,
 785 Township 27 South, Range 30 East, according to the
 786 plat thereof, recorded in Plat Book B, Page 40, of the
 787 Public Records of Osceola County, Florida; together
 788 with part of THE SEMINOLE LAND AND INVESTMENT
 789 COMPANY'S SUBDIVISION of Section 12, Township 27
 790 South, Range 30 East, according to the plat thereof,
 791 recorded in Plat Book B, Page 37, of the Public
 792 Records of Osceola County, Florida; together with part
 793 of THE SEMINOLE LAND AND INVESTMENT COMPANY'S
 794 SUBDIVISION of Section 13, Township 27 South, Range 30
 795 East, according to the plat thereof, recorded in Plat
 796 Book B, Page 41, of the Public Records of Osceola
 797 County, Florida; together with part of THE SEMINOLE
 798 LAND AND INVESTMENT COMPANY'S SUBDIVISION of Section
 799 14, Township 27 South, Range 30 East, according to the
 800 plat thereof, recorded in Plat Book B, Page 38, of the

801 Public Records of Osceola County, Florida; together
802 with THE SEMINOLE LAND AND INVESTMENT COMPANY'S
803 SUBDIVISION of Section 15, Township 27 South, Range 30
804 East, according to the plat thereof, recorded in Plat
805 Book B, Page 42, of the Public Records of Osceola
806 County, Florida, and; together with lands lying in
807 Section 3, Township 27 South, Range 30 East, Osceola
808 County, Florida, and being more particularly described
809 as follows:

810
811 COMMENCE at the Northeast corner of said Section 3,
812 run thence along the East boundary of said Section 3,
813 following three (3) courses: 1) S.00°05'37"E., a
814 distance of 1319.57 feet to the Northeast corner of
815 the South 1/2 of the Northeast 1/4 of said Section 3,
816 also being the POINT OF BEGINNING; 2) continue
817 S.00°05'37"E., a distance of 1319.57 feet to the East
818 1/4 corner of said Section 3; 3) S.00°03'41"E., a
819 distance of 2642.93 feet to the Southeast corner of
820 said Section 3; thence along the East boundary of
821 aforsaid Section 10, S.00°10'09"E., a distance of
822 1319.54 feet to the Northwest corner of the South 1/2
823 of the Northwest 1/4 of aforsaid Section 11; thence
824 along the North boundary of said South 1/2 of the
825 Northwest 1/4 of Section 11, also being along the

826 North boundary of Lots 37, 38, 39, and 40, of
 827 aforesaid plat of THE SEMINOLE LAND AND INVESTMENT
 828 COMPANY'S SUBDIVISION of Section 11, N.89°52'34"E., a
 829 distance of 2643.88 feet to the Northwest corner of
 830 the Southwest 1/4 of the Northeast 1/4 of said Section
 831 11; thence along the North boundary of said Southwest
 832 1/4 of the Northeast 1/4 of Section 11, also being
 833 along the North boundary of Lots 35 and 36 of said
 834 plat of THE SEMINOLE LAND AND INVESTMENT COMPANY'S
 835 SUBDIVISION of Section 11, N.89°52'05"E., a distance
 836 of 1320.73 feet to the Northeast corner of said
 837 Southwest 1/4 of the Northeast 1/4 of Section 11;
 838 thence along the East boundary of said Southwest 1/4
 839 of the Northeast 1/4 of Section 11, S.00°16'48"E., a
 840 distance of 658.56 feet to the Northwest corner of the
 841 South 1/4 of the East 1/2 of said Northeast 1/4 of
 842 Section 11; thence along the North boundary of said
 843 South 1/4 of the East 1/2 of the Northeast 1/4 of
 844 Section 11, also being along the North boundary of
 845 Lots 49 and 50, of aforesaid plat of THE SEMINOLE LAND
 846 AND INVESTMENT COMPANY'S SUBDIVISION of Section 11,
 847 N.89°47'52"E., a distance of 1320.65 feet to the
 848 Northeast corner of said South 1/4 of the East 1/2 of
 849 the Northeast 1/4 of Section 11; thence along that
 850 certain line being the Southerly boundary of those

851 lands described in Official Records Book 2768, Page
852 2478, Official records Book 5828, Page 202, and
853 Official Records Book 6068, Page 2655, of the Public
854 Records of Osceola County, Florida, the following two
855 (2) courses: 1) N.48°58'36"E., a distance of 1169.50
856 feet; 2) N.41°18'36"E., a distance of 1527.29 feet to
857 a point on a curve on the West right of way line of
858 CANOE CREEK ROAD (County Road 523), per Florida
859 Department of Transportation Right of Way Map Section
860 9252-250; thence along said West right of way line of
861 CANOE CREEK ROAD (County Road 523), the following six
862 (6) courses: 1) Southerly, 20.79 feet along the arc of
863 a non-tangent curve to the left having a radius of
864 2914.79 feet and a central angle of 00°24'31" (chord
865 bearing S.14°09'18"E., 20.79 feet) to a point of
866 tangency; 2) S.14°21'33"E., a distance of 601.99 feet
867 to a point of curvature; 3) Southerly, 221.07 feet
868 along the arc of a tangent curve to the right having a
869 radius of 2814.79 feet and a central angle of
870 04°30'00" (chord bearing S.12°06'33"E., 221.02 feet)
871 to a point of tangency; 4) S.09°51'33"E., a distance
872 of 3391.31 feet to a point of curvature; 5) Southerly,
873 256.63 feet along the arc of a tangent curve to the
874 right having a radius of 2814.79 feet and a central
875 angle of 05°13'26" (chord bearing S.07°14'50"E.,

876 256.54 feet) to a point of tangency; 6) S.04°38'08"E.,
877 a distance of 135.59 feet to the Northeast corner of
878 that certain land described in Official Records Book
879 1847, Page 183, of the Public Records of Osceola
880 County, Florida; thence along the North boundary of
881 said land described in Official Records Book 1847,
882 Page 183, S.89°54'20"W., a distance of 2017.91 feet to
883 the Northwest corner of said land described in
884 Official Records Book 1847, Page 183; thence along the
885 West boundary of said land described in Official
886 Records Book 1847, Page 183, and the West boundary of
887 that certain land described in Official Records Book
888 2333, Page 2868, of the Public Records of Osceola
889 County, Florida, the following two (2) courses: 1)
890 S.00°19'07"E., a distance of 661.37 feet to a point on
891 the North boundary of aforesaid Section 13; 2)
892 S.00°10'48"E., a distance of 330.78 feet to the
893 Northeast corner of that certain parcel of land
894 described in Official Records Book 1113, Page 945, of
895 the Public Records of Osceola County, Florida; thence
896 along the North boundary of said land described in
897 Official Records Book 1113, Page 945, and the Westerly
898 extension thereof, S.89°59'32"W., a distance of 683.25
899 feet to a point on the East boundary of aforesaid
900 Section 14; thence along said East boundary of Section

901 14, S.00°05'35"E., a distance of 193.71 feet to a
 902 point of intersection with said East boundary of
 903 Section 14 and the North boundary of that certain land
 904 described in Official Records Book 471, Page 774, of
 905 the Public Records of Osceola County, Florida; thence
 906 along said North boundary of land described in
 907 Official Records Book 471, Page 774, and the Easterly
 908 extension thereof, S.89°40'24"W., a distance of
 909 1441.96 feet to the Northwest corner thereof; thence
 910 along the West boundary of said land described in
 911 Official Records Book 471, Page 774, S.00°11'28"E., a
 912 distance of 1553.27 feet to the Southwest corner
 913 thereof; thence along the South boundary of said land
 914 described in Official Records Book 471, Page 774, the
 915 following two (2) courses: 1) N.89°48'46"E., a
 916 distance of 1438.09 feet; 2) N.89°56'39"E., a distance
 917 of 170.05 feet to the Southeast corner of said land
 918 described in Official Records Book 471, Page 774;
 919 thence along the East boundary of said land described
 920 in Official Records Book 471, Page 774, N.00°12'57"W.,
 921 a distance of 1419.44 feet to a point on the South
 922 boundary of aforesaid land described in Official
 923 Records Book 1113, Page 945; thence along said South
 924 boundary of land described in Official Records Book
 925 1113, Page 945, N.89°58'38"E., a distance of 517.95

926 feet to the Southeast corner thereof, also being a
927 point on aforesaid West boundary of land described in
928 Official Records Book 2333, Page 2868; thence along
929 said West boundary of land described in Official
930 Records Book 2333, Page 2868, S.00°10'50"E., a
931 distance of 329.61 feet to the Southeast corner
932 thereof; thence along the South boundary of said land
933 described in Official Records Book 2333, Page 2868,
934 N.89°51'28"E., a distance of 2118.05 feet to the
935 Southeast corner thereof, also being a point on
936 aforesaid West right of way line of CANOE CREEK ROAD
937 (County Road 523); thence along said West right of way
938 line of CANOE CREEK ROAD (County Road 523),
939 S.00°20'08"E., a distance of 3320.44 feet to the
940 Northeast corner of that certain land described in
941 Official Records Book 6146, Page 578, of the Public
942 Records of Osceola County, Florida; thence along the
943 North boundary of said land described in Official
944 Records Book 6146, Page 578, S.89°40'55"W., a distance
945 of 1398.36 feet to the Northwest corner thereof, also
946 being a point of non-tangent curvature; thence along
947 the Westerly boundary of said land described in
948 Official Records Book 6146, Page 578, the following
949 four (4) courses: 1) Southwesterly, 237.82 feet along
950 the arc of a non-tangent curve to the right having a

951 radius of 806.00 feet and a central angle of 16°54'21"
 952 (chord bearing S.44°12'45"W., 236.96 feet) to a point
 953 of tangency; 2) S.52°39'55"W., a distance of 118.09
 954 feet to a point of curvature; 3) Southwesterly, 642.20
 955 feet along the arc of a tangent curve to the left
 956 having a radius of 700.00 feet and a central angle of
 957 52°33'53" (chord bearing S.26°22'59"W., 619.91 feet)
 958 to a point tangency; 4) S.00°06'02"W., a distance of
 959 175.03 feet to the Southwest corner of aforesaid land
 960 described in Official Records Book 6146, Page 578,
 961 also being a point on the South boundary of aforesaid
 962 Section 13; thence along said South boundary of
 963 Section 13, S.89°50'41"W., a distance of 878.22 feet
 964 to the Southwest corner thereof; thence along the
 965 South boundary of the Southeast 1/4 of aforesaid
 966 Section 14, S.89°59'09"W., a distance of 2640.70 feet
 967 to the South 1/4 corner of said Section 14; thence
 968 along the South boundary of the Southwest 1/4 of said
 969 Section 14, S.89°59'16"W., a distance of 1370.83 feet
 970 to the Easterly limited access right of way line of
 971 FLORIDA'S TURNPIKE, per said Florida State Turnpike
 972 Authority, SUNSHINE STATE PARKWAY (Project No. 2)
 973 Right of Way Map Section 10, Station 3914+00 to
 974 Station 4010+00, Osceola County, Florida; thence along
 975 said Easterly limited access right of way line

976 FLORIDA'S TURNPIKE, per Florida State Turnpike
 977 Authority, SUNSHINE STATE PARKWAY (Project No. 2)
 978 Right of Way Map Section 10, Station 4177+50.00 to
 979 Station 4283+36.17 and Right of Way Map Section 10,
 980 Station 3914+00 to Station 4010+00, Osceola County,
 981 Florida, the following three (3) courses: 1)
 982 N.18°29'25"W., a distance of 10462.45 feet to a point
 983 of curvature; 2) Northerly, 1068.25 feet along the arc
 984 of a tangent curve to the right having a radius of
 985 5529.58 feet and a central angle of 11°04'08" (chord
 986 bearing N.12°57'21"W., 1066.59 feet) to a point of
 987 tangency; 3) N.07°25'17"W., a distance of 4819.38 feet
 988 to the South right of way line of FRIAR'S COVE ROAD,
 989 per aforesaid Florida State Turnpike Authority,
 990 SUNSHINE STATE PARKWAY (Project No. 2) Right of Way
 991 Map Section 10, Station 4177+50.00 to Station
 992 4283+36.17; thence along said South right of way line
 993 of FRIAR'S COVE ROAD, N.89°53'40"E., a distance of
 994 220.33 feet to the East boundary of the Northeast 1/4
 995 of the Northwest 1/4 of aforesaid Section 3; thence
 996 along said East boundary of the Northeast 1/4 of the
 997 Northwest 1/4 of Section 3, S.00°05'21"E., a distance
 998 of 1226.37 feet to the Southeast corner thereof;
 999 thence along the North boundary of the South 1/2 of
 1000 the Northeast 1/4 of said Section 3, the following two

1001 (2) courses: 1) N.89°58'59"E., a distance of 1320.30
 1002 feet to the Southwest corner of the Northeast 1/4 of
 1003 said Northeast 1/4 of Section 3; 2) N.89°56'40"E., a
 1004 distance of 1321.15 feet to the POINT OF BEGINNING.
 1005 Containing 1,843.473 acres, more or less;
 1006 LESS AND EXCEPT: Green Island Ventures, LLC parcel,
 1007 according to Official Records Book 3731, Page 1484, of
 1008 the Public Records of Osceola County, Florida, and
 1009 being more particularly described as follows:

1010
 1011 DESCRIPTION: Lot 54, THE SEMINOLE LAND AND INVESTMENT
 1012 COMPANY'S SUBDIVISION of Section 14, Township 27
 1013 South, Range 30 East, according to the plat thereof,
 1014 recorded in Plat Book B, Page 38, of the Public
 1015 Records of Osceola County, Florida.

1016 Containing 4.874 acres, more or less;
 1017 LESS AND EXCEPT: Mary Beth Henthorne and Phillip John
 1018 Sammons parcel, according to Official Records Book
 1019 3918, Page 2357, of the Public Records of Osceola
 1020 County, Florida, and being more particularly described
 1021 as follows:

1022 DESCRIPTION: Lot 29, THE SEMINOLE LAND AND INVESTMENT
 1023 COMPANY'S SUBDIVISION of Section 14, Township 27
 1024 South, Range 30 East, according to the plat thereof,
 1025 recorded in Plat Book B, Page 38, of the Public

1026 Records of Osceola County, Florida.
1027 Containing 4.880 acres, more or less;
1028 LESS AND EXCEPT: St. Cloud Welding & Fabrication, Inc.
1029 parcel, according to Official Records Book 6287, Page
1030 1570, of the Public Records of Osceola County,
1031 Florida, and being more particularly described as
1032 follows:
1033 PARCEL A: Lot 54, of The Seminole Land & Investment
1034 Company's Subdivision of Section 13, Township 27
1035 South, Range 30 East, according to the plat thereof,
1036 as recorded in Plat Book B, Page 41, of the Public
1037 Records of Osceola County, Florida; LESS AND EXCEPT
1038 the South 145 feet of the West 315 feet thereof.
1039 And
1040 PARCEL B: The South 145 feet of the West 315 feet of
1041 Lot 54, of The Seminole Land & Investment Company's
1042 Subdivision of Section 13, Township 27 South, Range 30
1043 East, according to the plat thereof, as recorded in
1044 Plat Book B, Page 41, of the Public Records of Osceola
1045 County, Florida.
1046 and
1047 A parcel of land being a portion of Lot 59, Seminole
1048 Land and Investment Company's Subdivision of Section
1049 13, Township 27 South, Range 30 East, according to the
1050 plat thereof, as recorded in Plat Book "B", Page 41,

1051 of the Public Records of Osceola County, Florida and
 1052 being more particularly described as follows:
 1053 Begin at the Northwest comer of said Lot 59; thence
 1054 run North 89°53'37" East along the North line of said
 1055 Lot 59, a distance of 302.85 feet; thence departing
 1056 said North line of Lot 59, run South 00°06'23" East, a
 1057 distance of 25.00 feet; thence run South 89°53'37"
 1058 West, a distance of 302.80 feet to a point on the West
 1059 line of said Lot 59; thence run North 00°12'27" West
 1060 along the West line of said Lot 59, a distance of
 1061 25.00 feet to the Point of Beginning.

1062 Above Parcel A and Parcel B also being described as
 1063 follows:

1064 DESCRIPTION: Part of THE SEMINOLE LAND AND INVESTMENT
 1065 COMPANY'S SUBDIVISION of Section 13, Township 27
 1066 South, Range 30 East, according to the plat thereof,
 1067 recorded in Plat Book B, Page 41, of the Public
 1068 Records of Osceola County, Florida, and being more
 1069 particularly described as follows:
 1070 COMMENCE at the West 1/4 corner of said Section 13,
 1071 run thence along the South boundary of the Northwest
 1072 1/4 of said Section 13, N.89°53'19"E., a distance of
 1073 1362.24 feet to the Southwest corner of the West 1/2
 1074 of said Northwest 1/4 of Section 13; thence along the
 1075 West boundary of said West 1/2 of the Northwest 1/4 of

1076 Section 13, also being the centerline of a 35-foot
 1077 wide right of way, per said plat of THE SEMINOLE LAND
 1078 AND INVESTMENT COMPANY'S SUBDIVISION of Section 13,
 1079 N.00°28'15"W., a distance of 307.34 feet; thence
 1080 N.89°55'45"E., a distance of 34.08 feet to the
 1081 Southwest corner of lands described in Official
 1082 Records Book 6287, Page 1570, of the Public Records of
 1083 Osceola County, Florida, also being the POINT OF
 1084 BEGINNING; thence along the West, North, and East
 1085 boundary of said lands described in Official Records
 1086 Book 6287, Page 1570, the following three (3) courses:
 1087 1) N.00°10'19"W., a distance of 356.64 feet; 2)
 1088 N.89°57'45"E., a distance of 671.32 feet; 3)
 1089 S.00°10'10"E., a distance of 331.25 feet; thence along
 1090 the South boundary of said Lands described in Official
 1091 Records Book 6287, Page 1570, the following three (3)
 1092 courses:1) S.89°55'45"W., a distance of 368.45 feet;
 1093 2) S.00°04'15"E., a distance of 25.00 feet; 3)
 1094 S.89°55'45"W., a distance of 302.81 feet to the POINT
 1095 OF BEGINNING.
 1096 Containing 5.282 acres, more or less;
 1097 LESS AND EXCEPT:
 1098 DESCRIPTION: The East 1/2 of a 35-foot wide right of
 1099 way, per THE SEMINOLE LAND AND INVESTMENT COMPANY'S
 1100 SUBDIVISION of Section 14, Township 27 South, Range 30

1101 East, according to the plat thereof, recorded in Plat
 1102 Book B, Page 38, of the Public Records of Osceola
 1103 County, Florida, lying between Lots 54 and 55 of said
 1104 plat.
 1105 Containing 0.133 acres, more or less;
 1106 LESS AND EXCEPT:
 1107 DESCRIPTION: The East 1/2 of a 35-foot wide right of
 1108 way, per THE SEMINOLE LAND AND INVESTMENT COMPANY'S
 1109 SUBDIVISION of Section 14, Township 27 South, Range 30
 1110 East, according to the plat thereof, recorded in Plat
 1111 Book B, Page 38, of the Public Records of Osceola
 1112 County, Florida, lying between Lots 28 and 29 of said
 1113 plat.
 1114 Containing 0.133 acres, more or less;
 1115 LESS AND EXCEPT:
 1116 DESCRIPTION: Part of THE SEMINOLE LAND AND INVESTMENT
 1117 COMPANY'S SUBDIVISION of Section 13, Township 27
 1118 South, Range 30 East, according to the plat thereof,
 1119 recorded in Plat Book B, Page 41, of the Public
 1120 Records of Osceola County, Florida, and being more
 1121 particularly described as follows:
 1122 COMMENCE at the West 1/4 corner of said Section 13,
 1123 run thence along the South boundary of the Northwest
 1124 1/4 of said Section 13, N.89°53'19"E., a distance of
 1125 1362.24 feet to the Southwest corner of the West 1/2

1126 of said Northwest 1/4 of Section 13; thence along the
 1127 West boundary of said West 1/2 of the Northwest 1/4 of
 1128 Section 13, also being the centerline of a 35-foot
 1129 wide right of way, per said plat of THE SEMINOLE LAND
 1130 AND INVESTMENT COMPANY'S SUBDIVISION of Section 13,
 1131 the following two (2) courses: 1) N.00°28'15"W., a
 1132 distance of 307.34 feet to the POINT OF BEGINNING; 2)
 1133 continue N.00°28'15"W., a distance of 353.88 feet;
 1134 thence along the North boundary of Lot 54, and the
 1135 Westerly extension thereof, N.89°55'05"E., a distance
 1136 of 35.92 feet to a point on the West boundary of lands
 1137 described in Official Records Book 6287, Page 1570, of
 1138 the Public Records of Osceola County, Florida; thence
 1139 along said West boundary of Official Records Book
 1140 6287, Page 1570, S.00°10'19"E., a distance of 353.88
 1141 feet to the Southwest corner thereof; thence along the
 1142 Westerly extension of the South boundary of said
 1143 Official Records Book 6287, Page 1570, S.89°55'45"W.,
 1144 a distance of 34.08 feet to the POINT OF BEGINNING.
 1145 Containing 0.284 acres, more or less.
 1146 Containing a Net Acreage of 1,827.887 acres, more or
 1147 less. East Side and West Side Combined Contains a Net
 1148 Acreage of 5,960.650 acres, more or less.
 1149 Being subject to any rights-of-way, restrictions and easements
 1150 of record.

1151 **Section 5.** Board of supervisors; members and meetings;
1152 organization; powers; duties; terms of office; related election
1153 requirements.

1154 (1) The board of the district shall exercise the powers
1155 granted to the district pursuant to this act. The board shall
1156 consist of five members, each of whom shall hold office for a
1157 term of 4 years, as provided in this section, except as
1158 otherwise provided herein for initial board members, and until a
1159 successor is chosen and qualified. The members of the board must
1160 be residents of the state and citizens of the United States.

1161 (2) (a) Within 90 days after the effective date of this
1162 act, there shall be held a meeting of the landowners of the
1163 district for the purpose of electing five supervisors for the
1164 district. Notice of the landowners' meeting shall be published
1165 once a week for 2 consecutive weeks in a newspaper that is in
1166 general circulation in the area of the district, the last day of
1167 such publication to be not fewer than 14 days or more than 28
1168 days before the date of the election. The landowners, when
1169 assembled at such meeting, shall organize by electing a chair,
1170 who shall conduct the meeting. The chair may be any person
1171 present at the meeting. If the chair is a landowner or proxy
1172 holder of a landowner, he or she may nominate candidates and
1173 make and second motions. The landowners present at the meeting,
1174 in person or by proxy, shall constitute a quorum. At any
1175 landowners' meeting, 50 percent of the district acreage shall

1176 not be required to constitute a quorum, and each governing board
1177 member elected by landowners shall be elected by a majority of
1178 the acreage represented either by owner or proxy present and
1179 voting at said meeting.

1180 (b) At such meeting, each landowner shall be entitled to
1181 cast one vote per acre of land owned by him or her and located
1182 within the district for each person to be elected. A landowner
1183 may vote in person or by proxy in writing. Each proxy must be
1184 signed by one of the legal owners of the property for which the
1185 vote is cast and must contain the typed or printed name of the
1186 individual who signed the proxy; the street address, legal
1187 description of the property, or tax parcel identification
1188 number; and the number of authorized votes. If the proxy
1189 authorizes more than one vote, each property must be listed and
1190 the number of acres of each property must be included. The
1191 signature on a proxy need not be notarized. A fraction of an
1192 acre shall be treated as 1 acre, entitling the landowner to one
1193 vote with respect thereto. The three candidates receiving the
1194 highest number of votes shall each be elected for terms expiring
1195 November 28, 2028, and the two candidates receiving the next
1196 largest number of votes shall each be elected for terms expiring
1197 November 24, 2026, with the term of office for each successful
1198 candidate commencing upon election. The members of the first
1199 board elected by landowners shall serve their respective terms;
1200 however, the next election of board members shall be held on the

1201 first Tuesday after the first Monday in November 2026.
1202 Thereafter, there shall be an election by landowners for the
1203 district every 2 years on the first Tuesday after the first
1204 Monday in November, which shall be noticed pursuant to paragraph
1205 (a). The second and subsequent landowners' election shall be
1206 announced at a public meeting of the board at least 90 days
1207 before the date of the landowners' meeting and shall also be
1208 noticed pursuant to paragraph (a). Instructions on how all
1209 landowners may participate in the election, along with sample
1210 proxies, shall be provided during the board meeting that
1211 announces the landowners' meeting. Each supervisor elected in or
1212 after November 2026 shall serve a 4-year term.

1213 (3) (a) 1. The board may not exercise the ad valorem taxing
1214 power authorized by this act until such time as all members of
1215 the board are qualified electors who are elected by qualified
1216 electors of the district.

1217 2.a. Regardless of whether the district has proposed to
1218 levy ad valorem taxes, board members shall begin being elected
1219 by qualified electors of the district as the district becomes
1220 populated with qualified electors. The transition shall occur
1221 such that the composition of the board, after the first general
1222 election following a trigger of the qualified elector population
1223 thresholds set forth below, shall be as follows:

1224 (I) Once 6,435 qualified electors reside within the
1225 district, one governing board member shall be a person who is a

1226 qualified elector of the district and who was elected by the
1227 qualified electors, and four governing board members shall be
1228 persons who were elected by the landowners.

1229 (II) Once 12,870 qualified electors reside within the
1230 district, two governing board members shall be persons who are
1231 qualified electors of the district and who were elected by the
1232 qualified electors, and three governing board members shall be
1233 persons elected by the landowners.

1234 (III) Once 19,305 qualified electors reside within the
1235 district, three governing board members shall be persons who are
1236 qualified electors of the district and who were elected by the
1237 qualified electors and two governing board members shall be
1238 persons who were elected by the landowners.

1239 (IV) Once 25,740 qualified electors reside within the
1240 district, four governing board members shall be persons who are
1241 qualified electors of the district and who were elected by the
1242 qualified electors and one governing board member shall be a
1243 person who was elected by the landowners.

1244 (V) Once 30,000 qualified electors reside within the
1245 district, all five governing board members shall be persons who
1246 are qualified electors of the district and who were elected by
1247 the qualified electors. In the event less than 45,000 qualified
1248 electors reside within the district, but the development of the
1249 district has completed the construction of 25,000 residential
1250 units or more, all five governing board members shall be persons

1251 who were elected by the qualified electors.
1252 Nothing in this sub-subparagraph is intended to require an
1253 election prior to the expiration of an existing board member's
1254 term.

1255 b. On or before June 1 of each election year, the board
1256 shall determine the number of qualified electors in the district
1257 as of the immediately preceding April 15. The board shall use
1258 and rely upon the official records maintained by the supervisor
1259 of elections and property appraiser or tax collector in Osceola
1260 County in making this determination. Such determination shall be
1261 made at a properly noticed meeting of the board and shall become
1262 a part of the official minutes of the district.

1263 c. All governing board members elected by qualified
1264 electors shall be elected at large at an election occurring as
1265 provided in subsection (2) and this subsection.

1266 d. All governing board members elected by qualified
1267 electors shall reside in the district.

1268 e. Once the district qualifies to have any of its board
1269 members elected by the qualified electors of the district, the
1270 initial and all subsequent elections by the qualified electors
1271 of the district shall be held at the general election in
1272 November. The board shall adopt a resolution, if necessary, to
1273 implement this requirement. The transition process described
1274 herein is intended to be in lieu of the process set forth in s.
1275 189.041, Florida Statutes.

1276 (b) Elections of board members by qualified electors held
1277 pursuant to this subsection shall be nonpartisan and shall be
1278 conducted in the manner prescribed by law for holding general
1279 elections. Board members shall assume the office on the second
1280 Tuesday following their election.

1281 (c) Candidates seeking election to office by qualified
1282 electors under this subsection shall conduct their campaigns in
1283 accordance with the provisions of chapter 106, Florida Statutes,
1284 and shall file qualifying papers and qualify for individual
1285 seats in accordance with s. 99.061, Florida Statutes.

1286 (d) The supervisor of elections shall appoint the
1287 inspectors and clerks of elections, prepare and furnish the
1288 ballots, designate polling places, and canvass the returns of
1289 the election of board members by qualified electors. The county
1290 canvassing board shall declare and certify the results of the
1291 election.

1292 (4) Members of the board, regardless of how elected,
1293 shall be public officers, shall be known as supervisors, and,
1294 upon entering into office, shall take and subscribe to the oath
1295 of office as prescribed by s. 876.05, Florida Statutes. Members
1296 of the board shall be subject to ethics and conflict of interest
1297 laws of the state that apply to all local public officers. They
1298 shall hold office for the terms for which they were elected or
1299 appointed and until their successors are chosen and qualified.
1300 If, during the term of office, a vacancy occurs, the remaining

1301 members of the board shall fill each vacancy by an appointment
 1302 for the remainder of the unexpired term.

1303 (5) Any elected member of the board of supervisors may be
 1304 removed by the Governor for malfeasance, misfeasance,
 1305 dishonesty, incompetency, or failure to perform the duties
 1306 imposed upon him or her by this act, and any vacancies that may
 1307 occur in such office for such reasons shall be filled by the
 1308 Governor as soon as practicable.

1309 (6) A majority of the members of the board constitutes a
 1310 quorum for the purposes of conducting its business and
 1311 exercising its powers and for all other purposes. Action taken
 1312 by the district shall be upon a vote of a majority of the
 1313 members present unless general law or a rule of the district
 1314 requires a greater number.

1315 (7) As soon as practicable after each election or
 1316 appointment, the board shall organize by electing one of its
 1317 members as chair and by electing a secretary, who need not be a
 1318 member of the board, and such other officers as the board may
 1319 deem necessary.

1320 (8) The board shall keep a permanent record book entitled
 1321 "Record of Proceedings of Waterlin Stewardship District," in
 1322 which shall be recorded minutes of all meetings, resolutions,
 1323 proceedings, certificates, bonds given by all employees, and any
 1324 and all corporate acts. The record book and all other district
 1325 records shall at reasonable times be opened to inspection in the

1326 same manner as state, county, and municipal records pursuant to
1327 chapter 119, Florida Statutes. The record book shall be kept at
1328 the office or other regular place of business maintained by the
1329 board in a designated location in Osceola County.

1330 (9) Each supervisor shall not be entitled to receive
1331 compensation for his or her services; however, each supervisor
1332 shall receive travel and per diem expenses as set forth in s.
1333 112.061, Florida Statutes.

1334 (10) All meetings of the board shall be open to the
1335 public and governed by the provisions of chapter 286, Florida
1336 Statutes.

1337 **Section 6.** Board of supervisors; general duties.

1338 (1) DISTRICT MANAGER AND EMPLOYEES. The board shall
1339 employ and fix the compensation of a district manager, who shall
1340 have charge and supervision of the works of the district and
1341 shall be responsible for preserving and maintaining any
1342 improvement or facility constructed or erected pursuant to the
1343 provisions of this act, for maintaining and operating the
1344 equipment owned by the district, and for performing such other
1345 duties as may be prescribed by the board. It shall not be a
1346 conflict of interest under chapter 112, Florida Statutes, for a
1347 board member or the district manager or another employee of the
1348 district to be a stockholder, officer, or employee of a
1349 landowner or of an entity affiliated with a landowner. The
1350 district manager may hire or otherwise employ and terminate the

1351 employment of such other persons, including, without limitation,
1352 professional, supervisory, and clerical employees, as may be
1353 necessary and authorized by the board. The compensation and
1354 other conditions of employment of the officers and employees of
1355 the district shall be as provided by the board.

1356 (2) TREASURER. The board shall designate a person who is
1357 a resident of the state as treasurer of the district, who shall
1358 have charge of the funds of the district. Such funds shall be
1359 disbursed only upon the order of or pursuant to a resolution of
1360 the board by warrant or check countersigned by the treasurer and
1361 by such other person as may be authorized by the board. The
1362 board may give the treasurer such other or additional powers and
1363 duties as the board may deem appropriate and may fix his or her
1364 compensation. The board may require the treasurer to give a bond
1365 in such amount, on such terms, and with such sureties as may be
1366 deemed satisfactory to the board to secure the performance by
1367 the treasurer of his or her powers and duties. The financial
1368 records of the board shall be audited by an independent
1369 certified public accountant at least once a year.

1370 (3) PUBLIC DEPOSITORY. The board is authorized to select
1371 as a depository for its funds any qualified public depository as
1372 defined in s. 280.02, Florida Statutes, which meets all the
1373 requirements of chapter 280, Florida Statutes, and has been
1374 designated by the treasurer as a qualified public depository
1375 upon such terms and conditions as to the payment of interest by

1376 such depository upon the funds so deposited as the board may
1377 deem just and reasonable.

1378 (4) BUDGET; REPORTS AND REVIEWS.

1379 (a) The district shall provide financial reports in such
1380 form and such manner as prescribed pursuant to this act and
1381 chapter 218, Florida Statutes, as amended from time to time.

1382 (b) On or before July 15 of each year, the district
1383 manager shall prepare a proposed budget for the ensuing fiscal
1384 year to be submitted to the board for board approval. The
1385 proposed budget shall include at the direction of the board an
1386 estimate of all necessary expenditures of the district for the
1387 ensuing fiscal year and an estimate of income to the district
1388 from the taxes and assessments provided in this act. The board
1389 shall consider the proposed budget item by item and may either
1390 approve the budget as proposed by the district manager or modify
1391 the same in part or in whole. The board shall indicate its
1392 approval of the budget by resolution, which resolution shall
1393 provide for a hearing on the budget as approved. Notice of the
1394 hearing on the budget shall be published in a newspaper of
1395 general circulation in the area of the district once a week for
1396 two consecutive weeks, except that the first publication shall
1397 be no fewer than 15 days prior to the date of the hearing. The
1398 notice shall further contain a designation of the day, time, and
1399 place of the public hearing. At the time and place designated in
1400 the notice, the board shall hear all objections to the budget as

1401 proposed and may make such changes as the board deems necessary.
 1402 At the conclusion of the budget hearing, the board shall, by
 1403 resolution, adopt the budget as finally approved by the board.
 1404 The budget shall be adopted prior to October 1 of each year.

1405 (c) At least 60 days prior to adoption, the board of
 1406 supervisors of the district shall submit to the Board of County
 1407 Commissioners of Osceola County, for purposes of disclosure and
 1408 information only, the proposed annual budget for the ensuing
 1409 fiscal year, and the board of county commissioners may submit
 1410 written comments to the board of supervisors solely for the
 1411 assistance and information of the board of supervisors of the
 1412 district in adopting its annual district budget.

1413 (d) The board of supervisors of the district shall submit
 1414 annually a public facilities report to the Board of County
 1415 Commissioners of Osceola County pursuant to Florida Statutes.
 1416 The board of county commissioners may use and rely on the
 1417 district's public facilities report in the preparation or
 1418 revision of the Osceola County comprehensive plan.

1419 (5) DISCLOSURE OF PUBLIC INFORMATION; WEB-BASED PUBLIC
 1420 ACCESS. The district shall take affirmative steps to provide for
 1421 the full disclosure of information relating to the public
 1422 financing and maintenance of improvements to real property
 1423 undertaken by the district. Such information shall be made
 1424 available to all existing residents and all prospective
 1425 residents of the district. The district shall furnish each

1426 developer of a residential development within the district with
1427 sufficient copies of that information to provide each
1428 prospective initial purchaser of property in that development
1429 with a copy; and any developer of a residential development
1430 within the district, when required by law to provide a public
1431 offering statement, shall include a copy of such information
1432 relating to the public financing and maintenance of improvements
1433 in the public offering statement. The district shall file the
1434 disclosure documents required by this subsection and any
1435 amendments thereto in the property records of each county in
1436 which the district is located. By the end of the first full
1437 fiscal year of the district's creation, the district shall
1438 maintain an official Internet website in accordance with s.
1439 189.069, Florida Statutes.

1440 (6) GENERAL POWERS. The district shall have, and the
1441 board may exercise, the following general powers:

1442 (a) To sue and be sued in the name of the district; to
1443 adopt and use a seal and authorize the use of a facsimile
1444 thereof; to acquire, by purchase, gift, devise, or otherwise,
1445 and to dispose of, real and personal property, or any estate
1446 therein; and to make and execute contracts and other instruments
1447 necessary or convenient to the exercise of its powers.

1448 (b) To apply for coverage of its employees under the
1449 Florida Retirement System in the same manner as if such
1450 employees were state employees.

1451 (c) To contract for the services of consultants to
1452 perform planning, engineering, legal, or other appropriate
1453 services of a professional nature. Such contracts shall be
1454 subject to public bidding or competitive negotiation
1455 requirements as set forth in general law applicable to
1456 independent special districts.

1457 (d) To borrow money and accept gifts; to apply for and
1458 use grants or loans of money or other property from the United
1459 States, the state, a unit of local government, or any person for
1460 any district purposes and enter into agreements required in
1461 connection therewith; and to hold, use, and dispose
1462 of such moneys or property for any district purposes in
1463 accordance with the terms of the gift, grant, loan, or agreement
1464 relating thereto.

1465 (e) To adopt and enforce rules and orders pursuant to the
1466 provisions of chapter 120, Florida Statutes, prescribing the
1467 powers, duties, and functions of the officers of the district;
1468 the conduct of the business of the district; the maintenance of
1469 records; and the form of certificates evidencing tax liens and
1470 all other documents and records of the district. The board may
1471 also adopt and enforce administrative rules with respect to any
1472 of the projects of the district and define the area to be
1473 included therein. The board may also adopt resolutions which may
1474 be necessary for the conduct of district business.

1475 (f) To maintain an office at such place or places as the

1476 board of supervisors designates in Osceola County, and within
 1477 the district when facilities are available.

1478 (g) To hold, control, and acquire by donation, purchase,
 1479 or condemnation, or dispose of, any public easements,
 1480 dedications to public use, platted reservations for public
 1481 purposes, or any reservations for those purposes authorized by
 1482 this act and to make use of such easements, dedications, or
 1483 reservations for the purposes authorized by this act.

1484 (h) To lease as lessor or lessee to or from any person,
 1485 firm, corporation, association, or body, public or private, any
 1486 projects of the type that the district is authorized to
 1487 undertake and facilities or property of any nature for the use
 1488 of the district to carry out the purposes authorized by this
 1489 act.

1490 (i) To borrow money and issue bonds, certificates,
 1491 warrants, notes, or other evidence of indebtedness as provided
 1492 herein; to levy such taxes and assessments as may be authorized;
 1493 and to charge, collect, and enforce fees and other user charges.

1494 (j) To raise, by user charges or fees authorized by
 1495 resolution of the board, amounts of money which are necessary
 1496 for the conduct of district activities and services and to
 1497 enforce their receipt and collection in the manner prescribed by
 1498 resolution not inconsistent with law.

1499 (k) To exercise all powers of eminent domain now or
 1500 hereafter conferred on counties in this state provided, however,

1501 that such power of eminent domain may not be exercised outside
1502 the territorial limits of the district unless the district
1503 receives prior approval by vote of a resolution of the governing
1504 body of the county if the taking will occur in an unincorporated
1505 area in that county, or the governing body of the city if the
1506 taking will occur in an incorporated area. The district shall
1507 not have the power to exercise eminent domain over municipal,
1508 county, state, or federal property. The powers hereinabove
1509 granted to the district shall be so construed to enable the
1510 district to fulfill the objects and purposes of the district as
1511 set forth in this act.

1512 (l) To cooperate with, or contract with, other
1513 governmental agencies as may be necessary, convenient,
1514 incidental, or proper in connection with any of the powers,
1515 duties, or purposes authorized by this act.

1516 (m) To assess and to impose upon lands in the district ad
1517 valorem taxes as provided by this act.

1518 (n) If and when authorized by general law, to determine,
1519 order, levy, impose, collect, and enforce maintenance taxes.

1520 (o) To determine, order, levy, impose, collect, and
1521 enforce assessments pursuant to this act and chapter 170,
1522 Florida Statutes, as amended from time to time, pursuant to
1523 authority granted in s. 197.3631, Florida Statutes, or pursuant
1524 to other provisions of general law now or hereinafter enacted
1525 which provide or authorize a supplemental means to order, levy,

1526 impose, or collect special assessments. Such special
1527 assessments, in the discretion of the district, may be collected
1528 and enforced pursuant to the provisions of ss. 197.3632 and
1529 197.3635, Florida Statutes, and chapters 170 and 173, Florida
1530 Statutes, as they may be amended from time to time, or as
1531 provided by this act, or by other means authorized by general
1532 law now or hereinafter enacted. The district may levy such
1533 special assessments for the purposes enumerated in this act and
1534 to pay special assessments imposed by Osceola County on lands
1535 within the district.

1536 (p) To exercise such special powers and other express
1537 powers as may be authorized and granted by this act in the
1538 charter of the district, including powers as provided in any
1539 interlocal agreement entered into pursuant to chapter 163,
1540 Florida Statutes, or which shall be required or permitted to be
1541 undertaken by the district pursuant to any development order,
1542 including any detailed specific area plan development order, or
1543 any interlocal service agreement with Osceola County for fair-
1544 share capital construction funding for any certain capital
1545 facilities or systems required of a developer pursuant to any
1546 applicable development order or agreement.

1547 (q) To exercise all of the powers necessary, convenient,
1548 incidental, or proper in connection with any other powers or
1549 duties or the special and limited purpose of the district
1550 authorized by this act.

1551 The provisions of this subsection shall be construed liberally
 1552 in order to carry out effectively the special and limited
 1553 purpose of this act.

1554 (7) SPECIAL POWERS. The district shall have, and the
 1555 board may exercise, the following special powers to implement
 1556 its lawful and special purpose and to provide, pursuant to that
 1557 purpose, systems, facilities, services, improvements, projects,
 1558 works, and infrastructure, each of which constitutes a lawful
 1559 public purpose when exercised pursuant to this charter, subject
 1560 to, and not inconsistent with, general law regarding utility
 1561 providers' territorial and service agreements, the regulatory
 1562 jurisdiction and permitting authority of all other applicable
 1563 governmental bodies, agencies, and any special districts having
 1564 authority with respect to any area included therein, and to
 1565 plan, establish, acquire, construct or reconstruct, enlarge or
 1566 extend, equip, operate, finance, fund, and maintain
 1567 improvements, systems, facilities, services, works, projects,
 1568 and infrastructure. Any or all of the following special powers
 1569 are granted by this act in order to implement the special and
 1570 limited purpose of the district:

1571 (a) To provide water management and control for the lands
 1572 within the district and to connect some or any of such
 1573 facilities with roads and bridges. In the event that the board
 1574 assumes the responsibility for providing water management and
 1575 control for the district which is to be financed by benefit

1576 special assessments, the board shall adopt plans and assessments
1577 pursuant to law or may proceed to adopt water management and
1578 control plans, assess for benefits, and apportion and levy
1579 special assessments, as follows:

1580 1. The board shall cause to be made by the district's
1581 engineer, or such other engineer or engineers as the board may
1582 employ for that purpose, complete and comprehensive water
1583 management and control plans for the lands located within the
1584 district that will be improved in any part or in whole by any
1585 system of facilities that may be outlined and adopted, and the
1586 engineer shall make a report in writing to the board with maps
1587 and profiles of said surveys and an estimate of the cost of
1588 carrying out and completing the plans.

1589 2. Upon the completion of such plans, the board shall
1590 hold a hearing thereon to hear objections thereto, shall give
1591 notice of the time and place fixed for such hearing by
1592 publication once each week for 2 consecutive weeks in a
1593 newspaper of general circulation in the general area of the
1594 district, and shall permit the inspection of the plan at the
1595 office of the district by all persons interested. All objections
1596 to the plan shall be filed at or before the time fixed in the
1597 notice for the hearing and shall be in writing.

1598 3. After the hearing, the board shall consider the
1599 proposed plan and any objections thereto and may modify, reject,
1600 or adopt the plan or continue the hearing until a day certain

1601 for further consideration of the proposed plan or modifications
1602 thereof.

1603 4. When the board approves a plan, a resolution shall be
1604 adopted and a certified copy thereof shall be filed in the
1605 office of the secretary and incorporated by him or her into the
1606 records of the district.

1607 5. The water management and control plan may be altered
1608 in detail from time to time until the engineer's report pursuant
1609 to s. 298.301, Florida Statutes, is filed but not in such manner
1610 as to affect materially the conditions of its adoption. After
1611 the engineer's report has been filed, no alteration of the plan
1612 shall be made, except as provided by this act.

1613 6. Within 20 days after the final adoption of the plan by
1614 the board, the board shall proceed pursuant to s. 298.301,
1615 Florida Statutes.

1616 (b) To provide water supply, sewer, wastewater, and
1617 reclaimed water management, reclamation, and reuse, or any
1618 combination thereof, and any irrigation systems, facilities, and
1619 services and to construct and operate water systems, sewer
1620 systems, and reclaimed water systems such as connecting
1621 intercepting or outlet sewers and sewer mains and pipes and
1622 water mains, conduits, or pipelines in, along, and under any
1623 street, alley, highway, or other public place or ways, and to
1624 dispose of any effluent, residue, or other byproducts of such
1625 water system, sewer system, or reclaimed water system and to

1626 enter into interlocal agreements and other agreements with
1627 public or private entities for the same. However, such authority
1628 shall be subordinate and subject to the existing powers of the
1629 Tohopekaliga Water Authority to provide water supply, sewer,
1630 wastewater, and reclaimed water service within the Tohopekaliga
1631 Water Authority's service area.

1632 (c) To provide bridges, culverts, wildlife corridors, or
1633 road crossings that may be needed across any drain, ditch,
1634 canal, floodway, holding basin, excavation, public highway,
1635 tract, grade, fill, or cut and roadways over levees and
1636 embankments, and to construct any and all of such works and
1637 improvements across, through, or over any public right-of way,
1638 highway, grade, fill, or cut.

1639 (d) To provide district roads equal to or exceeding the
1640 specifications of the county in which such district roads are
1641 located, and to provide street lights. This special power
1642 includes, but is not limited to, roads, parkways, intersections,
1643 bridges, landscaping, hardscaping, irrigation, bicycle lanes,
1644 sidewalks, jogging paths, multiuse pathways and trails, street
1645 lighting, traffic signals, regulatory or informational signage,
1646 road striping, underground conduit, underground cable or fiber
1647 or wire installed pursuant to an agreement with or tariff of a
1648 retail provider of services, and all other customary elements of
1649 a functioning modern road system in general or as tied to the
1650 conditions of development approval for the area within the

1651 district, and parking facilities that are freestanding or that
1652 may be related to any innovative strategic intermodal system of
1653 transportation pursuant to applicable federal, state, and local
1654 law and ordinance.

1655 (e) To provide buses, trolleys, rail access, mass transit
1656 facilities, transit shelters, ridesharing facilities and
1657 services, parking improvements, and related signage.

1658 (f) To provide investigation and remediation costs
1659 associated with the cleanup of actual or perceived environmental
1660 contamination within the district under the supervision or
1661 direction of a competent governmental authority unless the
1662 covered costs benefit any person who is a landowner within the
1663 district and who caused or contributed to the contamination.

1664 (g) To provide observation areas, mitigation areas,
1665 wetland creation areas, and wildlife habitat, including the
1666 maintenance of any plant or animal species, and any related
1667 interest in real or personal property.

1668 (h) Using its general and special powers as set forth in
1669 this act, to provide any other project within or without the
1670 boundaries of the district when the project is the subject of an
1671 agreement between the district and the Board of County
1672 Commissioners of Osceola County or with any other applicable
1673 public or private entity, and is not inconsistent with the
1674 effective local comprehensive plans.

1675 (i) To provide parks and facilities for indoor and

1676 outdoor recreational, cultural, and educational uses.

1677 (j) To provide school buildings and related structures,
1678 which may be leased, sold, or donated to the school district,
1679 for use in the educational system when authorized by the
1680 district school board.

1681 (k) To provide security, including electronic intrusion-
1682 detection systems and patrol cars, when authorized by proper
1683 governmental agencies, and may contract with the appropriate
1684 local general-purpose government agencies for an increased level
1685 of such services within the district boundaries.

1686 (l) To provide control and elimination of mosquitoes and
1687 other arthropods of public health importance.

1688 (m) To enter into impact fee, mobility fee, or other
1689 similar credit agreements with Osceola County or a landowner
1690 developer and to sell or assign such credits, on such terms as
1691 the district deems appropriate.

1692 (n) To provide buildings and structures for district
1693 offices, maintenance facilities, meeting facilities, town
1694 centers, or any other project authorized or granted by this act.

1695 (o) To establish and create, at noticed meetings, such
1696 departments of the board of supervisors of the district, as well
1697 as committees, task forces, boards, or commissions, or other
1698 agencies under the supervision and control of the district, as
1699 from time to time the members of the board may deem necessary or
1700 desirable in the performance of the acts or other things

1701 necessary to exercise the board's general or special powers to
1702 implement an innovative project to carry out the special and
1703 limited purpose of the district as provided in this act and to
1704 delegate the exercise of its powers to such departments, boards,
1705 task forces, committees, or other agencies, and such
1706 administrative duties and other powers as the board may deem
1707 necessary or desirable, but only if there is a set of expressed
1708 limitations for accountability, notice, and periodic written
1709 reporting to the board that shall retain the powers of the
1710 board.

1711 (p) To provide electrical, sustainable, or green
1712 infrastructure improvements, facilities, and services,
1713 including, but not limited to, recycling of natural resources,
1714 reduction of energy demands, development and generation of
1715 alternative or renewable energy sources and technologies,
1716 mitigation of urban heat islands, sequestration, capping or
1717 trading of carbon emissions or carbon emissions credits, LEED or
1718 Florida Green Building Coalition certification, and development
1719 of facilities and improvements for low-impact development and to
1720 enter into joint ventures, public-private partnerships, and
1721 other agreements and to grant such easements as may be necessary
1722 to accomplish the foregoing. Nothing herein shall authorize the
1723 district to provide electric service to retail customers or
1724 otherwise act to impair electric utility franchise agreements.

1725 (q) To provide for any facilities or improvements that

1726 may otherwise be provided for by any county or municipality,
1727 including, but not limited to, libraries, annexes, substations,
1728 and other buildings to house public officials, staff, and
1729 employees.

1730 (r) To provide waste collection and disposal.

1731 (s) To provide for the construction and operation of
1732 communications systems and related infrastructure for the
1733 carriage and distribution of communications services, and to
1734 enter into joint ventures, public-private partnerships, and
1735 other agreements and to grant such easements as may be necessary
1736 to accomplish the foregoing. Communications systems shall mean
1737 all facilities, buildings, equipment, items, and methods
1738 necessary or desirable in order to provide communications
1739 services, including, without limitation, wires, cables,
1740 conduits, wireless cell sites, computers, modems, satellite
1741 antennae sites, transmission facilities, network facilities, and
1742 appurtenant devices necessary and appropriate to support the
1743 provision of communications services. Communications services
1744 includes, without limitation, internet, voice telephone or
1745 similar services provided by voice over internet protocol, cable
1746 television, data transmission services, electronic security
1747 monitoring services, and multi-channel video programming
1748 distribution services. Communications services provided by the
1749 district shall carry or include any governmental channel or
1750 other media content created or produced by Osceola County.

1751 (t) To provide health care facilities and to enter into
 1752 public-private partnerships and agreements as may be necessary
 1753 to accomplish the foregoing.

1754 (u) To coordinate, work with, and, as the board deems
 1755 appropriate, enter into interlocal agreements with any public or
 1756 private entity for the provision of an institution or
 1757 institutions of higher education.

1758 (v) To coordinate, work with, and as the board deems
 1759 appropriate, enter into public-private partnerships and
 1760 agreements as may be necessary or useful to effectuate the
 1761 purposes of this act.

1762
 1763 The enumeration of special powers herein shall not be deemed
 1764 exclusive or restrictive but shall be deemed to incorporate all
 1765 powers express or implied necessary or incident to carrying out
 1766 such enumerated special powers, including also the general
 1767 powers provided by this special act charter to the district to
 1768 implement its purposes. The district shall not initiate any
 1769 service during a fiscal year, if such service is then provided
 1770 by Osceola County and funded by Osceola County from the proceeds
 1771 of special assessments imposed within the district or from ad
 1772 valorem taxes levied within a municipal service taxing unit that
 1773 includes all or any portion of the district, unless notice is
 1774 provided to Osceola County not later than April 1 of the fiscal
 1775 year prior to initiating such service identifying such service

1776 and the geographic area of the district in which such service
1777 will be provided. Following the provision of such notice, the
1778 district and Osceola County shall enter into an interlocal
1779 agreement providing for a service transition that is revenue-
1780 neutral for Osceola County prior to initiation of any such
1781 service by the district. Further, the provisions of this
1782 subsection shall be construed liberally in order to carry out
1783 effectively the special and limited purpose of this district
1784 under this act.

1785 (8) ISSUANCE OF BOND ANTICIPATION NOTES. In addition to
1786 the other powers provided for in this act, and not in limitation
1787 thereof, the district shall have the power, at any time and from
1788 time to time after the issuance of any bonds of the district
1789 shall have been authorized, to borrow money for the purposes for
1790 which such bonds are to be issued in anticipation of the receipt
1791 of the proceeds of the sale of such bonds and to issue bond
1792 anticipation notes in a principal sum not in excess of the
1793 authorized maximum amount of such bond issue. Such notes shall
1794 be in such denomination or denominations, bear interest at such
1795 rate as the board may determine not to exceed the maximum rate
1796 allowed by general law, mature at such time or times not later
1797 than 5 years from the date of issuance, and be in such form and
1798 executed in such manner as the board shall prescribe. Such notes
1799 may be sold at either public or private sale or, if such notes
1800 shall be renewal notes, may be exchanged for notes then

1801 outstanding on such terms as the board shall determine. Such
1802 notes shall be paid from the proceeds of such bonds when issued.
1803 The board may, in its discretion, in lieu of retiring the notes
1804 by means of bonds, retire them by means of current revenues or
1805 from any taxes or assessments levied for the payment of such
1806 bonds, but, in such event, a like amount of the bonds authorized
1807 shall not be issued.

1808 (9) BORROWING. The district at any time may obtain loans,
1809 in such amount and on such terms and conditions as the board may
1810 approve, for the purpose of paying any of the expenses of the
1811 district or any costs incurred or that may be incurred in
1812 connection with any of the projects of the district, which loans
1813 shall bear interest as the board determines, not to exceed the
1814 maximum rate allowed by general law, and may be payable from and
1815 secured by a pledge of such funds, revenues, taxes, and
1816 assessments as the board may determine, subject, however, to the
1817 provisions contained in any proceeding under which bonds were
1818 theretofore issued and are then outstanding. For the purpose of
1819 defraying such costs and expenses, the district may issue
1820 negotiable notes, warrants, or other evidences of debt to be
1821 payable at such times and to bear such interest as the board may
1822 determine, not to exceed the maximum rate allowed by general
1823 law, and to be sold or discounted at such price or prices not
1824 less than 95 percent of par value and on such terms as the board
1825 may deem advisable. The board shall have the right to provide

1826 for the payment thereof by pledging the whole or any part of the
1827 funds, revenues, taxes, and assessments of the district or by
1828 covenanting to budget and appropriate from such funds. The
1829 approval of the electors residing in the district shall not be
1830 necessary except when required by the State Constitution.

1831 (10) BONDS.

1832 (a) Sale of bonds. Bonds may be sold in blocks or
1833 installments at different times, or an entire issue or series
1834 may be sold at one time. Bonds may be sold at public or private
1835 sale after such advertisement, if any, as the board may deem
1836 advisable, but not in any event at less than 90 percent of the
1837 par value thereof, together with accrued interest thereon. Bonds
1838 may be sold or exchanged for refunding bonds. Special assessment
1839 and revenue bonds may be delivered by the district as payment of
1840 the purchase price of any project or part thereof, or a
1841 combination of projects or parts thereof, or as the purchase
1842 price or exchange for any property, real, personal, or mixed,
1843 including franchises or services rendered by any contractor,
1844 engineer, or other person, all at one time or in blocks from
1845 time to time, in such manner and upon such terms as the board in
1846 its discretion shall determine. The price or prices for any
1847 bonds sold, exchanged, or delivered may be:

1848 1. The money paid for the bonds.

1849 2. The principal amount, plus accrued interest to the
1850 date of redemption or exchange, or outstanding obligations

1851 exchanged for refunding bonds.

1852 3. In the case of special assessment or revenue bonds,
1853 the amount of any indebtedness to contractors or other persons
1854 paid with such bonds, or the fair value of any properties
1855 exchanged for the bonds, as determined by the board.

1856 (b) Authorization and form of bonds. Any general
1857 obligation bonds, special assessment bonds, or revenue bonds may
1858 be authorized by resolution or resolutions of the board which
1859 shall be adopted by a majority of all the members thereof then
1860 in office. Such resolution or resolutions may be adopted at the
1861 same meeting at which they are introduced and need not be
1862 published or posted. The board may, by resolution, authorize the
1863 issuance of bonds and fix the aggregate amount of bonds to be
1864 issued; the purpose or purposes for which the moneys derived
1865 therefrom shall be expended, including, but not limited to,
1866 payment of costs as defined in section 2(2)(i); the rate or
1867 rates of interest, not to exceed the maximum rate allowed by
1868 general law; the denomination of the bonds; whether or not the
1869 bonds are to be issued in one or more series; the date or dates
1870 of maturity, which shall not exceed 40 years from their
1871 respective dates of issuance; the medium of payment; the place
1872 or places within or without the state at which payment shall be
1873 made; registration privileges; redemption terms and privileges,
1874 whether with or without premium; the manner of execution; the
1875 form of the bonds, including any interest coupons to be attached

1876 thereto; the manner of execution of bonds and coupons; and any
1877 and all other terms, covenants, and conditions thereof and the
1878 establishment of revenue or other funds. Such authorizing
1879 resolution or resolutions may further provide for the contracts
1880 authorized by s. 159.825(1)(f) and (g), Florida Statutes,
1881 regardless of the tax treatment of such bonds being authorized,
1882 subject to the finding by the board of a net saving to the
1883 district resulting by reason thereof. Such authorizing
1884 resolution may further provide that such bonds may be executed
1885 in accordance with the Registered Public Obligations Act, except
1886 that bonds not issued in registered form shall be valid if
1887 manually countersigned by an officer designated by appropriate
1888 resolution of the board. The seal of the district may be
1889 affixed, lithographed, engraved, or otherwise reproduced in
1890 facsimile on such bonds. In case any officer whose signature
1891 shall appear on any bonds or coupons shall cease to be such
1892 officer before the delivery of such bonds, such signature or
1893 facsimile shall nevertheless be valid and sufficient for all
1894 purposes the same as if he or she had remained in office until
1895 such delivery.

1896 (c) Interim certificates; replacement certificates.
1897 Pending the preparation of definitive bonds, the board may issue
1898 interim certificates or receipts or temporary bonds, in such
1899 form and with such provisions as the board may determine,
1900 exchangeable for definitive bonds when such bonds have been

1901 executed and are available for delivery. The board may also
1902 provide for the replacement of any bonds which become mutilated,
1903 lost, or destroyed.

1904 (d) Negotiability of bonds. Any bond issued under this
1905 act or any temporary bond, in the absence of an express recital
1906 on the face thereof that it is nonnegotiable, shall be fully
1907 negotiable and shall be and constitute a negotiable instrument
1908 within the meaning and for all purposes of the law merchant and
1909 the laws of the state.

1910 (e) Defeasance. The board may make such provision with
1911 respect to the defeasance of the right, title, and interest of
1912 the holders of any of the bonds and obligations of the district
1913 in any revenues, funds, or other properties by which such bonds
1914 are secured as the board deems appropriate and, without
1915 limitation on the foregoing, may provide that when such bonds or
1916 obligations become due and payable or shall have been called for
1917 redemption and the whole amount of the principal and interest
1918 and premium, if any, due and payable upon the bonds or
1919 obligations then outstanding shall be held in trust for such
1920 purpose, and provision shall also be made for paying all other
1921 sums payable in connection with such bonds or other obligations,
1922 then and in such event the right, title, and interest of the
1923 holders of the bonds in any revenues, funds, or other properties
1924 by which such bonds are secured shall thereupon cease,
1925 terminate, and become void; and the board may apply any surplus

1926 in any sinking fund established in connection with such bonds or
1927 obligations and all balances remaining in all other funds or
1928 accounts other than moneys held for the redemption or payment of
1929 the bonds or other obligations to any lawful purpose of the
1930 district as the board shall determine.

1931 (f) Issuance of additional bonds. If the proceeds of any
1932 bonds are less than the cost of completing the project in
1933 connection with which such bonds were issued, the board may
1934 authorize the issuance of additional bonds, upon such terms and
1935 conditions as the board may provide in the resolution
1936 authorizing the issuance thereof, but only in compliance with
1937 the resolution or other proceedings authorizing the issuance of
1938 the original bonds.

1939 (g) Refunding bonds. The district shall have the power to
1940 issue bonds to provide for the retirement or refunding of any
1941 bonds or obligations of the district that at the time of such
1942 issuance are or subsequent thereto become due and payable, or
1943 that at the time of issuance have been called or are, or will
1944 be, subject to call for redemption within 10 years thereafter,
1945 or the surrender of which can be procured from the holders
1946 thereof at prices satisfactory to the board. Refunding bonds may
1947 be issued at any time that in the judgment of the board such
1948 issuance will be advantageous to the district. No approval of
1949 the qualified electors residing in the district shall be
1950 required for the issuance of refunding bonds except in cases in

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2025

1951 which such approval is required by the State Constitution. The
1952 board may by resolution confer upon the holders of such
1953 refunding bonds all rights, powers, and remedies to which the
1954 holders would be entitled if they continued to be the owners and
1955 had possession of the bonds for the refinancing of which such
1956 refunding bonds are issued, including, but not limited to, the
1957 preservation of the lien of such bonds on the revenues of any
1958 project or on pledged funds, without extinguishment, impairment,
1959 or diminution thereof. The provisions of this act pertaining to
1960 bonds of the district shall, unless the context otherwise
1961 requires, govern the issuance of refunding bonds, the form and
1962 other details thereof, the rights of the holders thereof, and
1963 the duties of the board with respect to them.

1964 (h) Revenue bonds.

1965 1. The district shall have the power to issue revenue
1966 bonds from time to time without limitation as to amount. Such
1967 revenue bonds may be secured by, or payable from, the gross or
1968 net pledge of the revenues to be derived from any project or
1969 combination of projects; from the rates, fees, or other charges
1970 to be collected from the users of any project or projects; from
1971 any revenue-producing undertaking or activity of the district;
1972 from special assessments; or from benefit special assessments;
1973 or from any other source or pledged security. Such bonds shall
1974 not constitute an indebtedness of the district, and the approval
1975 of the qualified electors shall not be required unless such

1976 | bonds are additionally secured by the full faith and credit and
 1977 | taxing power of the district.

1978 | 2. Any two or more projects may be combined and
 1979 | consolidated into a single project and may hereafter be operated
 1980 | and maintained as a single project. The revenue bonds authorized
 1981 | herein may be issued to finance any one or more of such
 1982 | projects, regardless of whether or not such projects have been
 1983 | combined and consolidated into a single project. If the board
 1984 | deems it advisable, the proceedings authorizing such revenue
 1985 | bonds may provide that the district may thereafter combine the
 1986 | projects then being financed or theretofore financed with other
 1987 | projects to be subsequently financed by the district and that
 1988 | revenue bonds to be thereafter issued by the district shall be
 1989 | on parity with the revenue bonds then being issued, all on such
 1990 | terms, conditions, and limitations as shall have been provided
 1991 | in the proceeding which authorized the original bonds.

1992 | (i) General obligation bonds.

1993 | 1. Subject to the limitations of this charter, the
 1994 | district shall have the power from time to time to issue general
 1995 | obligation bonds to finance or refinance capital projects or to
 1996 | refund outstanding bonds in an aggregate principal amount of
 1997 | bonds outstanding at any one time not in excess of 35 percent of
 1998 | the assessed value of the taxable property within the district
 1999 | as shown on the pertinent tax records at the time of the
 2000 | authorization of the general obligation bonds for which the full

2001 faith and credit of the district is pledged. Except for
2002 refunding bonds, no general obligation bonds shall be issued
2003 unless the bonds are issued to finance or refinance a capital
2004 project and the issuance has been approved at an election held
2005 in accordance with the requirements for such election as
2006 prescribed by the State Constitution. Such elections shall be
2007 called to be held in the district by the Board of County
2008 Commissioners of Osceola County upon the request of the board of
2009 the district. The expenses of calling and holding an election
2010 shall be at the expense of the district and the district shall
2011 reimburse the county for any expenses incurred in calling or
2012 holding such election.

2013 2. The district may pledge its full faith and credit for
2014 the payment of the principal and interest on such general
2015 obligation bonds and for any reserve funds provided therefor and
2016 may unconditionally and irrevocably pledge itself to levy ad
2017 valorem taxes on all taxable property in the district, to the
2018 extent necessary for the payment thereof, without limitation as
2019 to rate or amount.

2020 3. If the board determines to issue general obligation
2021 bonds for more than one capital project, the approval of the
2022 issuance of the bonds for each and all such projects may be
2023 submitted to the electors on one and the same ballot. The
2024 failure of the electors to approve the issuance of bonds for any
2025 one or more capital projects shall not defeat the approval of

2026 bonds for any capital project which has been approved by the
 2027 electors.

2028 4. In arriving at the amount of general obligation bonds
 2029 permitted to be outstanding at any one time pursuant to
 2030 subparagraph 1., there shall not be included any general
 2031 obligation bonds that are additionally secured by the pledge of:

2032 a. Any assessments levied in an amount sufficient to pay
 2033 the principal and interest on the general obligation bonds so
 2034 additionally secured, which assessments have been equalized and
 2035 confirmed by resolution of the board pursuant to this act or s.
 2036 170.08, Florida Statutes.

2037 b. Water revenues, sewer revenues, or water and sewer
 2038 revenues of the district to be derived from user fees in an
 2039 amount sufficient to pay the principal and interest on the
 2040 general obligation bonds so additionally secured.

2041 c. Any combination of assessments and revenues described
 2042 in sub-subparagraphs a. and b.

2043 (j) Bonds as legal investment or security.

2044 1. Notwithstanding any provisions of any other law to the
 2045 contrary, all bonds issued under the provisions of this act
 2046 shall constitute legal investments for savings banks, banks,
 2047 trust companies, insurance companies, executors, administrators,
 2048 trustees, guardians, and other fiduciaries and for any board,
 2049 body, agency, instrumentality, county, municipality, or other
 2050 political subdivision of the state and shall be and constitute

2051 security which may be deposited by banks or trust companies as
 2052 security for deposits of state, county, municipal, or other
 2053 public funds or by insurance companies as required or voluntary
 2054 statutory deposits.

2055 2. Any bonds issued by the district shall be
 2056 incontestable in the hands of bona fide purchasers or holders
 2057 for value and shall not be invalid because of any irregularity
 2058 or defect in the proceedings for the issue and sale thereof.

2059 (k) Covenants. Any resolution authorizing the issuance of
 2060 bonds may contain such covenants as the board may deem
 2061 advisable, and all such covenants shall constitute valid and
 2062 legally binding and enforceable contracts between the district
 2063 and the bondholders, regardless of the time of issuance thereof.
 2064 Such covenants may include, without limitation, covenants
 2065 concerning the disposition of the bond proceeds; the use and
 2066 disposition of project revenues; the pledging of revenues,
 2067 taxes, and assessments; the obligations of the district with
 2068 respect to the operation of the project and the maintenance of
 2069 adequate project revenues; the issuance of additional bonds; the
 2070 appointment, powers, and duties of trustees and receivers; the
 2071 acquisition of outstanding bonds and obligations; restrictions
 2072 on the establishing of competing projects or facilities;
 2073 restrictions on the sale or disposal of the assets and property
 2074 of the district; the priority of assessment liens; the priority
 2075 of claims by bondholders on the taxing power of the district;

2076 the maintenance of deposits to ensure the payment of revenues by
2077 users of district facilities and services; the discontinuance of
2078 district services by reason of delinquent payments; acceleration
2079 upon default; the execution of necessary instruments; the
2080 procedure for amending or abrogating covenants with the
2081 bondholders; and such other covenants as may be deemed necessary
2082 or desirable for the security of the bondholders.

2083 (l) Validation proceedings. The power of the district to
2084 issue bonds under the provisions of this act may be determined,
2085 and any of the bonds of the district maturing over a period of
2086 more than 5 years shall be validated and confirmed, by court
2087 decree, under the provisions of chapter 75, Florida Statutes,
2088 and laws amendatory thereof or supplementary thereto.

2089 (m) Tax exemption. To the extent allowed by general law,
2090 all bonds issued hereunder and interest paid thereon and all
2091 fees, charges, and other revenues derived by the district from
2092 the projects provided by this act are exempt from all taxes by
2093 the state or by any political subdivision, agency, or
2094 instrumentality thereof; however, any interest, income, or
2095 profits on debt obligations issued hereunder are not exempt from
2096 the tax imposed by chapter 220, Florida Statutes. Further, the
2097 district is not exempt from the provisions of chapter 212,
2098 Florida Statutes.

2099 (n) Application of s. 189.051, Florida Statutes. Bonds
2100 issued by the district shall meet the criteria set forth in s.

2101 189.051, Florida Statutes.

2102 (o) Act furnishes full authority for issuance of bonds.
2103 This act constitutes full and complete authority for the
2104 issuance of bonds and the exercise of the powers of the district
2105 provided herein. No procedures or proceedings, publications,
2106 notices, consents, approvals, orders, acts, or things by the
2107 board, or any board, officer, commission, department, agency, or
2108 instrumentality of the district, other than those required by
2109 this act, shall be required to perform anything under this act,
2110 except that the issuance or sale of bonds pursuant to the
2111 provisions of this act shall comply with the general law
2112 requirements applicable to the issuance or sale of bonds by the
2113 district. Nothing in this act shall be construed to authorize
2114 the district to utilize bond proceeds to fund the ongoing
2115 operations of the district.

2116 (p) Pledge by the state to the bondholders of the
2117 district. The state pledges to the holders of any bonds issued
2118 under this act that it will not limit or alter the rights of the
2119 district to own, acquire, construct, reconstruct, improve,
2120 maintain, operate, or furnish the projects or to levy and
2121 collect the taxes, assessments, rentals, rates, fees, and other
2122 charges provided for herein and to fulfill the terms of any
2123 agreement made with the holders of such bonds or other
2124 obligations and that it will not in any way impair the rights or
2125 remedies of such holders.

2126 (g) Default. A default on the bonds or obligations of a
 2127 district shall not constitute a debt or obligation of the state
 2128 or any general-purpose local government or the state. In the
 2129 event of a default or dissolution of the district, no local
 2130 general-purpose government shall be required to assume the
 2131 property of the district, the debts of the district, or the
 2132 district's obligations to complete any infrastructure
 2133 improvements or provide any services to the district. The
 2134 provisions of s. 189.076(2), Florida Statutes, shall not apply
 2135 to the district.

2136 (11) TRUST AGREEMENTS. Any issue of bonds shall be
 2137 secured by a trust agreement or resolution by and between the
 2138 district and a corporate trustee or trustees, which may be any
 2139 trust company or bank having the powers of a trust company
 2140 within or without the state. The resolution authorizing the
 2141 issuance of the bonds or such trust agreement may pledge the
 2142 revenues to be received from any projects of the district and
 2143 may contain such provisions for protecting and enforcing the
 2144 rights and remedies of the bondholders as the board may approve,
 2145 including, without limitation, covenants setting forth the
 2146 duties of the district in relation to: the acquisition,
 2147 construction, reconstruction, improvement, maintenance, repair,
 2148 operation, and insurance of any projects; the fixing and
 2149 revising of the rates, fees, and charges; and the custody,
 2150 safeguarding, and application of all moneys and for the

2151 employment of consulting engineers in connection with such
2152 acquisition, construction, reconstruction, improvement,
2153 maintenance, repair, or operation. It shall be lawful for any
2154 bank or trust company within or without the state which may act
2155 as a depository of the proceeds of bonds or of revenues to
2156 furnish such indemnifying bonds or to pledge such securities as
2157 may be required by the district. Such resolution or trust
2158 agreement may set forth the rights and remedies of the
2159 bondholders and of the trustee, if any, and may restrict the
2160 individual right of action by bondholders. The board may provide
2161 for the payment of proceeds of the sale of the bonds and the
2162 revenues of any project to such officer, board, or depository as
2163 it may designate for the custody thereof and may provide for the
2164 method of disbursement thereof with such safeguards and
2165 restrictions as it may determine. All expenses incurred in
2166 carrying out the provisions of such resolution or trust
2167 agreement may be treated as part of the cost of operation of the
2168 project to which such trust agreement pertains.

2169 (12) AD VALOREM TAXES; ASSESSMENTS, BENEFIT SPECIAL
2170 ASSESSMENTS, MAINTENANCE SPECIAL ASSESSMENTS, AND SPECIAL
2171 ASSESSMENTS; MAINTENANCE TAXES.

2172 (a) Ad valorem taxes. At such time as all members of the
2173 board are qualified electors who are elected by qualified
2174 electors of the district, the board shall have the power to levy
2175 and assess an ad valorem tax on all the taxable property in the

2176 district to construct, operate, and maintain assessable
2177 improvements; to pay the principal of, and interest on, any
2178 general obligation bonds of the district; and to provide for any
2179 sinking or other funds established in connection with any such
2180 bonds. An ad valorem tax levied by the board for operating
2181 purposes, exclusive of debt service on bonds, shall not exceed 3
2182 mills. The ad valorem tax provided for herein shall be in
2183 addition to county and all other ad valorem taxes provided for
2184 by law. Such tax shall be assessed, levied, and collected in the
2185 same manner and at the same time as county taxes. The levy of ad
2186 valorem taxes must be approved by referendum as required by
2187 Section 9 of Article VII of the State Constitution.

2188 (b) Benefit special assessments. The board annually shall
2189 determine, order, and levy the annual installment of the total
2190 benefit special assessments for bonds issued and related
2191 expenses to finance assessable improvements. These assessments
2192 may be due and collected during each year county taxes are due
2193 and collected, in which case such annual installment and levy
2194 shall be evidenced to and certified to the property appraiser by
2195 the board not later than August 31 of each year. Such assessment
2196 shall be entered by the property appraiser on the county tax
2197 rolls and shall be collected and enforced by the tax collector
2198 in the same manner and at the same time as county taxes, and the
2199 proceeds thereof shall be paid to the district. However, this
2200 subsection shall not prohibit the district in its discretion

2201 from using the method prescribed in either s. 197.3632 or
2202 chapter 173, Florida Statutes, as each may be amended from time
2203 to time, for collecting and enforcing these assessments. Each
2204 annual installment of benefit special assessments shall be a
2205 lien on the property against which assessed until paid and shall
2206 be enforceable in like manner as county taxes. The amount of the
2207 assessment for the exercise of the district's powers under
2208 subsections (6) and (7) shall be determined by the board based
2209 upon a report of the district's engineer and assessed by the
2210 board upon such lands, which may be part or all of the lands
2211 within the district benefited by the improvement, apportioned
2212 between benefited lands in proportion to the benefits received
2213 by each tract of land. The board may, if it determines it is in
2214 the best interests of the district, set forth in the proceedings
2215 initially levying such benefit special assessments or in
2216 subsequent proceedings a formula for the determination of an
2217 amount, which when paid by a taxpayer with respect to any tax
2218 parcel, shall constitute a prepayment of all future annual
2219 installments of such benefit special assessments and that the
2220 payment of which amount with respect to such tax parcel shall
2221 relieve and discharge such tax parcel of the lien of such
2222 benefit special assessments and any subsequent annual
2223 installment thereof. The board may provide further that upon
2224 delinquency in the payment of any annual installment of benefit
2225 special assessments, the prepayment amount of all future annual

2226 installments of benefit special assessments as determined in the
 2227 preceding sentence shall be and become immediately due and
 2228 payable together with such delinquent annual installment.

2229 (c) Non-ad valorem maintenance taxes. If and when
 2230 authorized by general law, to maintain and to preserve the
 2231 physical facilities and services constituting the works,
 2232 improvements, or infrastructure owned by the district pursuant
 2233 to this act, to repair and restore any one or more of them, when
 2234 needed, and to defray the current expenses of the district,
 2235 including any sum which may be required to pay state and county
 2236 ad valorem taxes on any lands which may have been purchased and
 2237 which are held by the district under the provisions of this act,
 2238 the board of supervisors may, upon the completion of said
 2239 systems, facilities, services, works, improvements, or
 2240 infrastructure, in whole or in part, as may be certified to the
 2241 board by the engineer of the board, levy annually a non-ad
 2242 valorem and nonmillage tax upon each tract or parcel of land
 2243 within the district, to be known as a "maintenance tax." This
 2244 non-ad valorem maintenance tax shall be apportioned upon the
 2245 basis of the net assessments of benefits assessed as accruing
 2246 from the original construction and shall be evidenced to and
 2247 certified by the board of supervisors of the district not later
 2248 than June 1 of each year to the Osceola County tax collector and
 2249 shall be extended on the tax rolls and collected by the tax
 2250 collector on the merged collection roll of the tax collector in

2251 the same manner and at the same time as county ad valorem taxes,
2252 and the proceeds therefrom shall be paid to the district. This
2253 non-ad valorem maintenance tax shall be a lien until paid on the
2254 property against which assessed and enforceable in like manner
2255 and of the same dignity as county ad valorem taxes.

2256 (d) Maintenance special assessments. To maintain and
2257 preserve the facilities and projects of the district, the board
2258 may levy a maintenance special assessment. This assessment may
2259 be evidenced to and certified to the tax collector by the board
2260 of supervisors not later than August 31 of each year and shall
2261 be entered by the property appraiser on the county tax rolls and
2262 shall be collected and enforced by the tax collector in the same
2263 manner and at the same time as county taxes, and the proceeds
2264 therefrom shall be paid to the district. However, this
2265 subsection shall not prohibit the district in its discretion
2266 from using the method prescribed in s. 197.363, s. 197.3631, or
2267 s. 197.3632, Florida Statutes, for collecting and enforcing
2268 these assessments. These maintenance special assessments shall
2269 be a lien on the property against which assessed until paid and
2270 shall be enforceable in like manner as county taxes. The amount
2271 of the maintenance special assessment for the exercise of the
2272 district's powers under this section shall be determined by the
2273 board based upon a report of the district's engineer and
2274 assessed by the board upon such lands, which may be all of the
2275 lands within the district benefited by the maintenance thereof,

2276 apportioned between the benefited lands in proportion to the
 2277 benefits received by each tract of land.

2278 (e) Special assessments. The board may levy and impose
 2279 any special assessments pursuant to this subsection.

2280 (f) Enforcement of taxes. The collection and enforcement
 2281 of all taxes levied by the district shall be at the same time
 2282 and in like manner as county taxes, and the provisions of the
 2283 laws of Florida relating to the sale of lands for unpaid and
 2284 delinquent county taxes; the issuance, sale, and delivery of tax
 2285 certificates for such unpaid and delinquent county taxes; the
 2286 redemption thereof; the issuance to individuals of tax deeds
 2287 based thereon; and all other procedures in connection therewith
 2288 shall be applicable to the district to the same extent as if
 2289 such statutory provisions were expressly set forth herein. All
 2290 taxes shall be subject to the same discounts as county taxes.

2291 (g) When unpaid tax is delinquent; penalty. All taxes
 2292 provided for in this act shall become delinquent and bear
 2293 penalties on the amount of such taxes in the same manner as
 2294 county taxes.

2295 (h) Status of assessments. Benefit special assessments,
 2296 maintenance special assessments, and special assessments are
 2297 hereby found and determined to be non-ad valorem assessments as
 2298 defined by s. 197.3632, Florida Statutes. Maintenance taxes are
 2299 non-ad valorem taxes and are not special assessments.

2300 (i) Assessments constitute liens; collection. Any and all

2301 assessments, including special assessments, benefit special
 2302 assessments, and maintenance special assessments authorized by
 2303 this section, and including special assessments as defined by
 2304 section 2(2)(z) and granted and authorized by this subsection,
 2305 and including maintenance taxes if authorized by general law,
 2306 shall constitute a lien on the property against which assessed
 2307 from the date of levy and imposition thereof until paid, coequal
 2308 with the lien of state, county, municipal, and school board
 2309 taxes. These assessments may be collected, at the district's
 2310 discretion, under authority of s. 197.3631, Florida Statutes, as
 2311 amended from time to time, by the tax collector pursuant to the
 2312 provisions of ss. 197.3632 and 197.3635, Florida Statutes, as
 2313 amended from time to time, or in accordance with other
 2314 collection measures provided by law. In addition to, and not in
 2315 limitation of, any powers otherwise set forth herein or in
 2316 general law, these assessments may also be enforced pursuant to
 2317 the provisions of chapter 173, Florida Statutes, as amended from
 2318 time to time.

2319 (j) Land owned by governmental entity. Except as
 2320 otherwise provided by law, no levy of ad valorem taxes or non-ad
 2321 valorem assessments under this act or chapter 170 or chapter
 2322 197, Florida Statutes, as each may be amended from time to time,
 2323 or otherwise, by a board of the district, on property of a
 2324 governmental entity that is subject to a ground lease as
 2325 described in s. 190.003(14), Florida Statutes, shall constitute

2326 | a lien or encumbrance on the underlying fee interest of such
 2327 | governmental entity.

2328 | (13) SPECIAL ASSESSMENTS.

2329 | (a) As an alternative method to the levy and imposition
 2330 | of special assessments pursuant to chapter 170, Florida
 2331 | Statutes, pursuant to the authority of s. 197.3631, Florida
 2332 | Statutes, or pursuant to other provisions of general law, now or
 2333 | hereafter enacted, which provide a supplemental means or
 2334 | authority to impose, levy, and collect special assessments as
 2335 | otherwise authorized under this act, the board may levy and
 2336 | impose special assessments to finance the exercise of any of its
 2337 | powers permitted under this act using the following uniform
 2338 | procedures:

2339 | 1. At a noticed meeting, the board of supervisors of the
 2340 | district may consider and review an engineer's report on the
 2341 | costs of the systems, facilities, and services to be provided, a
 2342 | preliminary special assessment methodology, and a preliminary
 2343 | roll based on acreage or platted lands, depending upon whether
 2344 | platting has occurred.

2345 | a. The special assessment methodology shall address and
 2346 | discuss and the board shall consider whether the systems,
 2347 | facilities, and services being contemplated will result in
 2348 | special benefits peculiar to the property, different in kind and
 2349 | degree than general benefits, as a logical connection between
 2350 | the systems, facilities, and services themselves and the

2351 property, and whether the duty to pay the special assessments by
2352 the property owners is apportioned in a manner that is fair and
2353 equitable and not in excess of the special benefit received. It
2354 shall be fair and equitable to designate a fixed proportion of
2355 the annual debt service, together with interest thereon, on the
2356 aggregate principal amount of bonds issued to finance such
2357 systems, facilities, and services which give rise to unique,
2358 special, and peculiar benefits to property of the same or
2359 similar characteristics under the special assessment methodology
2360 so long as such fixed proportion does not exceed the unique,
2361 special, and peculiar benefits enjoyed by such property from
2362 such systems, facilities, and services.

2363 b. The engineer's cost report shall identify the nature
2364 of the proposed systems, facilities, and services, their
2365 location, a cost breakdown plus a total estimated cost,
2366 including cost of construction or reconstruction, labor, and
2367 materials, lands, property, rights, easements, franchises, or
2368 systems, facilities, and services to be acquired, cost of plans
2369 and specifications, surveys of estimates of costs and revenues,
2370 costs of engineering, legal, and other professional consultation
2371 services, and other expenses or costs necessary or incident to
2372 determining the feasibility or practicability of such
2373 construction, reconstruction, or acquisition, administrative
2374 expenses, relationship to the authority and power of the
2375 district in its charter, and such other expenses or costs as may

2376 be necessary or incident to the financing to be authorized by
2377 the board of supervisors.

2378 c. The preliminary special assessment roll will be in
2379 accordance with the assessment methodology as may be adopted by
2380 the board of supervisors; the special assessment roll shall be
2381 completed as promptly as possible and shall show the acreage,
2382 lots, lands, or plats assessed and the amount of the fairly and
2383 reasonably apportioned assessment based on special and peculiar
2384 benefit to the property, lot, parcel, or acreage of land; and,
2385 if the special assessment against such lot, parcel, acreage, or
2386 portion of land is to be paid in installments, the number of
2387 annual installments in which the special assessment is divided
2388 shall be entered into and shown upon the special assessment
2389 roll.

2390 2. The board of supervisors of the district may determine
2391 and declare by an initial special assessment resolution to levy
2392 and assess the special assessments with respect to assessable
2393 improvements stating the nature of the systems, facilities, and
2394 services, improvements, projects, or infrastructure constituting
2395 such assessable improvements, the information in the engineer's
2396 cost report, the information in the special assessment
2397 methodology as determined by the board at the noticed meeting
2398 and referencing and incorporating as part of the resolution the
2399 engineer's cost report, the preliminary special assessment
2400 methodology, and the preliminary special assessment roll as

2401 referenced exhibits to the resolution by reference. If the board
2402 determines to declare and levy the special assessments by the
2403 initial special assessment resolution, the board shall also
2404 adopt and declare a notice resolution which shall provide and
2405 cause the initial special assessment resolution to be published
2406 once a week for a period of 2 weeks in newspapers of general
2407 circulation published in Osceola County and said board shall by
2408 the same resolution fix a time and place at which the owner or
2409 owners of the property to be assessed or any other persons
2410 interested therein may appear before said board and be heard as
2411 to the propriety and advisability of making such improvements,
2412 as to the costs thereof, as to the manner of payment therefor,
2413 and as to the amount thereof to be assessed against each
2414 property so improved. Thirty days' notice in writing of such
2415 time and place shall be given to such property owners. The
2416 notice shall include the amount of the special assessment and
2417 shall be served by mailing a copy to each assessed property
2418 owner at his or her last known address, the names and addresses
2419 of such property owners to be obtained from the record of the
2420 property appraiser of the county political subdivision in which
2421 the land is located or from such other sources as the district
2422 manager or engineer deems reliable, and proof of such mailing
2423 shall be made by the affidavit of the manager of the district or
2424 by the engineer, said proof to be filed with the district
2425 manager, provided that failure to mail said notice or notices

2426 shall not invalidate any of the proceedings hereunder. It is
2427 provided further that the last publication shall be at least 1
2428 week prior to the date of the hearing on the final special
2429 assessment resolution. Said notice shall describe the general
2430 areas to be improved and advise all persons interested that the
2431 description of each property to be assessed and the amount to be
2432 assessed to each piece, parcel, lot, or acre of property may be
2433 ascertained at the office of the manager of the district. Such
2434 service by publication shall be verified by the affidavit of the
2435 publisher and filed with the manager of the district. Moreover,
2436 the initial special assessment resolution with its attached,
2437 referenced, and incorporated engineer's cost report, preliminary
2438 special assessment methodology, and preliminary special
2439 assessment roll, along with the notice resolution, shall be
2440 available for public inspection at the office of the manager and
2441 the office of the engineer or any other office designated by the
2442 board of supervisors in the notice resolution. Notwithstanding
2443 the foregoing, the landowners of all of the property which is
2444 proposed to be assessed may give the district written notice of
2445 waiver of any notice and publication provided for in this
2446 subparagraph and such notice and publication shall not be
2447 required, provided, however, that any meeting of the board of
2448 supervisors to consider such resolution shall be a publicly
2449 noticed meeting.

2450 3. At the time and place named in the noticed resolution

2451 as provided for in subparagraph 2., the board of supervisors of
2452 the district shall meet and hear testimony from affected
2453 property owners as to the propriety and advisability of making
2454 the systems, facilities, services, projects, works,
2455 improvements, or infrastructure and funding them with
2456 assessments referenced in the initial special assessment
2457 resolution on the property. Following the testimony and
2458 questions from the members of the board or any professional
2459 advisors to the district of the preparers of the engineer's cost
2460 report, the special assessment methodology, and the special
2461 assessment roll, the board of supervisors shall make a final
2462 decision on whether to levy and assess the particular special
2463 assessments. Thereafter, the board of supervisors shall meet as
2464 an equalizing board to hear and to consider any and all
2465 complaints as to the particular special assessments and shall
2466 adjust and equalize the special assessments to ensure proper
2467 assessment based on the benefit conferred on the property.

2468 4. When so equalized and approved by resolution or
2469 ordinance by the board of supervisors, to be called the final
2470 special assessment resolution, a final special assessment roll
2471 shall be filed with the clerk of the board and such special
2472 assessment shall stand confirmed and remain legal, valid, and
2473 binding first liens on the property against which such special
2474 assessments are made until paid, equal in dignity to the first
2475 liens of ad valorem taxation of county and municipal governments

2476 and school boards. However, upon completion of the systems,
2477 facilities, service, project, improvement, works, or
2478 infrastructure, the district shall credit to each of the
2479 assessments the difference in the special assessment as
2480 originally made, approved, levied, assessed, and confirmed and
2481 the proportionate part of the actual cost of the
2482 improvement to be paid by the particular special assessments as
2483 finally determined upon the completion of the improvement; but
2484 in no event shall the final special assessment exceed the amount
2485 of the special and peculiar benefits as apportioned fairly and
2486 reasonably to the property from the system, facility, or service
2487 being provided as originally assessed. Promptly after such
2488 confirmation, the special assessment shall be recorded by the
2489 clerk of the district in the minutes of the proceedings of the
2490 district, and the record of the lien in this set of minutes
2491 shall constitute prima facie evidence of its validity. The board
2492 of supervisors, in its sole discretion, may, by resolution grant
2493 a discount equal to all or a part of the payee's proportionate
2494 share of the cost of the project consisting of bond financing
2495 cost, such as capitalized interest, funded reserves, and bond
2496 discounts included in the estimated cost of the project, upon
2497 payment in full of any special assessments during such period
2498 prior to the time such financing costs are incurred as may be
2499 specified by the board of supervisors in such resolution.

2500 5. District special assessments may be made payable in

2501 installments over no more than 40 years from the date of the
 2502 payment of the first installment thereof and may bear interest
 2503 at fixed or variable rates.

2504 (b) Notwithstanding any provision of this act or chapter
 2505 170, Florida Statutes, that portion of s. 170.09, Florida
 2506 Statutes, that provides that special assessments may be paid
 2507 without interest at any time within 30 days after the
 2508 improvement is completed and a resolution accepting the same has
 2509 been adopted by the governing authority shall not be applicable
 2510 to any district special assessments, whether imposed, levied,
 2511 and collected pursuant to the provisions of this act or other
 2512 provisions of Florida law, including, but not limited to,
 2513 chapter 170, Florida Statutes.

2514 (c) In addition, the district is authorized expressly in
 2515 the exercise of its rulemaking power to adopt a rule or rules
 2516 which provides or provide for notice, levy, imposition,
 2517 equalization, and collection of assessments.

2518 (14) ISSUANCE OF CERTIFICATES OF INDEBTEDNESS BASED ON
 2519 ASSESSMENTS FOR ASSESSABLE IMPROVEMENTS; ASSESSMENT BONDS.

2520 (a) The board may, after any special assessments or
 2521 benefit special assessments for assessable improvements are
 2522 made, determined, and confirmed as provided in this act, issue
 2523 certificates of indebtedness for the amount so assessed against
 2524 the abutting property or property otherwise benefited, as the
 2525 case may be, and separate certificates shall be issued against

2526 each part or parcel of land or property assessed, which
2527 certificates shall state the general nature of the improvement
2528 for which the assessment is made. The certificates shall be
2529 payable in annual installments in accordance with the
2530 installments of the special assessment for which they are
2531 issued. The board may determine the interest to be borne by such
2532 certificates, not to exceed the maximum rate allowed by general
2533 law, and may sell such certificates at either private or public
2534 sale and determine the form, manner of execution, and other
2535 details of such certificates. The certificates shall recite that
2536 they are payable only from the special assessments levied and
2537 collected from the part or parcel of land or property against
2538 which they are issued. The proceeds of such certificates may be
2539 pledged for the payment of principal of and interest on any
2540 revenue bonds or general obligation bonds issued to finance in
2541 whole or in part such assessable improvement, or, if not so
2542 pledged, may be used to pay the cost or part of the cost of such
2543 assessable improvements.

2544 (b) The district may also issue assessment bonds, revenue
2545 bonds, or other obligations payable from a special fund into
2546 which such certificates of indebtedness referred to in paragraph
2547 (a) may be deposited or, if such certificates of indebtedness
2548 have not been issued, the district may assign to such special
2549 fund for the benefit of the holders of such assessment bonds or
2550 other obligations, or to a trustee for such bondholders, the

2551 assessment liens provided for in this act unless such
2552 certificates of indebtedness or assessment liens have been
2553 theretofore pledged for any bonds or other obligations
2554 authorized hereunder. In the event of the creation of such
2555 special fund and the issuance of such assessment bonds or other
2556 obligations, the proceeds of such certificates of indebtedness
2557 or assessment liens deposited therein shall be used only for the
2558 payment of the assessment bonds or other obligations issued as
2559 provided in this section. The district is authorized to covenant
2560 with the holders of such assessment bonds, revenue bonds, or
2561 other obligations that it will diligently and faithfully enforce
2562 and collect all the special assessments, and interest and
2563 penalties thereon, for which such certificates of indebtedness
2564 or assessment liens have been deposited in or assigned to such
2565 fund; to foreclose such assessment liens so assigned to such
2566 special fund or represented by the certificates of indebtedness
2567 deposited in the special fund, after such assessment liens have
2568 become delinquent, and deposit the proceeds derived from such
2569 foreclosure, including interest and penalties, in such special
2570 fund; and to make any other covenants deemed necessary or
2571 advisable in order to properly secure the holders of such
2572 assessment bonds or other obligations.

2573 (c) The assessment bonds, revenue bonds, or other
2574 obligations issued pursuant to this section shall have such
2575 dates of issue and maturity as shall be deemed advisable by the

2576 board; however, the maturities of such assessment bonds or other
2577 obligations shall not be more than 2 years after the due date of
2578 the last installment which will be payable on any of the special
2579 assessments for which such assessment liens, or the certificates
2580 of indebtedness representing such assessment liens, are assigned
2581 to or deposited in such special fund.

2582 (d) Such assessment bonds, revenue bonds, or other
2583 obligations issued under this section shall bear such interest
2584 as the board may determine, not to exceed the maximum rate
2585 allowed by general law, and shall be executed, shall have such
2586 provisions for redemption prior to maturity, shall be sold in
2587 the manner, and shall be subject to all of the applicable
2588 provisions contained in this act for revenue bonds, except as
2589 the same may be inconsistent with the provisions of this
2590 section.

2591 (e) All assessment bonds, revenue bonds, or other
2592 obligations issued under the provisions of this section shall
2593 be, shall constitute, and shall have all the qualities and
2594 incidents of negotiable instruments under the law merchant and
2595 the laws of the state.

2596 (15) TAX LIENS. All taxes of the district provided for in
2597 this act, together with all penalties for default in the payment
2598 of the same and all costs in collecting the same, including a
2599 reasonable attorney fee fixed by the court and taxed as a cost
2600 in the action brought to enforce payment, shall, from January 1

2601 for each year the property is liable to assessment and until
 2602 paid, constitute a lien of equal dignity with the liens for
 2603 state and county taxes and other taxes of equal dignity with
 2604 state and county taxes upon all the lands against which such
 2605 taxes shall be levied. A sale of any of the real property within
 2606 the district for state and county or other taxes shall not
 2607 operate to relieve or release the property so sold from the lien
 2608 for subsequent district taxes or installments of district taxes,
 2609 which lien may be enforced against such property as though no
 2610 such sale thereof had been made. In addition to, and not in
 2611 limitation of, the preceding sentence, for purposes of s.
 2612 197.552, Florida Statutes, the lien of all special assessments
 2613 levied by the district shall constitute a lien of record held by
 2614 a municipal or county governmental unit. The provisions of ss.
 2615 194.171, 197.122, 197.333, and 197.432, Florida Statutes, shall
 2616 be applicable to district taxes with the same force and effect
 2617 as if such provisions were expressly set forth in this act.

2618 (16) PAYMENT OF TAXES AND REDEMPTION OF TAX LIENS BY THE
 2619 DISTRICT; SHARING IN PROCEEDS OF TAX SALE.

2620 (a) The district shall have the power and right to:

2621 1. Pay any delinquent state, county, district, municipal,
 2622 or other tax or assessment upon lands located wholly or
 2623 partially within the boundaries of the district.

2624 2. Redeem or purchase any tax sales certificates issued
 2625 or sold on account of any state, county, district, municipal, or

2626 other taxes or assessments upon lands located wholly or
2627 partially within the boundaries of the district.

2628 (b) Delinquent taxes paid, or tax sales certificates
2629 redeemed or purchased, by the district, together with all
2630 penalties for the default in payment of the same and all costs
2631 in collecting the same and a reasonable attorney fee, shall
2632 constitute a lien in favor of the district of equal dignity with
2633 the liens of state and county taxes and other taxes of equal
2634 dignity with state and county taxes upon all the real property
2635 against which the taxes were levied. The lien of the district
2636 may be foreclosed in the manner provided in this act.

2637 (c) In any sale of land pursuant to s. 197.542, Florida
2638 Statutes, as may be amended from time to time, the district may
2639 certify to the clerk of the circuit court of the county holding
2640 such sale the amount of taxes due to the district upon the lands
2641 sought to be sold, and the district shall share in the
2642 disbursement of the sales proceeds in accordance with the
2643 provisions of this act and under the laws of the state.

2644 (17) FORECLOSURE OF LIENS. Any lien in favor of the
2645 district arising under this act may be foreclosed by the
2646 district by foreclosure proceedings in the name of the district
2647 in a court of competent jurisdiction as provided by general law
2648 in like manner as is provided in chapter 170 or chapter 173,
2649 Florida Statutes, and amendments thereto and the provisions of
2650 those chapters shall be applicable to such proceedings with the

2651 same force and effect as if those provisions were expressly set
2652 forth in this act. Any act required or authorized to be done by
2653 or on behalf of a municipality in foreclosure proceedings under
2654 chapter 170 or chapter 173, Florida Statutes, may be performed
2655 by such officer or agent of the district as the board of
2656 supervisors may designate. Such foreclosure proceedings may be
2657 brought at any time after the expiration of 1 year from the date
2658 any tax, or installment thereof, becomes delinquent; however, no
2659 lien shall be foreclosed against any political subdivision or
2660 agency of the state. Other legal remedies shall remain
2661 available.

2662 (18) MANDATORY USE OF CERTAIN DISTRICT SYSTEMS,
2663 FACILITIES, AND SERVICES. To the full extent permitted by law,
2664 the district shall require all lands, buildings, premises,
2665 persons, firms, and corporations within the district to use the
2666 facilities of the district.

2667 (19) COMPETITIVE PROCUREMENT; BIDS; NEGOTIATIONS; RELATED
2668 PROVISIONS REQUIRED.

2669 (a) No contract shall be let by the board for any goods,
2670 supplies, or materials to be purchased when the amount thereof
2671 to be paid by the district shall exceed the amount provided in
2672 s. 287.017, Florida Statutes, as amended from time to time, for
2673 category four, unless notice of bids shall be advertised once in
2674 a newspaper in general circulation in Osceola County. Any board
2675 seeking to construct or improve a public building, structure, or

2676 other public works shall comply with the bidding procedures of
2677 s. 255.20, Florida Statutes, as amended from time to time, and
2678 other applicable general law. In each case, the bid of the
2679 lowest responsive and responsible bidder shall be accepted
2680 unless all bids are rejected because the bids are too high or
2681 the board determines it is in the best interests of the district
2682 to reject all bids. The board may require the bidders to furnish
2683 bond with a responsible surety to be approved by the board.
2684 Nothing in this subsection shall prevent the board from
2685 undertaking and performing the construction, operation, and
2686 maintenance of any project or facility authorized by this act by
2687 the employment of labor, material, and machinery.

2688 (b) The provisions of the Consultants' Competitive
2689 Negotiation Act, s. 287.055, Florida Statutes, apply to
2690 contracts for engineering, architecture, landscape architecture,
2691 or registered surveying and mapping services let by the board.

2692 (c) Contracts for maintenance services for any district
2693 facility or project shall be subject to competitive bidding
2694 requirements when the amount thereof to be paid by the district
2695 exceeds the amount provided in s. 287.017, Florida Statutes, as
2696 amended from time to time, for category four. The district shall
2697 adopt rules, policies, or procedures establishing competitive
2698 bidding procedures for maintenance services. Contracts for other
2699 services shall not be subject to competitive bidding unless the
2700 district adopts a rule, policy, or procedure applying

2701 competitive bidding procedures to said contracts. Nothing herein
2702 shall preclude the use of requests for proposal instead of
2703 invitations to bid as determined by the district to be in its
2704 best interest.

2705 (20) FEES, RENTALS, AND CHARGES; PROCEDURE FOR ADOPTION
2706 AND MODIFICATIONS; MINIMUM REVENUE REQUIREMENTS.

2707 (a) The district is authorized to prescribe, fix,
2708 establish, and collect rates, fees, rentals, or other charges,
2709 hereinafter sometimes referred to as "revenues," and to revise
2710 the same from time to time, for the systems, facilities, and
2711 services furnished by the district including, but not limited
2712 to, recreational facilities, water management and control
2713 facilities, and water and sewer systems; to recover the costs of
2714 making connection with any district service, facility, or
2715 system; and to provide for reasonable penalties against any user
2716 or property for any such rates, fees, rentals, or other charges
2717 that are delinquent.

2718 (b) No such rates, fees, rentals, or other charges for
2719 any of the facilities or services of the district shall be fixed
2720 until after a public hearing at which all the users of the
2721 proposed facility or services or owners, tenants, or occupants
2722 served or to be served thereby and all other interested persons
2723 shall have an opportunity to be heard concerning the proposed
2724 rates, fees, rentals, or other charges. Rates, fees, rentals,
2725 and other charges shall be adopted under the administrative

2726 rulemaking authority of the district, but shall not apply to
2727 district leases. Notice of such public hearing setting forth the
2728 proposed schedule or schedules of rates, fees, rentals, and
2729 other charges shall have been published in a newspaper of
2730 general circulation in Osceola County at least once and at least
2731 10 days prior to such public hearing. The rulemaking hearing may
2732 be adjourned from time to time. After such hearing, such
2733 schedule or schedules, either as initially proposed or as
2734 modified or amended, may be finally adopted. A copy of the
2735 schedule or schedules of such rates, fees, rentals, or charges
2736 as finally adopted shall be kept on file in an office designated
2737 by the board and shall be open at all reasonable times to public
2738 inspection. The rates, fees, rentals, or charges so fixed for
2739 any class of users or property served shall be extended to cover
2740 any additional users or properties thereafter served which shall
2741 fall in the same class, without the necessity of any notice or
2742 hearing.

2743 (c) Such rates, fees, rentals, and charges shall be just
2744 and equitable and uniform for users of the same class, and when
2745 appropriate may be based or computed either upon the amount of
2746 service furnished, upon the average number of persons residing
2747 or working in or otherwise occupying the
2748 premises served, or upon any other factor affecting the use of
2749 the facilities furnished, or upon any combination of the
2750 foregoing factors, as may be determined by the board on an

2751 equitable basis.

2752 (d) The rates, fees, rentals, or other charges prescribed
2753 shall be such as will produce revenues, together with any other
2754 assessments, taxes, revenues, or funds available or pledged for
2755 such purpose, at least sufficient to provide for the items
2756 hereinafter listed, but not necessarily in the order stated:

2757 1. To provide for all expenses of operation and
2758 maintenance of such facility or service.

2759 2. To pay when due all bonds and interest thereon for the
2760 payment of which such revenues are, or shall have been, pledged
2761 or encumbered, including reserves for such purpose.

2762 3. To provide for any other funds which may be required
2763 under the resolution or resolutions authorizing the issuance of
2764 bonds pursuant to this act.

2765 (e) The board shall have the power to enter into
2766 contracts for the use of the projects of the district and with
2767 respect to the services, systems, and facilities furnished or to
2768 be furnished by the district.

2769 (21) RECOVERY OF DELINQUENT CHARGES. In the event that
2770 any rates, fees, rentals, charges, or delinquent penalties shall
2771 not be paid as and when due and shall be in default for 60 days
2772 or more, the unpaid balance thereof and all interest accrued
2773 thereon, together with reasonable attorney fees and costs, may
2774 be recovered by the district in a civil action.

2775 (22) DISCONTINUANCE OF SERVICE. In the event the fees,

2776 rentals, or other charges for district services or facilities
2777 are not paid when due, the board shall have the power, under
2778 such reasonable rules and regulations as the board may adopt, to
2779 discontinue and shut off such services until such fees, rentals,
2780 or other charges, including interest, penalties, and charges for
2781 the shutting off and discontinuance and the restoration of such
2782 services, are fully paid; and, for such purposes, the board may
2783 enter on any lands, waters, or premises of any person, firm,
2784 corporation, or body, public or private, within the district
2785 limits. Such delinquent fees, rentals, or other charges,
2786 together with interest, penalties, and charges for the shutting
2787 off and discontinuance and the restoration of such services and
2788 facilities and reasonable attorney fees and other expenses, may
2789 be recovered by the district, which may also enforce payment of
2790 such delinquent fees, rentals, or other charges by any other
2791 lawful method of enforcement.

2792 (23) ENFORCEMENT AND PENALTIES. The board or any
2793 aggrieved person may have recourse to such remedies in law and
2794 at equity as may be necessary to ensure compliance with the
2795 provisions of this act, including injunctive relief to enjoin or
2796 restrain any person violating the provisions of this act or any
2797 bylaws, resolutions, regulations, rules, codes, or orders
2798 adopted under this act. In case any building or structure is
2799 erected, constructed, reconstructed, altered, repaired,
2800 converted, or maintained, or any building, structure, land, or

2801 water is used, in violation of this act or of any code, order,
2802 resolution, or other regulation made under authority conferred
2803 by this act or under law, the board or any citizen residing in
2804 the district may institute any appropriate action or proceeding
2805 to prevent such unlawful erection, construction, reconstruction,
2806 alteration, repair, conversion, maintenance, or use; to
2807 restrain, correct, or avoid such violation; to prevent the
2808 occupancy of such building, structure, land, or water; and to
2809 prevent any illegal act, conduct, business, or use in or about
2810 such premises, land, or water.

2811 (24) SUITS AGAINST THE DISTRICT. Any suit or action
2812 brought or maintained against the district for damages arising
2813 out of tort, including, without limitation, any claim arising
2814 upon account of an act causing an injury or loss of property,
2815 personal injury, or death, shall be subject to the limitations
2816 provided in s. 768.28, Florida Statutes.

2817 (25) EXEMPTION OF DISTRICT PROPERTY FROM EXECUTION. All
2818 district property shall be exempt from levy and sale by virtue
2819 of an execution, and no execution or other judicial process
2820 shall issue against such property, nor shall any judgment
2821 against the district be a charge or lien on its property or
2822 revenues; however, nothing contained herein shall apply to or
2823 limit the rights of bondholders to pursue any remedy for the
2824 enforcement of any lien or pledge given by the district in
2825 connection with any of the bonds or obligations of the district.

2826 (26) TERMINATION, CONTRACTION, OR EXPANSION OF DISTRICT.
 2827 (a) The board of supervisors of the district shall not
 2828 ask the Legislature to repeal or amend this act to expand or to
 2829 contract the boundaries of the district or otherwise cause the
 2830 merger or termination of the district without first obtaining a
 2831 resolution or official statement from the Tohopekaliga Water
 2832 Authority and Osceola County as required by s. 189.031(2)(e)4.,
 2833 Florida Statutes, for creation of an independent special
 2834 district.
 2835 (b) The district shall remain in existence until:
 2836 1. The district is terminated and dissolved pursuant to
 2837 amendment to this act by the Legislature.
 2838 2. The district has become inactive pursuant to s.
 2839 189.062, Florida Statutes.
 2840 (27) MERGER WITH COMMUNITY DEVELOPMENT DISTRICTS. The
 2841 district may merge with one or more community development
 2842 districts situated wholly within its boundaries. The district
 2843 shall be the surviving entity of the merger. Any mergers shall
 2844 commence upon each such community development district filing a
 2845 written request for merger with the district. A copy of the
 2846 written request shall also be filed with Osceola County. The
 2847 district, subject to the direction of its board of supervisors,
 2848 shall enter into a merger agreement which shall provide for the
 2849 proper allocation of debt, the manner in which such debt shall
 2850 be retired, the transition of the community development district

2851 board, and the transfer of all financial obligations and
2852 operating and maintenance responsibilities to the district. The
2853 execution of the merger agreement by the district and each
2854 community development district constitutes consent of the
2855 landowners within each district. The district and each community
2856 development district requesting merger shall hold a public
2857 hearing within its boundaries to provide information about and
2858 take public comment on the proposed merger in the merger
2859 agreement. The public hearing shall be held within 45 days after
2860 the execution of the merger agreement by all parties thereto.
2861 Notice of the public hearing shall be published in a newspaper
2862 of general circulation in Osceola County at least 14 days before
2863 the hearing. At the conclusion of the public hearing, each
2864 district shall consider a resolution approving or disapproving
2865 the proposed merger. If the district and each community
2866 development district which is a party to the merger agreement
2867 adopt a resolution approving the proposed merger, the
2868 resolutions and the merger agreement shall be filed with Osceola
2869 County. Upon receipt of the resolutions approving the merger and
2870 the merger agreement, Osceola County shall adopt a nonemergency
2871 ordinance dissolving each community development district
2872 pursuant to s. 190.046(10), Florida Statutes.

2873 (28) INCLUSION OF TERRITORY.

2874 (a) The inclusion of any or all territory of the district
2875 within a municipality does not change, alter, or affect the

2876 boundary, territory, existence, or jurisdiction of the district.

2877 (b) The creation and establishment of the district shall
 2878 not impair or alter the authority, power, obligations, or
 2879 purpose of the Tohopekaliga Water Authority or its successors in
 2880 providing water or wastewater services and facilities under the
 2881 Tohopekaliga Water Authority Act.

2882 (29) SALE OF REAL ESTATE WITHIN THE DISTRICT; REQUIRED
 2883 DISCLOSURE TO PURCHASER. Subsequent to the creation of this
 2884 district under this act, each contract for the initial sale of a
 2885 parcel of real property and each contract for the initial sale
 2886 of a residential unit within the district shall include,
 2887 immediately prior to the space reserved in the contract for the
 2888 signature of the purchaser, the following disclosure statement
 2889 in boldfaced and conspicuous type which is larger than the type
 2890 in the remaining text of the contract: "THE WATERLIN STEWARDSHIP
 2891 DISTRICT MAY IMPOSE AND LEVY TAXES OR ASSESSMENTS, OR BOTH TAXES
 2892 AND ASSESSMENTS, ON THIS PROPERTY. THESE TAXES AND ASSESSMENTS
 2893 PAY FOR THE CONSTRUCTION, OPERATION, AND MAINTENANCE COSTS OF
 2894 CERTAIN PUBLIC SYSTEMS, FACILITIES, AND SERVICES OF THE DISTRICT
 2895 AND ARE SET ANNUALLY BY THE GOVERNING BOARD OF THE DISTRICT.
 2896 THESE TAXES AND ASSESSMENTS ARE IN ADDITION TO COUNTY AND OTHER
 2897 LOCAL GOVERNMENTAL TAXES AND ASSESSMENTS AND ALL OTHER TAXES AND
 2898 ASSESSMENTS PROVIDED FOR BY LAW."

2899 (30) NOTICE OF CREATION AND ESTABLISHMENT. Within 30 days
 2900 after the election of the first board of supervisors creating

2901 this district, the district shall cause to be recorded in the
 2902 grantor-grantee index of the property records in Osceola County
 2903 a "Notice of Creation and Establishment of the Waterlin
 2904 Stewardship District." The notice shall, at a minimum, include
 2905 the legal description of the property covered by this act.

2906 (31) DISTRICT PROPERTY PUBLIC; FEES. Any system,
 2907 facility, service, works, improvement, project, or other
 2908 infrastructure owned by the district, or funded by federal tax
 2909 exempt bonding issued by the district, is public; and the
 2910 district by rule may regulate, and may impose reasonable charges
 2911 or fees for, the use thereof, but not to the extent that such
 2912 regulation or imposition of such charges or fees constitutes
 2913 denial of reasonable access.

2914 **Section 7.** This act being for the purpose of developing
 2915 and promoting the public good and welfare of Osceola County, the
 2916 territory included in the district, and the service area
 2917 authorized to be served by the Tohopekaliga Water Authority, and
 2918 the citizens, inhabitants, ratepayers, and taxpayers residing
 2919 therein, shall be liberally construed to effect the purposes of
 2920 the act as consistent with, cumulative, and supplemental to the
 2921 powers of the county and the Tohopekaliga Water Authority.

2922 **Section 8.** If any provision of this act is determined
 2923 unconstitutional or otherwise determined invalid by a court of
 2924 law, all the rest and remainder of the act shall remain in full
 2925 force and effect as the law of this state.

2926 **Section 9.** This act shall take effect upon becoming a
2927 law, except that the provisions of this act which authorize the
2928 levy of ad valorem taxation shall take effect only upon express
2929 approval by a majority vote of those qualified electors of the
2930 Waterlin Stewardship District, as required by Section 9 of
2931 Article VII of the State Constitution, voting in a referendum
2932 election held at such time as all members of the board are
2933 qualified electors who are elected by qualified electors of the
2934 district as provided in this act.