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CS/HB 921

2017 Legislature

1  
2 An act relating to Fellsmere Drainage District, Indian  
3 River County; codifying the district's charter  
4 pursuant to s. 189.019, Florida Statutes; providing  
5 legislative intent; amending, codifying, reenacting,  
6 and repealing special acts relating to the district;  
7 repealing chs. 8877 (1921), 11555 (1925), 12023  
8 (1927), 14719 (1931), 16998 (1935), 28418 (1953), 61-  
9 1414, and 69-1161, Laws of Florida, relating to the  
10 Fellsmere Drainage District; changing the name of the  
11 district to the Fellsmere Water Control District;  
12 removing the 99-year term limitation of the district  
13 originally provided by court decree; amending the  
14 boundaries of the district; providing an effective  
15 date.

16  
17 Be It Enacted by the Legislature of the State of Florida:

18  
19 Section 1. Pursuant to s. 189.019, Florida Statutes, this  
20 act constitutes the codification of all special acts and court  
21 decrees relating to the Fellsmere Drainage District. This act  
22 shall also serve to formally change the name of the district to  
23 the Fellsmere Water Control District pursuant to s. 298.001,  
24 Florida Statutes; remove the 99-year term limitation of the  
25 district originally provided by court decree in the case In re:

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26 Fellsmere Drainage District issued on April 8, 1919, by the  
 27 Circuit Court of the Fifteenth Judicial Circuit, in and for St.  
 28 Lucie County, so that the Fellsmere Water Control District shall  
 29 continue in existence and authority as provided in this act; and  
 30 amend the boundaries of the district to reflect lands that are  
 31 no longer located within the district. It is the intent of the  
 32 Legislature in enacting this act to provide a single,  
 33 comprehensive special act charter for the district, including  
 34 all current legislative authority granted to the district by its  
 35 several legislative enactments and any additional authority  
 36 granted by this act. It is the further intent of the Legislature  
 37 that this act preserve all district authority in addition to any  
 38 authority contained in chapter 298, Florida Statutes.

39 Section 2. Chapters 8877 (1921), 11555 (1925), 12023  
 40 (1927), 14719 (1931), 16998 (1935), 28418 (1953), 61-1414, and  
 41 69-1161, Laws of Florida, are amended, codified, reenacted, and  
 42 repealed as herein provided.

43 Section 3. The Fellsmere Water Control District, formerly  
 44 known as the Fellsmere Drainage District, is re-created, and the  
 45 charter for such district is re-created and reenacted to read:

46 Section 1. Status and boundaries of Fellsmere Water  
 47 Control District.—The Fellsmere Water Control District is  
 48 declared to be an independent water control district and a  
 49 public corporation of the state pursuant to chapters 189 and  
 50 298, Florida Statutes, and the lands lying within the area

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51 described as follows in Indian River County shall constitute the  
 52 Fellsmere Water Control District:

53  
 54 ALL LANDS SITUATED AND BEING IN PART OF THE UNSURVEYED  
 55 TOWNSHIP 31 SOUTH, RANGE 36 EAST; UNSURVEYED TOWNSHIP  
 56 32 SOUTH, RANGE 36 EAST; UNSURVEYED TOWNSHIP 31 SOUTH,  
 57 RANGE 37 EAST; AND UNSURVEYED TOWNSHIP 32 SOUTH, RANGE  
 58 37 EAST; INDIAN RIVER COUNTY, FLORIDA, EMBRACED WITHIN  
 59 THE FOLLOWING BOUNDARY LINES:  
 60 BEGINNING AT A POINT ON THE EAST BOUNDARY LINE OF  
 61 TRACT 1122 OF THE "PLAT OF FELLSMERE FARMS COMPANY'S  
 62 SUBDIVISION OF UNSURVEYED TOWNSHIP 32 SOUTH, RANGE 36  
 63 EAST, IN ST. LUCIE COUNTY, STATE OF FLORIDA" AS  
 64 RECORDED IN PLAT BOOK 2, PAGE 18 OF THE PUBLIC RECORDS  
 65 OF ST. LUCIE COUNTY, NOW INDIAN RIVER COUNTY, FLORIDA,  
 66 SAID LINE ALSO BEING THE WEST RIGHT OF WAY LINE OF  
 67 LATERAL "S" CANAL (225' WIDE RIGHT OF WAY), SAID POINT  
 68 BEING DISTANT 200 FEET SOUTHERLY FROM THE NORTHEAST  
 69 CORNER OF SAID TRACT 1122;  
 70 THENCE RUN WESTERLY ALONG THE LINE BEING 200 FEET  
 71 SOUTH OF, NORMAL TO, AND PARALLEL WITH THE NORTH  
 72 BOUNDARY LINE OF SAID TRACT 1122, APPROXIMATELY 0.13  
 73 MILES TO THE INTERSECTION WITH A LINE BEING 680 FEET  
 74 WEST OF, NORMAL TO, AND PARALLEL WITH THE EAST  
 75 BOUNDARY LINE OF SAID TRACT 1122, AND TRACT 1022 OF

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76        SAID "PLAT OF FELLSMERE FARMS COMPANY'S SUBDIVISION OF  
 77        UNSURVEYED TOWNSHIP 32 SOUTH, RANGE 36 EAST";  
 78        THENCE RUN NORTHERLY ALONG SAID PARALLEL LINE ,  
 79        APPROXIMATELY 0.12 MILES, ACROSS SAID TRACTS 1122,  
 80        "DITCH AND ROAD 34", TRACT 1022 TO THE INTERSECTION  
 81        WITH THE NORTH LINE OF THE SOUTH 400 FEET OF SAID  
 82        TRACT 1022, SAID NORTH LINE BEING A PORTION OF THOSE  
 83        CERTAIN PARCELS OF LAND OF THE ST. JOHNS RIVER WATER  
 84        MANAGEMENT DISTRICT "QUIT CLAIM DEED" RECORDED IN  
 85        OFFICIAL RECORDS BOOK 2042, PAGE 2262, PUBLIC RECORDS  
 86        OF INDIAN RIVER COUNTY, FLORIDA, AS MENTIONED IN  
 87        "SPECIAL WARRANTY DEED", OFFICIAL RECORDS BOOK 722,  
 88        PAGE 1151, PUBLIC RECORDS OF INDIAN RIVER COUNTY,  
 89        FLORIDA;  
 90        THENCE RUN WESTERLY ALONG SAID NORTH LINE  
 91        APPROXIMATELY 0.13 MILES TO THE WEST BOUNDARY LINE OF  
 92        SAID TRACT 1022;  
 93        THENCE RUN SOUTHERLY ALONG SAID WEST BOUNDARY LINE OF  
 94        TRACT 1022, ALSO BEING THE EAST BOUNDARY LINE OF TRACT  
 95        1021 OF SAID PLAT OF FELLSMERE FARMS COMPANY'S  
 96        SUBDIVISION OF UNSURVEYED TOWNSHIP 32 SOUTH, RANGE 36  
 97        EAST, APPROXIMATELY 0.02 MILES TO THE INTERSECTION  
 98        WITH THE NORTH LINE OF THE SOUTH 310 FEET OF SAID  
 99        TRACT 1021, AND TRACTS 1020, 1019, 1018, 1017, 1016  
 100       AND 1015 OF SAID PLAT OF FELLSMERE FARMS COMPANY'S

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101 SUBDIVISION OF UNSURVEYED TOWNSHIP 32 SOUTH, RANGE 36  
 102 EAST, APPROXIMATELY 1.73 MILES, ACROSS SAID TRACTS  
 103 1021, 1020, 1019, "50 FEET ROAD RIGHT OF WAY", 1018,  
 104 1017, 1016 AND 1015 TO THE INTERSECTION WITH A LINE  
 105 BEING 430 FEET EAST OF, NORMAL TO, AND PARALLEL WITH  
 106 THE WEST BOUNDARY LINE OF SAID TRACT 1015;  
 107 THENCE RUN NORTHERLY ALONG SAID PARALLEL LINE,  
 108 APPROXIMATELY 0.04 MILES, ACROSS SAID TRACT 1015 TO  
 109 THE INTERSECTION WITH A LINE BEING THE SOUTH LINE OF  
 110 THE NORTH 770 FEET OF SAID TRACT 1015;  
 111 THENCE RUN WESTERLY ALONG SAID SOUTH LINE TO THE  
 112 INTERSECTION WITH A LINE BEING 230 FEET EAST OF,  
 113 NORMAL TO, AND PARALLEL WITH THE WEST BOUNDARY LINE OF  
 114 SAID TRACT 1015;  
 115 THENCE RUN NORTHERLY ALONG SAID PARALLEL LINE, AND  
 116 EAST LINE OF THAT CERTAIN PARCEL OF LAND DESCRIBED AS  
 117 "L-75 LEVEE", OFFICIAL RECORDS BOOK 1472, PAGE 547,  
 118 PUBLIC RECORDS OF INDIAN RIVER COUNTY, FLORIDA,  
 119 APPROXIMATELY 0.42 MILES ACROSS SAID TRACT 1015, AND  
 120 "DITCH AND ROAD 33", TRACT 915, "DITCH AND ROAD 32",  
 121 AND TRACT 815 OF SAID "PLAT OF FELLSMERE FARMS  
 122 COMPANY'S SUBDIVISION OF UNSURVEYED TOWNSHIP 32 SOUTH,  
 123 RANGE 36 EAST" TO A POINT OF CUSP;  
 124 THENCE RUN SOUTHEASTERLY ALONG THE CURVE CONCAVE TO  
 125 THE NORTH OF THAT CERTAIN SOUTHERLY BOUNDARY PORTION

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126 OF PARCEL OF THE ST. JOHNS RIVER WATER MANAGEMENT "LA  
 127 2001-58 B", HAVING A PARCEL ID NO. OF  
 128 31360000001141800001.0 BY THE INDIAN RIVER COUNTY  
 129 PROPERTY APPRAISER'S, A RADIUS OF 4,044.41 FEET AND AN  
 130 ARC LENGTH OF APPROXIMATELY 1.06 MILES ACROSS SAID  
 131 "DITCH AND ROAD 32", TRACT 915, 916, 917, 918 OF SAID  
 132 "PLAT OF FELLSMERE FARMS COMPANY'S SUBDIVISION OF  
 133 UNSURVEYED TOWNSHIP 32 SOUTH, RANGE 36 EAST" TO A  
 134 POINT OF REVERSE CURVATURE;  
 135 THENCE CONTINUE AND RUN NORTHEASTERLY ALONG THE CURVE  
 136 CONCAVE TO THE SOUTH AND SAID CERTAIN SOUTHERLY  
 137 BOUNDARY PORTION OF PARCEL OF THE ST. JOHNS RIVER  
 138 WATER MANAGEMENT "LA 2001-58 B", HAVING A RADIUS OF  
 139 170.01 FEET AND AN ARC LENGTH OF APPROXIMATELY 0.02  
 140 MILES, ACROSS SAID TRACT 918 AND "50 FEET ROAD RIGHT  
 141 OF WAY" OF SAID "PLAT OF FELLSMERE FARMS COMPANY'S  
 142 SUBDIVISION OF UNSURVEYED TOWNSHIP 32 SOUTH, RANGE 36  
 143 EAST" TO THE POINT OF TANGENCY;  
 144 THENCE RUN EASTERLY ALONG THE LINE BEING APPROXIMATELY  
 145 883 FEET NORTH OF, NORMAL TO AND PARALLEL WITH THE  
 146 SOUTH BOUNDARY LINE OF TRACTS 919, 920, 921 AND 922 OF  
 147 SAID "PLAT OF FELLSMERE FARMS COMPANY'S SUBDIVISION OF  
 148 UNSURVEYED TOWNSHIP 32 SOUTH, RANGE 36 EAST" TO THE  
 149 INTERSECTION WITH A LINE BEING 680 FEET WEST OF THE  
 150 EAST BOUNDARY LINE OF SAID TRACT 922;

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151 THENCE RUN NORTHERLY ALONG SAID PARALLEL LINE,  
 152 APPROXIMATELY 0.71 MILES, ACROSS SAID TRACT 922, 822,  
 153 722, 622, "DITCH AND ROAD 32", "DITCH AND ROAD 31",  
 154 AND "DITCH AND ROAD 30" OF SAID "PLAT OF FELLSMERE  
 155 FARMS COMPANY'S SUBDIVISION OF UNSURVEYED TOWNSHIP 32  
 156 SOUTH, RANGE 36 EAST" TO THE INTERSECTION WITH A LINE  
 157 BEING 640 FEET SOUTH OF, NORMAL TO, AND PARALLEL WITH  
 158 THE NORTH BOUNDARY LINE OF SAID TRACT 622;  
 159 THENCE RUN WESTERLY ALONG SAID PARALLEL LINE,  
 160 APPROXIMATELY 0.58 MILES, ACROSS TRACTS 622, 621 AND  
 161 620 OF SAID "PLAT OF FELLSMERE FARMS COMPANY'S  
 162 SUBDIVISION OF UNSURVEYED TOWNSHIP 32 SOUTH, RANGE 36  
 163 EAST" TO THE INTERSECTION WITH A LINE BEING 1,021 FEET  
 164 WEST OF, NORMAL TO, AND PARALLEL WITH THE EAST  
 165 BOUNDARY LINE OF SAID TRACT 620;  
 166 THENCE RUN NORTHERLY ALONG SAID PARALLEL LINE,  
 167 APPROXIMATELY 0.25 MILES, ACROSS SAID TRACT 620, TRACT  
 168 520 AND "DITCH AND ROAD 29" OF SAID "PLAT OF FELLSMERE  
 169 FARMS COMPANY'S SUBDIVISION OF UNSURVEYED TOWNSHIP 32  
 170 SOUTH, RANGE 36 EAST" TO THE INTERSECTION WITH A LINE  
 171 BEING 640 FEET SOUTH OF, NORMAL TO, AND PARALLEL WITH  
 172 THE NORTH BOUNDARY LINE OF SAID TRACT 520;  
 173 THENCE RUN WESTERLY ALONG SAID PARALLEL LINE,  
 174 APPROXIMATELY 0.46 MILES, ACROSS SAID TRACT 520, TRACT  
 175 519, 50 FEET WIDE ROAD RIGHT OF WAY AND TRACT 518 OF

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176        SAID "PLAT OF FELLSMERE FARMS COMPANY'S SUBDIVISION OF  
 177        UNSURVEYED TOWNSHIP 32 SOUTH, RANGE 36 EAST" TO THE  
 178        INTERSECTION WITH A LINE BEING 680 FEET WEST OF,  
 179        NORMAL TO, AND PARALLEL WITH THE EAST BOUNDARY LINE OF  
 180        SAID TRACT 518;  
 181        THENCE RUN NORTHERLY ALONG SAID PARALLEL LINE,  
 182        APPROXIMATELY 0.38 MILES, ACROSS SAID TRACT 518, TRACT  
 183        418, "DITCH AND ROAD 28" AND "DITCH AND ROAD NO 27 OF  
 184        SAID "PLAT OF FELLSMERE FARMS COMPANY'S SUBDIVISION OF  
 185        UNSURVEYED TOWNSHIP 32 SOUTH, RANGE 36 EAST" TO THE  
 186        NORTH RIGHT OF WAY LINE OF SAID "DITCH AND ROAD NO.  
 187        27", SAID NORTH RIGHT OF WAY LINE ALSO BEING THE SOUTH  
 188        BOUNDARY LINE OF TRACT 318 OF SAID "PLAT OF FELLSMERE  
 189        FARMS COMPANY'S SUBDIVISION OF UNSURVEYED TOWNSHIP 32  
 190        SOUTH, RANGE 36 EAST";  
 191        THENCE RUN WESTERLY ALONG SAID SOUTH BOUNDARY LINE OF  
 192        TRACT 318, APPROXIMATELY 0.06 MILES TO THE  
 193        INTERSECTION WITH A LINE BEING 1,021 FEET WEST OF,  
 194        NORMAL TO, AND PARALLEL WITH THE EAST BOUNDARY LINE OF  
 195        SAID TRACT 318;  
 196        THENCE RUN NORTHERLY ALONG SAID PARALLEL LINE,  
 197        APPROXIMATELY 0.25 MILES, ACROSS SAID TRACT 318 AND  
 198        "DITCH AND ROAD 26" TO THE NORTH RIGHT OF WAY LINE OF  
 199        SAID "DITCH AND ROAD 26", SAID NORTH RIGHT OF WAY LINE  
 200        ALSO BEING THE SOUTH BOUNDARY LINE OF TRACT 218 OF



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201        SAID "PLAT OF FELLSMERE FARMS COMPANY'S SUBDIVISION OF  
 202        UNSURVEYED TOWNSHIP 32 SOUTH, RANGE 36 EAST";  
 203        THENCE RUN WESTERLY ALONG SAID SOUTH BOUNDARY LINE OF  
 204        TRACT 218 AND TRACT 217 OF SAID "PLAT OF FELLSMERE  
 205        FARMS COMPANY'S SUBDIVISION OF UNSURVEYED TOWNSHIP 32  
 206        SOUTH, RANGE 36 EAST", APPROXIMATELY 0.19 MILES TO THE  
 207        INTERSECTION WITH A LINE BEING 680 FEET WEST OF,  
 208        NORMAL TO, AND PARALLEL WITH THE EAST BOUNDARY LINE OF  
 209        SAID TRACT 217;  
 210        THENCE RUN NORTHERLY ALONG SAID PARALLEL LINE,  
 211        APPROXIMATELY 0.25 MILES, ACROSS SAID TRACT 217 AND  
 212        "DITCH AND ROAD 25" TO THE NORTH RIGHT OF WAY LINE OF  
 213        SAID "DITCH AND ROAD 25", SAID NORTH RIGHT OF WAY LINE  
 214        ALSO BEING THE SOUTH BOUNDARY LINE OF TRACT 117 OF  
 215        SAID "PLAT OF FELLSMERE FARMS COMPANY'S SUBDIVISION OF  
 216        UNSURVEYED TOWNSHIP 32 SOUTH, RANGE 36 EAST";  
 217        THENCE RUN WESTERLY ALONG SAID SOUTH BOUNDARY LINE OF  
 218        TRACT 117, APPROXIMATELY 0.06 MILES TO THE  
 219        INTERSECTION WITH A LINE BEING 1,021 FEET WEST OF,  
 220        NORMAL TO, AND PARALLEL WITH THE EAST BOUNDARY LINE OF  
 221        SAID TRACT 117;  
 222        THENCE RUN NORTHERLY ALONG SAID PARALLEL LINE,  
 223        APPROXIMATELY 0.25 MILES, ACROSS SAID TRACT 117 AND  
 224        THE SOUTH ONE-HALF RIGHT OF WAY OF "DITCH AND ROAD 24"  
 225        (60' WIDE R.O.W.) TO THE NORTH BOUNDARY LIMITS OF THE

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226 "PLAT OF FELLSMERE FARMS COMPANY'S SUBDIVISION OF  
 227 UNSURVEYED TOWNSHIP 32 SOUTH, RANGE 36 EAST, IN ST.  
 228 LUCIE COUNTY, STATE OF FLORIDA" AS RECORDED IN PLAT  
 229 BOOK 2, PAGE 18 OF THE PUBLIC RECORDS OF ST. LUCIE  
 230 COUNTY, NOW INDIAN RIVER COUNTY, FLORIDA, SAID NORTH  
 231 BOUNDARY LIMITS ALSO BEING THE SOUTH BOUNDARY LIMITS  
 232 OF THE "PLAT OF FELLSMERE FARMS COMPANY'S SUBDIVISION  
 233 OF UNSURVEYED TOWNSHIP 31 SOUTH, RANGE 36 EAST, IN ST.  
 234 LUCIE COUNTY, STATE OF FLORIDA" AS RECORDED IN PLAT  
 235 BOOK 2, PAGE 9 OF THE PUBLIC RECORDS OF ST. LUCIE  
 236 COUNTY, NOW INDIAN RIVER COUNTY, FLORIDA;  
 237 THENCE CONTINUE NORTHERLY ALONG THE PARALLEL LINE  
 238 BEING 1,021 FEET WEST OF, NORMAL TO, AND PARALLEL WITH  
 239 THE EAST BOUNDARY LINES OF TRACTS 2417, 2317, 2217,  
 240 2117, 2017 OF SAID "PLAT OF FELLSMERE FARMS COMPANY'S  
 241 SUBDIVISION OF UNSURVEYED TOWNSHIP 31 SOUTH, RANGE 36  
 242 EAST, IN ST. LUCIE COUNTY, STATE OF FLORIDA",  
 243 APPROXIMATELY 1.08 MILES, ACROSS SAID TRACTS 2417,  
 244 2317, 2217, 2117, 2017, THE NORTH ONE-HALF RIGHT OF  
 245 WAY OF "DITCH AND ROAD 24" (60' WIDE R.O.W.), "DITCH  
 246 AND ROAD 23", "DITCH AND ROAD 22", "DITCH AND ROAD 21"  
 247 AND "DITCH AND ROAD 20" TO A LINE BEING APPROXIMATELY  
 248 573 FEET NORTH OF, NORMAL TO, AND PARALLEL WITH THE  
 249 SOUTH BOUNDARY LINE OF SAID TRACT 2017;

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250 THENCE RUN WESTERLY ALONG SAID PARALLEL LINE AND THE  
 251 NORTH LINE OF THAT CERTAIN SOUTHERLY BOUNDARY PORTION  
 252 OF PARCEL OF THE ST. JOHNS RIVER WATER MANAGEMENT "LA  
 253 2001-58 B", HAVING A PARCEL ID NO. OF  
 254 31360000001141800001.0 BY THE INDIAN RIVER COUNTY  
 255 PROPERTY APPRAISER'S, ACROSS SAID TRACT 2017 AND TRACT  
 256 2016, OF SAID PLAT OF FELLSMERE FARMS COMPANY'S  
 257 SUBDIVISION OF UNSURVEYED TOWNSHIP 31 SOUTH, RANGE 36  
 258 EAST, IN ST. LUCIE COUNTY, STATE OF FLORIDA,  
 259 APPROXIMATELY 0.13 MILES TO A POINT OF CURVATURE;  
 260 THENCE RUN SOUTHWESTERLY ALONG THE CURVE CONCAVE TO  
 261 THE SOUTHEAST OF SAID NORTH LINE OF THAT CERTAIN  
 262 SOUTHERLY BOUNDARY PORTION OF PARCEL OF THE ST. JOHNS  
 263 RIVER WATER MANAGEMENT "LA 2001-58 B", A RADIUS OF  
 264 2,125.25 FEET AND AN ARC LENGTH OF APPROXIMATELY 0.63  
 265 MILES ACROSS SAID TRACT 2016, 2015, 2115, 2215, "DITCH  
 266 AND ROAD 20" AND "DITCH AND ROAD 21" OF SAID "PLAT OF  
 267 FELLSMERE FARMS COMPANY'S SUBDIVISION OF UNSURVEYED  
 268 TOWNSHIP 31 SOUTH, RANGE 36 EAST" TO A POINT OF CUSP  
 269 ON THE AFORESAID EAST LINE OF THAT CERTAIN PARCEL OF  
 270 LAND DESCRIBED AS "L-75 LEVEE", OFFICIAL RECORDS BOOK  
 271 1472, PAGE 547, PUBLIC RECORDS OF INDIAN RIVER COUNTY,  
 272 FLORIDA;  
 273 THENCE RUN NORTHERLY ALONG SAID EAST LINE OF CERTAIN  
 274 PARCEL OF LAND DESCRIBED AS "L-75 LEVEE", BEING 230

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275 FEET EAST OF, NORMAL TO, AND PARALLEL WITH THE WEST  
 276 BOUNDARY LINE OF SAID TRACTS 2215 AND 2115,  
 277 APPROXIMATELY 0.28 MILES ACROSS SAID TRACTS 2215,  
 278 2115, AND "DITCH AND ROAD 21", OF SAID "PLAT OF  
 279 FELLSMERE FARMS COMPANY'S SUBDIVISION OF UNSURVEYED  
 280 TOWNSHIP 31 SOUTH, RANGE 36 EAST" TO A LINE BEING 10  
 281 FEET NORTH OF, NORMAL TO, AND PARALLEL WITH THE NORTH  
 282 LINE OF SAID TRACT 2115, ALSO BEING THE SOUTH LINE OF  
 283 SAID "DITCH AND ROAD 20";  
 284 THENCE RUN EASTERLY ALONG SAID PARALLEL LINE  
 285 APPROXIMATELY 0.02 MILES ACROSS "DITCH AND ROAD 20" TO  
 286 A LINE BEING 380 FEET EAST OF, NORMAL TO, AND PARALLEL  
 287 WITH THE WEST BOUNDARY LINE OF SAID TRACT 2015 AND  
 288 TRACT 1915 OF SAID "PLAT OF FELLSMERE FARMS COMPANY'S  
 289 SUBDIVISION OF UNSURVEYED TOWNSHIP 31 SOUTH, RANGE 36  
 290 EAST";  
 291 THENCE RUN NORTHERLY ALONG SAID PARALLEL LINE  
 292 APPROXIMATELY 0.35 MILES ACROSS SAID TRACT 2015, 1915,  
 293 "DITCH AND ROAD 20" AND "DITCH AND ROAD 19" TO A LINE  
 294 BEING APPROXIMATELY 450 FEET NORTH OF, NORMAL TO, AND  
 295 PARALLEL WITH THE SOUTH BOUNDARY LINE OF SAID TRACT  
 296 1915;  
 297 THENCE RUN WESTERLY ALONG SAID PARALLEL LINE  
 298 APPROXIMATELY 0.04 MILES ACROSS SAID TRACT 1915 TO A  
 299 LINE BEING 150 FEET EAST OF SAID WEST BOUNDARY LINE OF

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300 TRACT 1915, SAID LINE ALSO BEING THE EAST LINE OF  
 301 AFORESAID CERTAIN PARCEL OF LAND DESCRIBED AS "L-75  
 302 LEVEE";  
 303 THENCE RUN NORTHERLY ALONG SAID EAST LINE OF CERTAIN  
 304 PARCEL OF LAND DESCRIBED AS "L-75 LEVEE" APPROXIMATELY  
 305 0.22 MILES ACROSS SAID TRACT 1915, TRACT 1815 AND  
 306 "DITCH AND ROAD 18" TO A POINT OF CUSP;  
 307 THENCE RUN SOUTHEASTERLY ALONG THE CURVE CONCAVE TO  
 308 THE NORTHEAST OF THE SOUTH LINE OF THAT CERTAIN  
 309 NORTHERLY BOUNDARY PORTION OF PARCEL OF THE ST. JOHNS  
 310 RIVER WATER MANAGEMENT "LA 2001-58 B", A RADIUS OF  
 311 2,125.25 FEET AND AN ARC LENGTH OF APPROXIMATELY 0.63  
 312 MILES ACROSS SAID TRACT 1915, 2015, 2016, "DITCH AND  
 313 ROAD 18" AND "DITCH AND ROAD 19" OF SAID "PLAT OF  
 314 FELLSMERE FARMS COMPANY'S SUBDIVISION OF UNSURVEYED  
 315 TOWNSHIP 31 SOUTH, RANGE 36 EAST" TO A POINT OF  
 316 CURVATURE;  
 317 THENCE RUN EASTERLY ALONG A LINE BEING 457 FEET SOUTH  
 318 OF THE NORTH BOUNDARY LINE OF TRACT 2016 AND 2017 OF  
 319 SAID "PLAT OF FELLSMERE FARMS COMPANY'S SUBDIVISION OF  
 320 UNSURVEYED TOWNSHIP 31 SOUTH, RANGE 36 EAST"  
 321 APPROXIMATELY 0.15 MILES TO A LINE BEING 1021 FEET  
 322 WEST OF THE EAST BOUNDARY LINE OF SAID TRACT 2017;  
 323 THENCE RUN NORTHERLY ALONG SAID PARALLEL LINE  
 324 APPROXIMATELY 0.09 MILES ACROSS SAID TRACT 2017 TO THE

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325 NORTH BOUNDARY LINE OF SAID TRACT 2017, SAID LINE ALSO  
 326 BEING THE SOUTH RIGHT OF WAY LINE OF "DITCH AND ROAD  
 327 19", ALL OF SAID "PLAT OF FELLSMERE FARMS COMPANY'S  
 328 SUBDIVISION OF UNSURVEYED TOWNSHIP 31 SOUTH, RANGE 36  
 329 EAST";  
 330 THENCE RUN EASTERLY ALONG SAID NORTH BOUNDARY LINE OF  
 331 TRACT 2017 AND TRACT 2018 OF SAID "PLAT OF FELLSMERE  
 332 FARMS COMPANY'S SUBDIVISION OF UNSURVEYED TOWNSHIP 31  
 333 SOUTH, RANGE 36 EAST", APPROXIMATELY 0.32 MILES TO THE  
 334 INTERSECTION WITH A LINE BEING 680 FEET WEST OF,  
 335 NORMAL TO, AND PARALLEL WITH THE EAST BOUNDARY LINE OF  
 336 SAID TRACT 2018;  
 337 THENCE RUN NORTHERLY ALONG THE LINE BEING 680 FEET  
 338 WEST OF, NORMAL TO, AND PARALLEL WITH THE EAST  
 339 BOUNDARY LINES OF TRACTS 1918, 1818, 1718 AND 1618,  
 340 APPROXIMATELY 0.89 MILES, ACROSS SAID TRACTS 1918,  
 341 1818, 1718, 1618, "DITCH AND ROAD 19", "DITCH AND ROAD  
 342 18", "DITCH AND ROAD 17", AND "DITCH AND ROAD 16" OF  
 343 SAID "PLAT OF FELLSMERE FARMS COMPANY'S SUBDIVISION OF  
 344 UNSURVEYED TOWNSHIP 31 SOUTH, RANGE 36 EAST" TO THE  
 345 INTERSECTION WITH A LINE BEING 640 FEET NORTH OF,  
 346 NORMAL TO AND PARALLEL WITH THE SOUTH BOUNDARY LINE OF  
 347 SAID TRACT 1618, TRACTS 1619, 1620, 1621 AND 1622;  
 348 THENCE RUN EASTERLY ALONG SAID PARALLEL LINE,  
 349 APPROXIMATELY 1.17 MILES, ACROSS SAID TRACT 1618, A 50

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350 FEET WIDE ROAD RIGHT OF WAY, SAID TRACT 1619, 1620,  
 351 1621 AND 1622 TO THE WEST RIGHT OF WAY LINE OF LATERAL  
 352 "S" CANAL (225' WIDE RIGHT OF WAY) OF SAID "PLAT OF  
 353 FELLSMERE FARMS COMPANY'S SUBDIVISION OF UNSURVEYED  
 354 TOWNSHIP 31 SOUTH, RANGE 36 EAST";  
 355 THENCE RUN NORTHERLY ALONG SAID WEST RIGHT OF WAY LINE  
 356 OF LATERAL "S" CANAL, APPROXIMATELY 0.02 MILES TO THE  
 357 INTERSECTION WITH THE WESTERLY PROJECTION OF THE NORTH  
 358 BOUNDARY LINES OF TRACTS 1692, 1691, 1690, 1689, 1688  
 359 AND 1687 OF THE "PLAT OF FELLSMERE FARMS COMPANY'S  
 360 SUBDIVISION OF UNSURVEYED TOWNSHIP 31 SOUTH, RANGE 37  
 361 EAST, IN ST. LUCIE COUNTY, STATE OF FLORIDA" AS  
 362 RECORDED IN PLAT BOOK 2, PAGES 1 AND 2 OF THE PUBLIC  
 363 RECORDS OF ST. LUCIE COUNTY, NOW INDIAN RIVER COUNTY,  
 364 FLORIDA;  
 365 THENCE RUN EASTERLY ALONG SAID WESTERLY PROJECTION AND  
 366 NORTH BOUNDARY LINES, APPROXIMATELY 0.83 MILES,  
 367 ACROSS SAID LATERAL "S" CANAL (225' WIDE RIGHT OF  
 368 WAY), TRACT 1600 AND ALONG SAID NORTH BOUNDARY LINES  
 369 OF TRACT 1692, 1691, 1690, 1689, 1688 AND 1687 TO THE  
 370 INTERSECTION WITH A LINE BEING 170 FEET WEST OF,  
 371 NORMAL TO AND PARALLEL WITH THE EAST BOUNDARY LINES OF  
 372 TRACTS 1606, 1587, 1506, 1487, 1406, 1387, 1306, 1287,  
 373 1206, 1187, 1106, 1087, 1006, 987, 906, 887, 806, 787,  
 374 706, 687, 606, 587, 506, 487 AND 406 OF SAID "PLAT OF

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375 FELLSMERE FARMS COMPANY'S SUBDIVISION OF UNSURVEYED  
 376 TOWNSHIP 31 SOUTH, RANGE 37 EAST";  
 377 THENCE RUN NORTHERLY ALONG SAID PARALLEL LINE,  
 378 APPROXIMATELY 3.13 MILES, ACROSS SAID TRACTS 1606,  
 379 1587, 1506, 1487, 1406, 1387, 1306, 1287, 1206, 1187,  
 380 1106, 1087, 1006, 987, 906, 887, 806, 787, 706, 687,  
 381 606, 587, 506, 487, 406, "DITCH AND ROAD 15", "DITCH  
 382 AND ROAD 14", NORTH AND SOUTH "DITCH AND ROAD 13",  
 383 FELLSMERE RAILROAD (100' WIDE RIGHT OF WAY), "DITCH  
 384 AND ROAD 12", "DITCH AND ROAD 11", "DITCH AND ROAD  
 385 10", "DITCH AND ROAD 9", "DITCH AND ROAD 8", "DITCH  
 386 AND ROAD 7", "DITCH AND ROAD 6", "DITCH AND ROAD 5",  
 387 "DITCH AND ROAD 4" AND "DITCH AND ROAD 3" TO THE NORTH  
 388 RIGHT OF WAY LINE OF SAID "DITCH AND ROAD 3", SAID  
 389 NORTH RIGHT OF WAY LINE ALSO BEING THE SOUTH BOUNDARY  
 390 LINE OF TRACT 384 OF SAID "PLAT OF FELLSMERE FARMS  
 391 COMPANY'S SUBDIVISION OF UNSURVEYED TOWNSHIP 31 SOUTH,  
 392 RANGE 37 EAST";  
 393 THENCE RUN WESTERLY ALONG SAID SOUTH BOUNDARY LINE,  
 394 APPROXIMATELY 0.06 MILES TO A LINE BEING 510 FEET WEST  
 395 OF, NORMAL TO AND PARALLEL WITH THE EAST BOUNDARY LINE  
 396 OF SAID TRACT 384;  
 397 THENCE RUN NORTHERLY ALONG SAID PARALLEL LINE,  
 398 APPROXIMATELY 0.12 MILES TO THE NORTH BOUNDARY LINE OF  
 399 SAID TRACT 384;



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400 THENCE RUN WESTERLY ALONG SAID NORTH BOUNDARY LINE,  
 401 APPROXIMATELY 0.03 MILES TO THE NORTHWEST CORNER OF  
 402 SAID TRACT 384, ALSO BEING THE SOUTHWEST CORNER OF  
 403 TRACT 306 OF SAID "PLAT OF FELLSMERE FARMS COMPANY'S  
 404 SUBDIVISION OF UNSURVEYED TOWNSHIP 31 SOUTH, RANGE 37  
 405 EAST";  
 406 THENCE RUN NORTHERLY ON THE WEST BOUNDARY LINE OF SAID  
 407 TRACT 306, APPROXIMATELY 0.03 MILES TO THE  
 408 INTERSECTION WITH A LINE BEING 480 FEET SOUTH OF,  
 409 NORMAL TO AND PARALLEL WITH THE NORTH BOUNDARY LINES  
 410 OF TRACTS 305, 304, 303, 302 AND 301 OF SAID "PLAT OF  
 411 FELLSMERE FARMS COMPANY'S SUBDIVISION OF UNSURVEYED  
 412 TOWNSHIP 31 SOUTH, RANGE 37 EAST";  
 413 THENCE RUN WESTERLY ALONG SAID PARALLEL LINE,  
 414 APPROXIMATELY 0.71 MILES, ACROSS SAID TRACTS 305, 304,  
 415 303, 302, 301, 300 AND A PORTION OF THE LATERAL "S"  
 416 CANAL (225' WIDE RIGHT OF WAY) TO THE WEST BOUNDARY  
 417 LIMITS OF SAID "PLAT OF FELLSMERE FARMS COMPANY'S  
 418 SUBDIVISION OF UNSURVEYED TOWNSHIP 31 SOUTH, RANGE 37  
 419 EAST";  
 420 THENCE CONTINUE WESTERLY ALONG SAID PARALLEL LINE,  
 421 APPROXIMATELY 0.09 MILES, ACROSS REMAINING SAID  
 422 LATERAL "S" CANAL (225' WIDE RIGHT OF WAY) AND TO THE  
 423 INTERSECTION WITH A LINE BEING 340 FEET WEST OF,  
 424 NORMAL TO AND PARALLEL WITH THE EAST BOUNDARY LINE OF

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425 TRACTS 322, AND 222 OF THE "PLAT OF FELLSMERE FARMS  
 426 COMPANY'S SUBDIVISION OF UNSURVEYED TOWNSHIP 31 SOUTH,  
 427 RANGE 36 EAST, IN ST. LUCIE COUNTY, STATE OF FLORIDA"  
 428 AS RECORDED IN PLAT BOOK 2, PAGE 9 OF THE PUBLIC  
 429 RECORDS OF ST. LUCIE COUNTY, NOW INDIAN RIVER COUNTY,  
 430 FLORIDA;  
 431 THENCE RUN NORTHERLY ALONG SAID PARALLEL LINE,  
 432 APPROXIMATELY 0.39 MILES, ACROSS SAID TRACTS 322, 222,  
 433 "DITCH AND ROAD 2", "DITCH AND ROAD 1" TO THE NORTH  
 434 RIGHT OF WAY LINE OF SAID "DITCH AND ROAD 1", SAID  
 435 RIGHT OF WAY LINE ALSO BEING THE SOUTH BOUNDARY LINE  
 436 OF TRACT 122 OF SAID "PLAT OF FELLSMERE FARMS  
 437 COMPANY'S SUBDIVISION OF UNSURVEYED TOWNSHIP 31 SOUTH,  
 438 RANGE 36 EAST";  
 439 THENCE RUN WESTERLY ALONG SAID SOUTH BOUNDARY LINE OF  
 440 TRACT 122, APPROXIMATELY 0.06 MILES TO THE  
 441 INTERSECTION WITH A LINE BEING 680 FEET WEST OF,  
 442 NORMAL TO AND PARALLEL WITH THE EAST BOUNDARY LINE OF  
 443 SAID TRACT 122;  
 444 THENCE RUN NORTHERLY ALONG SAID PARALLEL LINE,  
 445 APPROXIMATELY 0.16 MILES, ACROSS SAID TRACT 122 AND  
 446 THE "MAIN CANAL" RIGHT OF WAY TO THE NORTH LIMITS OF  
 447 SAID "PLAT OF FELLSMERE FARMS COMPANY'S SUBDIVISION OF  
 448 UNSURVEYED TOWNSHIP 31 SOUTH, RANGE 36 EAST", SAID  
 449 LIMITS ALSO BEING THE COMMON TOWNSHIP LINE OF TOWNSHIP

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450       30 AND 31 SOUTH AND THE NORTH LIMITS OF INDIAN RIVER  
 451       COUNTY, FLORIDA;  
 452       THENCE RUN EASTERLY ALONG SAID COMMON TOWNSHIP LINE  
 453       AND NORTH COUNTY LINE, APPROXIMATELY 5.29 MILES TO THE  
 454       INTERSECTION WITH THE SOUTHWESTERLY LINE OF FLEMING  
 455       GRANT;  
 456       THENCE RUN SOUTHEASTERLY ALONG SAID SOUTHWESTERLY LINE  
 457       OF FLEMING GRANT, APPROXIMATELY 1.21 MILES TO THE  
 458       INTERSECTION WITH THE EAST LINE OF TOWNSHIP 31 SOUTH,  
 459       RANGE 37 EAST, ALSO BEING THE COMMON RANGE LINE OF  
 460       RANGE 37 AND 38 EAST;  
 461       THENCE RUN SOUTHERLY ALONG SAID EAST LINE OF TOWNSHIP  
 462       31 SOUTH, RANGE 37 EAST AND THE EAST LINE OF TOWNSHIP  
 463       32 SOUTH, RANGE 37 EAST, APPROXIMATELY 7.71 MILES TO  
 464       THE INTERSECTION WITH A LINE BEING 200 FEET SOUTH OF,  
 465       NORMAL TO AND PARALLEL WITH THE NORTH BOUNDARY LINE OF  
 466       SAID TRACT 1123 OF THE "PLAT OF FELLSMERE FARMS  
 467       COMPANY'S SUBDIVISION OF UNSURVEYED TOWNSHIP 32 SOUTH,  
 468       RANGE 37 EAST, IN ST. LUCIE COUNTY, STATE OF FLORIDA"  
 469       AS RECORDED IN PLAT BOOK 2, PAGE 8 OF THE PUBLIC  
 470       RECORDS OF ST. LUCIE COUNTY, NOW INDIAN RIVER COUNTY,  
 471       FLORIDA;  
 472       THENCE RUN WESTERLY ALONG SAID PARALLEL LINE  
 473       APPROXIMATELY 6.00 MILES, ACROSS SAID TRACT 1123,  
 474       TRACTS 1122, 1121, 1120, A 30 FEET WIDE ROAD RIGHT OF

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475 WAY, TRACTS 1119, 1118, 1117, 1116, A 60 FEET WIDE  
 476 ROAD RIGHT OF WAY; TRACT 1115, PARK LATERAL CANAL  
 477 (92.25' WIDE RIGHT OF WAY), TRACTS 1114, 1113, 1112, A  
 478 30 FEET WIDE ROAD RIGHT OF WAY, TRACTS 1111, 1110,  
 479 1109, 1108, LATERAL "U" CANAL (156' WIDE RIGHT OF  
 480 WAY), TRACTS 1107, 1106, 1105, 1104, A 30 FEET WIDE  
 481 ROAD RIGHT OF WAY, TRACTS 1103, 1102, 1101, 1100 AND A  
 482 PORTION OF LATERAL "S" CANAL (225' WIDE RIGHT OF WAY)  
 483 OF SAID "PLAT OF FELLSMERE FARMS COMPANY'S SUBDIVISION  
 484 OF UNSURVEYED TOWNSHIP 32 SOUTH, RANGE 37 EAST" TO THE  
 485 WEST LIMITS OF SAID PLAT;  
 486 THENCE CONTINUE WESTERLY ALONG SAID PARALLEL LINE,  
 487 APPROXIMATELY 0.02 MILES, ACROSS REMAINING SAID  
 488 LATERAL "S" CANAL (225' WIDE RIGHT OF WAY) TO THE  
 489 INTERSECTION WITH THE WEST RIGHT OF WAY LINE OF SAID  
 490 LATERAL "S" CANAL, ALSO BEING THE EAST LINE OF  
 491 AFORESAID TRACT 1122 OF THE "PLAT OF FELLSMERE FARMS  
 492 COMPANY'S SUBDIVISION OF UNSURVEYED TOWNSHIP 32 SOUTH,  
 493 RANGE 36 EAST, IN ST. LUCIE COUNTY, STATE OF FLORIDA"  
 494 AS RECORDED IN PLAT BOOK 2, PAGE 18 OF THE PUBLIC  
 495 RECORDS OF ST. LUCIE COUNTY, NOW INDIAN RIVER COUNTY,  
 496 FLORIDA, AND POINT OF BEGINNING.  
 497 SAID DESCRIBED DISTRICT LIMITS CONTAINING 34,441 ACRES  
 498 MORE OR LESS.  
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500        Section 2. Minimum charter requirements.—In accordance  
501 with s. 189.031(3), Florida Statutes, the following are the  
502 minimum requirements for the charter of the Fellsmere Water  
503 Control District:

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

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

509        (3) In accordance with chapter 189, Florida Statutes, this  
510 act, and ss. 298.11 and 298.12, Florida Statutes, as may be  
511 amended from time to time, the governing board of the district  
512 shall be designated the "Board of Supervisors of the Fellsmere  
513 Water Control District" and shall be composed of three persons,  
514 who shall be qualified to hold such office if they are  
515 landowners within the district, residents of the state, and  
516 citizens of the United States, elected on a 1-acre, one-vote  
517 basis by the landowners in the district; however, landowners  
518 owning less than 1 acre in the aggregate shall be entitled to  
519 one vote. Landowners with more than 1 acre shall be entitled to  
520 one additional vote for any fraction of an acre greater than 1/2  
521 acre owned when a landowner's acreage has been aggregated for  
522 purposes of voting. The membership and organization of the  
523 governing board shall be as set forth in this charter and  
524 chapter 298, Florida Statutes, as may be amended from time to

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525 | time, provided this charter controls with respect to any  
 526 | inconsistency.

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

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

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

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

544 | (8) The procedures for conducting district elections or  
 545 | referenda and for qualification of electors shall be pursuant to  
 546 | chapters 189 and 298, Florida Statutes, as may be amended from  
 547 | time to time; however, a quorum for purposes of holding the  
 548 | annual meeting or any special meetings shall consist of those

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549 landowners present in person or represented by proxy at said  
550 meeting.

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

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

558 (11) The district's planning requirements shall be as set  
559 forth in chapters 189 and 298, Florida Statutes, as may be  
560 amended from time to time.

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

563 Section 3. Provisions of chapter 298, Florida Statutes,  
564 made applicable.—The Fellsmere Water Control District is an  
565 independent water control district and a public corporation of  
566 this state. The provisions of state law applicable to water  
567 control districts or subdistricts which are embodied in chapter  
568 298, Florida Statutes, as may be amended from time to time, so  
569 far as not inconsistent with this act, are declared to be  
570 applicable to the Fellsmere Water Control District. The  
571 Fellsmere Water Control District shall have all of the powers  
572 and authority conferred in this act and chapter 298, Florida  
573 Statutes, as may be amended from time to time.

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574        Section 4. Severability.—If any provision of this act or  
575 the application thereof to any person or circumstance is held  
576 invalid, the invalidity shall not affect other provisions or  
577 applications of the act which can be given effect without the  
578 invalid provision or application, and to this end the provisions  
579 of this act are declared severable.

580        Section 5. Construction.—This act shall be construed as a  
581 remedial act and shall be liberally construed to promote the  
582 purpose for which it is intended.

583        Section 4. Chapters 8877 (1921), 11555 (1925), 12023  
584 (1927), 14719 (1931), 16998 (1935), 28418 (1953), 61-1414, and  
585 69-1161, Laws of Florida, are repealed.

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