

Resolution No. 2025-___

A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF CLAY COUNTY, FLORIDA RELATING TO PROPOSED SPECIAL LEGISLATION TO CREATE THE SHADOWLAWN STEWARDSHIP DISTRICT; DETERMINING THAT CREATION OF THE PROPOSED DISTRICT IS CONSISTENT WITH THE COUNTY'S COMPREHENSIVE PLAN; STATING THAT THE COUNTY HAS NO OBJECTION TO CREATION OF THE DISTRICT BY ENACTMENT OF THE LEGISLATION PROVIDED TO THE COUNTY; AUTHORIZING CERTAIN AMENDMENTS TO THE LEGISLATION; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, Clay County (the "County") has received a proposal to establish the Shadowlawn Stewardship District (the "District") as an independent special district encompassing property located in the unincorporated area of the County; and

WHEREAS, Section 189.031(2)(e)4., Florida Statutes, prohibits creation of an independent special district without a resolution or official statement of the governing body for the local jurisdiction in which the proposed district is located, stating that the creation of the proposed district is consistent with the approved local government plans of the local governing body and that the local government has no objection to the creation of the proposed district; and

WHEREAS, County staff has reviewed the proposed legislation attached hereto as Appendix A; and

WHEREAS, County staff has reported to the Board of County Commissioners of Clay County Florida (the "Board") and the Board has considered the issues relating to creation of the proposed District.

NOW THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF CLAY COUNTY, FLORIDA:

SECTION 1. CONSISTENCY WITH COMPREHENSIVE PLAN. The Board hereby finds and determines that creation of the proposed District is consistent with the County's Comprehensive Plan.

SECTION 2. STATEMENT OF NO OBJECTION. The County has no objection to creation of the proposed District by enactment of the proposed legislation reviewed by the County and attached hereto as Appendix A. The County further does not object to corrections, additions or deletions to the proposed legislation as made during the bill approval process.

SECTION 3. EFFECTIVE DATE. This Resolution shall take effect immediately upon its adoption.

ADOPTED this _____ day of September, 2025.

BOARD OF COUNTY COMMISSIONERS OF
CLAY COUNTY, FLORIDA

By: _____
Betsy Condon, Its Chair

ATTEST:

Tara S. Green
Clay County Clerk of Court and Comptroller
Ex Officio Clerk to the Board

Appendix A

1 An act relating to Clay County; creating the Shadowlawn
2 Stewardship District; providing a short title; providing
3 legislative findings and intent; providing definitions;
4 stating legislative policy regarding creation of the district;
5 establishing compliance with minimum requirements for creation
6 of an independent special district; providing for creation and
7 establishment of the district; establishing the legal
8 boundaries of the district; providing for the jurisdiction and
9 charter of the district; providing for a board of supervisors;
10 providing for election, membership, terms, meetings, and
11 duties of board members; providing a method for transition of
12 the board from landowner control to control by the resident
13 electors of the district; providing for a district manager and
14 district personnel; providing for a district treasurer,
15 selection of a public depository, and district budgets and
16 financial reports; providing the general and special powers of
17 the district; providing for bonds; providing for borrowing;
18 providing for future ad valorem taxation; providing for
19 special assessments; providing for issuance of certificates of
20 indebtedness; providing for tax liens; providing for
21 competitive procurement; providing for fees and charges;

22 providing for termination, contraction, expansion, or merger
23 of the district; providing for required notices to purchasers
24 of residential units within the district; specifying district
25 public property; providing severability; providing for a
26 referendum; providing an effective date.

27
28 Be It Enacted by the Legislature of the State of Florida:

29
30 Section 1. This act may be cited as the "Shadowlawn
31 Stewardship District Act."

32 Section 2. Legislative findings and intent;
33 definitions; policy.—

34 (1) LEGISLATIVE INTENT AND PURPOSE OF THE DISTRICT.—

35 (a) The extensive lands located wholly within Clay
36 County and covered by this act contain many opportunities for
37 thoughtful, comprehensive, responsible, and consistent
38 development over a long period.

39 (b) There is a need to use a single special and
40 limited purpose independent special district unit of local
41 government for the Shadowlawn Stewardship District lands
42 located within Clay County and covered by this act to provide

43 | for a more comprehensive community development approach, which
44 | will facilitate an integral relationship between regional
45 | transportation, land use and urban design to provide for a
46 | diverse mix of housing and regional employment and economic
47 | development opportunities, rather than fragmented development
48 | with underutilized infrastructure generally associated with
49 | urban sprawl.

50 | (c) There is a considerably long period of time during
51 | which there is a significant burden on the initial landowners
52 | of the district lands to provide various systems, facilities,
53 | and services, such that there is a need for flexible
54 | management, sequencing, timing, and financing of the various
55 | systems, facilities, and services to be provided to these
56 | lands, taking into consideration absorption rates, commercial
57 | viability, and related factors.

58 | (d) While chapter 190, Florida Statutes, provides an
59 | opportunity for previous community development services and
60 | facilities to be provided by the continued use of community
61 | development districts in a manner that furthers the public
62 | interest, given the size of the Shadowlawn Stewardship
63 | District lands and the duration of development, continuing to

64 utilize multiple community development districts over these
65 lands would result in an inefficient, duplicative, and
66 needless proliferation of local special purpose governments,
67 contrary to the public interest and the Legislature's findings
68 in chapter 190, Florida Statutes. Instead, it is in the public
69 interest that the long-range provision for, and management,
70 financing, and long-term maintenance, upkeep, and operation
71 of, services and facilities to be provided for ultimate
72 development and conservation of the lands covered by this act
73 be under one coordinated entity. The creation of a single
74 district will assist in integrating the management of state
75 resources and allow for greater and more coordinated
76 stewardship of natural resources.

77 (e) Longer involvement of the initial landowner with
78 regard to the provision of systems, facilities, and services
79 for the Shadowlawn Stewardship District lands, coupled with
80 the special and limited purpose of the district, is in the
81 public interest.

82 (f) The existence and use of such a special and
83 limited purpose local government for the Shadowlawn
84 Stewardship District lands, subject to the Clay County

85 comprehensive plan, will provide for a comprehensive and
86 complete community development approach to promote a
87 sustainable and efficient land use pattern for the Shadowlawn
88 Stewardship District lands with long-term planning for
89 conservation and development; provide opportunities for the
90 mitigation of impacts and development of infrastructure in an
91 orderly and timely manner; prevent the overburdening of the
92 local general purpose government and the taxpayers; and
93 provide an enhanced tax base and regional employment and
94 economic development opportunities.

95 (g) The creation and establishment of the special
96 district will encourage local government financial self-
97 sufficiency in providing public facilities and in identifying
98 and implementing physically sound, innovative, and cost-
99 effective techniques to provide and finance public facilities
100 while encouraging development, use, and coordination of
101 capital improvement plans by all levels of government, in
102 accordance with the goals of chapter 187, Florida Statutes.

103 (h) The creation and establishment of the special
104 district is a legitimate supplemental and alternative method

105 available to manage, own, operate, construct, and finance
106 capital infrastructure systems, facilities, and services.

107 (i) In order to be responsive to the critical timing
108 required through the exercise of its special management
109 functions, an independent special district requires financing
110 of those functions, including bondable lienable and
111 nonlienable revenue, with full and continuing public
112 disclosure and accountability, funded by landowners, both
113 present and future, and funded also by users of the systems,
114 facilities, and services provided to the land area by the
115 special district, without unduly burdening the taxpayers,
116 citizens, and ratepayers of the state or Clay County.

117 (j) The special district created and established by
118 this act shall not have or exercise any comprehensive
119 planning, zoning, or development permitting power; the
120 establishment of the special district shall not be considered
121 a development order within the meaning of chapter 380, Florida
122 Statutes; and all applicable planning and permitting laws,
123 rules, regulations, and policies of Clay County control the
124 development of the land to be serviced by the special
125 district.

126 (k) The creation by this act of the Shadowlawn
127 Stewardship District is not inconsistent with the Clay County
128 comprehensive plan.

129 (1) It is the legislative intent and purpose that no
130 debt or obligation of the special district constitute a burden
131 on Clay County.

132 (2) DEFINITIONS.—As used in this act:

133 (a) "Ad valorem bonds" means bonds that are payable
134 from the proceeds of ad valorem taxes levied on real and
135 tangible personal property and that are generally referred to
136 as general obligation bonds.

137 (b) "Assessable improvements" means, without
138 limitation, any and all public improvements and community
139 facilities that the district is empowered to provide in
140 accordance with this act that provide a special benefit to
141 property within the district.

142 (c) "Assessment bonds" means special obligations of
143 the district which are payable solely from proceeds of the
144 special assessments or benefit special assessments levied for
145 assessable improvements, provided that, in lieu of issuing
146 assessment bonds to fund the costs of assessable improvements,

147 the district may issue revenue bonds for such purposes payable
148 from assessments.

149 (d) "Assessments" means those nonmillage district
150 assessments which include special assessments, benefit special
151 assessments, and maintenance special assessments and a
152 nonmillage, non-ad valorem maintenance tax if authorized by
153 general law.

154 (e) "Benefit special assessments" means district
155 assessments imposed, levied, and collected pursuant to section
156 6(12) (b) .

157 (g) "Board of supervisors" or "board" means the
158 governing body of the district or, if such board has been
159 abolished, the board, body, or commission assuming the
160 principal functions thereof or to whom the powers given to the
161 board by this act have been given by law.

162 (h) "Bond" includes "certificate," and the provisions
163 that are applicable to bonds are equally applicable to
164 certificates. The term also includes any general obligation
165 bond, assessment bond, refunding bond, revenue bond, bond
166 anticipation note, and other such obligation in the nature of
167 a bond as is provided for in this act.

168 (i) "Cost" or "costs," when used in reference to any
169 project, includes, but is not limited to:

170 1. The expenses of determining the feasibility or
171 practicability of acquisition, construction, or
172 reconstruction.

173 2. The cost of surveys, estimates, plans, and
174 specifications.

175 3. The cost of improvements.

176 4. Engineering, architectural, fiscal, and legal
177 expenses and charges.

178 5. The cost of all labor, materials, machinery, and
179 equipment.

180 6. The cost of all lands, properties, rights,
181 easements, and franchises acquired.

182 7. Financing charges.

183 8. The creation of initial reserve and debt service
184 funds.

185 9. Working capital.

186 10. Interest charges incurred or estimated to be
187 incurred on money borrowed prior to and during construction
188 and acquisition and for such reasonable period of time after

189 completion of construction or acquisition as the board may
190 determine.

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

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

196 13. The discount, if any, on the sale or exchange of
197 bonds.

198 14. Administrative expenses.

199 15. Such other expenses as may be necessary or
200 incidental to the acquisition, construction, or reconstruction
201 of any project, or to the financing thereof, or to the
202 development of any lands within the district.

203 16. Payments, contributions, dedications, and any
204 other exactions required as a condition of receiving any
205 governmental approval or permit necessary to accomplish any
206 district purpose.

207 17. Any other expense or payment permitted by this act
208 or allowable by law.

209 (i) "District" means the Shadowlawn Stewardship
210 District.

211 (j) "District manager" means the manager of the
212 district.

213 (k) "District roads" means highways, streets, roads,
214 alleys, intersection improvements, sidewalks, crossings,
215 landscaping, irrigation, signage, signalization, storm drains,
216 bridges, multiuse trails, lighting, and thoroughfares of all
217 kinds.

218 (l) "General obligation bonds" means bonds which are
219 secured by, or provide for their payment by, the pledge of the
220 full faith and credit and taxing power of the district.

221 (m) "General-purpose local government" means a city,
222 municipality, or consolidated city-county government.

223 (n) "Governing board member" means any member of the
224 board of supervisors.

225 (o) "Land development regulations" means those
226 regulations of the general-purpose local government, adopted
227 under the Community Planning Act, codified as part II of
228 chapter 163, Florida Statutes, to which the district is
229 subject and as to which the district may not do anything that

230 is inconsistent therewith. The term "land development
231 regulations" does not include specific management,
232 engineering, operations, or capital improvement planning,
233 needed in the daily management, implementation, and supplying
234 by the district of systems, facilities, services, works,
235 improvements, projects, or infrastructure, so long as they
236 remain subject to and are not inconsistent with the applicable
237 county codes.

238 (p) "Landowner" means the owner of a freehold estate
239 as it appears on the deed record, including a trustee, a
240 private corporation, and an owner of a condominium unit. The
241 term "landowner" does not include a reversioner, remainderman,
242 mortgagee, or any governmental entity which shall not be
243 counted and need not be notified of proceedings under this
244 act. The term "landowner" also means the owner of a ground
245 lease from a governmental entity, which leasehold interest has
246 a remaining term, excluding all renewal options, in excess of
247 50 years.

248 (q) "Maintenance special assessments" are assessments
249 imposed, levied, and collected pursuant to section 6(12)(d).

250 (r) "Non-ad valorem assessment" means only those
251 assessments which are not based upon millage and which can
252 become a lien against a homestead as permitted in s. 4,
253 Article X of the State Constitution.

254 (s) "Powers" means powers used and exercised by the
255 board of supervisors to accomplish the special and limited
256 purposes of the district, including:

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

261 2. "Special powers," which means those powers
262 enumerated by the district charter to implement its
263 specialized systems, facilities, services, projects,
264 improvements, and infrastructure and related functions in
265 order to carry out its special and limited purposes.

266 3. Any other powers, authority, or functions set forth
267 in this act.

268 (t) "Project" means any development, improvement,
269 property, power, utility, facility, enterprise, service,

270 system, works, or infrastructure now existing or hereafter
271 undertaken or established under this act.

272 (u) "Qualified elector" means any person at least 18
273 years of age who is a citizen of the United States and a legal
274 resident of the state and of the district, who registers to
275 vote with the Supervisor of Elections of Clay County and who
276 resides in Clay County.

277 (v) "Reclaimed water" means water, including from
278 wells or stormwater management facilities, that has received
279 at least secondary treatment and basic disinfection and is
280 reused after flowing out of a domestic wastewater treatment
281 facility, or otherwise as an approved use of surface water or
282 groundwater by the water management district.

283 (w) "Reclaimed water system" means any plant, well,
284 system, facility, or property, and any addition, extension, or
285 improvement thereto at any future time constructed or acquired
286 as part thereof, useful, necessary, or having the present
287 capacity for future use in connection with the development of
288 sources, treatment, purification, or distribution of reclaimed
289 water. The term includes franchises of any nature relating to

290 any such system and necessary or convenient for the operation
291 thereof including for the district's own use or resale.

292 (x) "Refunding bonds" means bonds issued to refinance
293 outstanding bonds of any type and the interest and redemption
294 premium thereon. Refunding bonds may be issuable and payable
295 in the same manner as refinanced bonds, except that no
296 approval by the electorate shall be required unless required
297 by the State Constitution.

298 (y) "Revenue bonds" means obligations of the district
299 that are payable from revenues, including, but not limited to,
300 special assessments and benefit special assessments, derived
301 from sources other than ad valorem taxes on real or tangible
302 personal property and that do not pledge the property, credit,
303 or general tax revenue of the district.

304 (z) "Sewer system" means any plant, system, facility,
305 or property, and additions, extensions, and improvements
306 thereto at any future time constructed or acquired as part
307 thereof, useful or necessary or having the present capacity
308 for future use in connection with the collection, treatment,
309 purification, or disposal of sewage, including, but not
310 limited to, industrial wastes resulting from any process of

311 industry, manufacture, trade, or business or from the
312 development of any natural resource. The term also includes
313 treatment plants, pumping stations, lift stations, valves,
314 force mains, intercepting sewers, laterals, pressure lines,
315 mains, and all necessary appurtenances and equipment; all
316 sewer mains, laterals, and other devices for the reception and
317 collection of sewage from premises connected therewith; all
318 real and personal property and any interest therein; and
319 rights, easements, and franchises of any nature relating to
320 any such system and necessary or convenient for operation
321 thereof.

322 (aa) "Special assessments" means assessments as
323 imposed, levied, and collected by the district for the costs
324 of assessable improvements pursuant to this act; chapter 170,
325 Florida Statutes; and the additional authority under s.
326 197.3631, Florida Statutes, or other provisions of general
327 law, now or hereinafter enacted, which provide or authorize a
328 supplemental means to impose, levy, or collect special
329 assessments.

330 (bb) "Shadowlawn Stewardship District" means the unit
331 of special and limited purpose local government and political

332 subdivision created and chartered by this act, and limited to
333 the performance of those general and special powers authorized
334 by its charter under this act, the boundaries of which are set
335 forth by the act, the governing board of which is created and
336 authorized to operate with legal existence by this act, and
337 the purpose of which is as set forth in this act.

338 (cc) "Tax" or "taxes" means those levies and
339 impositions of the board of supervisors that support and pay
340 for government and the administration of law and that may be:

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

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

347 (dd) "Water system" means any plant, system, facility,
348 or property, and any addition, extension, or improvement
349 thereto at any future time constructed or acquired as a part
350 thereof, useful, necessary, or having the present capacity for
351 future use in connection with the development of sources,
352 treatment, purification, or distribution of water. The term

353 also includes dams, reservoirs, storage tanks, mains, lines,
354 valves, pumping stations, laterals, and pipes for the purpose
355 of carrying water to the premises connected with such system,
356 and all rights, easements, and franchises of any nature
357 relating to any such system and necessary or convenient for
358 the operation thereof.

359 (3) POLICY.—Based upon its findings, ascertainments,
360 determinations, intent, purpose, and definitions, the
361 Legislature states its policy expressly:

362 (a) The district and the district charter, with its
363 general and special powers, as created in this act, are
364 essential and the best alternative for the residential,
365 commercial, industrial, office, hotel, health care, and other
366 similar community uses, projects, or functions in the included
367 portion of Clay County consistent with the effective
368 comprehensive plan, and designed to serve a lawful public
369 purpose.

370 (b) The district, which is a local government and a
371 political subdivision, is limited to its special purpose as
372 expressed in this act, with the power to provide, plan,
373 implement, construct, maintain, and finance as a local

374 government management entity systems, facilities, services,
375 improvements, infrastructure, and projects, and possessing
376 financing powers to fund its management power over the long
377 term and with sustained levels of high quality.

378 (c) The creation of the Shadowlawn Stewardship
379 District by and pursuant to this act, and its exercise of its
380 management and related financing powers to implement its
381 limited, single, and special purpose, is not a development
382 order and does not trigger or invoke any provision within the
383 meaning of chapter 380, Florida Statutes, and all applicable
384 governmental planning, environmental, and land development
385 laws, regulations, rules, policies, and ordinances apply to
386 all development of the land within the jurisdiction of the
387 district as created by this act.

388 (d) The district shall operate and function subject
389 to, and not inconsistent with, the applicable comprehensive
390 plan of Clay County and any applicable development orders
391 (e.g., detailed site plan development orders), zoning
392 regulations, and other land development regulations.

393 (e) The special and single purpose Shadowlawn
394 Stewardship District shall not have the power of a general-

395 | purpose local government to adopt a comprehensive plan or
396 | related land development regulation as those terms are defined
397 | in the Community Planning Act.

398 | (f) This act may be amended, in whole or in part, only
399 | by special act of the Legislature. The board of supervisors of
400 | the district shall not ask the Legislature to amend this act
401 | without first obtaining a resolution or official statement
402 | from the district and Clay County as may be required by s.
403 | 189.031(2)(e)4., Florida Statutes, for creation of an
404 | independent special district.

405 | Section 3. Minimum charter requirements; creation and
406 | establishment; jurisdiction; construction; charter.—

407 | (1) Pursuant to s. 189.031(3), Florida Statutes, the
408 | Legislature sets forth that the minimum requirements in
409 | paragraphs (a) through (n) have been met in the identified
410 | provisions of this act as follows:

411 | (a) The purpose of the district is stated in the act
412 | in section 2 and subsection (4) of this section.

413 | (b) The powers, functions, and duties of the district
414 | regarding ad valorem taxation, bond issuance, other revenue-
415 | raising capabilities, budget preparation and approval, liens

416 and foreclosure of liens, use of tax deeds and tax
417 certificates as appropriate for non-ad valorem assessments,
418 and contractual agreements are set forth in section 6.

419 (c) The provisions for methods for establishing the
420 district are set forth in this section.

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

423 (e) The provisions for the membership and organization
424 of the governing body and the establishment of a quorum are
425 set forth in section 5.

426 (f) The provisions regarding the administrative duties
427 of the governing body are set forth in sections 5 and 6.

428 (g) The provisions applicable to financial disclosure,
429 noticing, and reporting requirements generally are set forth
430 in sections 5 and 6.

431 (h) The provisions regarding procedures and
432 requirements for issuing bonds are set forth in section 6.

433 (i) The provisions regarding elections or referenda
434 and the qualifications of an elector of the district are set
435 forth in sections 2 and 5.

436 (j) The provisions regarding methods for financing the
437 district generally are set forth in section 6.

438 (k) Other than taxes levied for the payment of bonds
439 and taxes levied for periods not longer than 2 years when
440 authorized by vote of the electors of the district, the
441 provisions for the authority to levy ad valorem tax and the
442 authorized millage rate are set forth in section 6.

443 (l) The provisions for the method or methods of
444 collecting non-ad valorem assessments, fees, or service
445 charges are set forth in section 6.

446 (m) The provisions for planning requirements are in
447 this section and section 6.

448 (n) The provisions for geographic boundary limitations
449 of the district are set forth in sections 4 and 6.

450 (2) The Shadowlawn Stewardship District is created and
451 incorporated as a public body corporate and politic, an
452 independent special and limited purpose local government, an
453 independent special district, under s. 189.031, Florida
454 Statutes, as amended from time to time, and as defined in this
455 act and in s. 189.012(3), Florida Statutes, as amended from
456 time to time, in and for portions of Clay County. Any

457 amendments to chapter 190, Florida Statutes, after January 1,
458 2025 granting additional general powers, special powers,
459 authorities, or projects to a community development district
460 by amendment to its uniform charter, ss. 190.006-190.041,
461 Florida Statutes, which are not inconsistent with this act,
462 shall constitute a general power, special power, authority, or
463 function of the Shadowlawn Stewardship District. All notices
464 for the enactment by the Legislature of this special act have
465 been provided pursuant to the State Constitution, the Laws of
466 Florida, and the Rules of the Florida House of Representatives
467 and of the Florida Senate. No referendum subsequent to the
468 effective date of this act is required as a condition of
469 establishing the district. Therefore, the district, as created
470 by this act, is established on the property described in this
471 act.

472 (3) The territorial boundary of the district shall
473 embrace and include all of that certain real property
474 described in section 4.

475 (4) The jurisdiction of the district, in the exercise
476 of its general and special powers, and in the carrying out of
477 its special and limited purposes, is both within the external

478 boundaries of the legal description of this district and
479 extraterritorially when limited to, and as authorized
480 expressly elsewhere in, the charter of the district as created
481 in this act or applicable general law. This special and
482 limited purpose district is created as a public body corporate
483 and politic, and local government authority and power is
484 limited by its charter, this act, and subject to other general
485 laws, including chapter 189, Florida Statutes, except that an
486 inconsistent provision in this act shall control and the
487 district has jurisdiction to perform such acts and exercise
488 such authorities, functions, and powers as shall be necessary,
489 convenient, incidental, proper, or reasonable for the
490 implementation of its special and limited purpose regarding
491 the sound planning, provision, acquisition, development,
492 operation, maintenance, and related financing of those public
493 systems, facilities, services, improvements, projects, and
494 infrastructure works as authorized herein, including those
495 necessary and incidental thereto. The district shall only
496 exercise any of its powers extraterritorially within Clay
497 County after execution of an interlocal agreement between the
498 district and Clay County consenting to the district's exercise

499 of any of such powers within Clay County or an applicable
500 development order or as part of other land development
501 regulations issued by Clay County.

502 (5) The exclusive charter of the Shadowlawn
503 Stewardship District is this act and, except as otherwise
504 provided in subsection (2), may be amended only by special act
505 of the Legislature.

506 Section 4. Legal description of the Shadowlawn
507 Stewardship District.—The metes and bounds legal description
508 of the district, within which there are no parcels of property
509 owned by those who do not wish their property to be included
510 within the district, is as follows:

511 A PORTION OF PLAT "A" OF THE FLORIDA FARMS AND
512 INDUSTRIES COMPANY'S PROPERTY, RECORDED IN PLAT BOOK 2, PAGE
513 27, OF THE PUBLIC RECORDS OF CLAY COUNTY, FLORIDA, TOGETHER
514 WITH A PORTION OF SECTIONS 28, 29, 30, 32, 33, 34, AND 35, THE
515 EAST ONE-HALF OF SECTION 31, ALL LYING IN TOWNSHIP 5 SOUTH,
516 RANGE 25 EAST, SAID COUNTY, TOGETHER WITH A PORTION OF
517 SECTIONS 1, 2, 3, 4, 8, 9, 10, 11, AND 12, ALL OF SECTION 5,
518 ALL LYING IN TOWNSHIP 6 SOUTH, RANGE 25 EAST, SAID COUNTY,
519 BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

520

521 FOR A POINT OF BEGINNING, COMMENCE AT THE SOUTHWEST CORNER OF
522 SECTION 36, TOWNSHIP 5 SOUTH, RANGE 25 EAST, SAID COUNTY, SAID
523 CORNER LYING ON THE BOUNDARY LINE OF SOUTH PARCEL, AS
524 DESCRIBED AND RECORDED IN OFFICIAL RECORDS BOOK 4892, PAGE
525 1323, OF SAID PUBLIC RECORDS; THENCE NORTH 89°29'14" EAST,
526 ALONG SAID BOUNDARY LINE AND ALONG THE SOUTHERLY LINE OF SAID
527 SECTION 36, A DISTANCE OF 5299.37 FEET TO THE SOUTHEASTERLY
528 CORNER OF SAID SECTION 36; THENCE SOUTH 01°05'43" EAST,
529 CONTINUING ALONG SAID BOUNDARY LINE, ALONG THE WESTERLY LINE
530 OF THOSE LANDS DESCRIBED AND RECORDED IN OFFICIAL RECORDS BOOK
531 659, PAGE 66, AND ALONG THE WESTERLY TERMINUS OF ROSEMARY HILL
532 ROAD, A 90 FOOT RIGHT OF WAY, AS DESCRIBED AND RECORDED IN
533 OFFICIAL RECORDS BOOK 936, PAGE 521, OF SAID PUBLIC RECORDS,
534 ALSO BEING THE WESTERLY LINE OF SECTION 6, TOWNSHIP 6 SOUTH,
535 RANGE 26 EAST, SAID COUNTY, A DISTANCE OF 1932.65 FEET; THENCE
536 SOUTH 69°07'24" WEST, DEPARTING LAST SAID LINE, 3397.75 FEET;
537 THENCE SOUTH 53°10'20" WEST, 1644.52 FEET; THENCE SOUTH
538 07°32'40" EAST, 590.19 FEET; THENCE SOUTH 05°12'20" EAST,
539 3293.54 FEET; THENCE SOUTH 20°12'39" EAST, 2751.76 FEET TO A
540 POINT LYING ON THE EASTERLY PROLONGATION OF THE NORTHERLY

541 RIGHT OF WAY LINE OF STATE ROAD NO. 16, A VARIABLE WIDTH RIGHT
542 OF WAY AS PRESENTLY ESTABLISHED; THENCE SOUTH $89^{\circ}07'27''$ WEST,
543 ALONG SAID EASTERLY PROLONGATION AND ALONG SAID NORTHERLY
544 RIGHT OF WAY LINE, 2163.09 FEET; THENCE WESTERLY ALONG SAID
545 NORTHERLY RIGHT OF WAY LINE THE FOLLOWING 5 COURSES: COURSE 1,
546 THENCE SOUTH $87^{\circ}08'10''$ WEST, 720.63 FEET; COURSE 2, THENCE
547 SOUTH $89^{\circ}07'27''$ WEST, 165.48 FEET; COURSE 3, THENCE SOUTH
548 $00^{\circ}52'33''$ EAST, 4.00 FEET; COURSE 4, THENCE SOUTH $89^{\circ}55'27''$
549 WEST, 5064.23 FEET; COURSE 5, THENCE SOUTH $89^{\circ}18'44''$ WEST,
550 6.99 FEET TO THE SOUTHEASTERLY CORNER OF THOSE LANDS DESCRIBED
551 AND RECORDED IN OFFICIAL RECORDS BOOK 945, PAGE 351, OF SAID
552 PUBLIC RECORDS; THENCE NORTH $00^{\circ}27'57''$ EAST, DEPARTING SAID
553 NORTHERLY RIGHT OF WAY LINE, ALONG THE EASTERLY LINE OF LAST
554 SAID LANDS AND ITS NORTHERLY PROLONGATION, ALONG THE EASTERLY
555 LINE OF THOSE LANDS DESCRIBED AND RECORDED IN OFFICIAL RECORDS
556 BOOK 3706, PAGE 1588, AND ALONG THE EASTERLY LINE OF THOSE
557 LANDS DESCRIBED AND RECORDED IN OFFICIAL RECORDS BOOK 1195,
558 PAGE 562, ALL OF SAID PUBLIC RECORDS, 1653.92 FEET TO THE
559 NORTHEASTERLY CORNER OF LAST SAID LANDS; THENCE SOUTH
560 $89^{\circ}18'57''$ WEST, ALONG THE NORTHERLY LINE OF LAST SAID LANDS,
561 660.00 FEET TO THE NORTHWESTERLY CORNER THEREOF, SAID CORNER

562 LYING ON THE EASTERLY RIGHT OF WAY LINE OF PASO FINO ROAD, A
563 60 FOOT RIGHT OF WAY AS DESCRIBED AND RECORDED IN OFFICIAL
564 RECORDS BOOK 4895, PAGE 501, OF SAID PUBLIC RECORDS; THENCE
565 NORTH $00^{\circ}27'57''$ EAST, ALONG SAID EASTERLY RIGHT OF WAY LINE,
566 171.09 FEET TO THE NORTHEASTERLY CORNER THEREOF; THENCE NORTH
567 $89^{\circ}32'03''$ WEST, ALONG THE NORTHERLY LINE THEREOF , 60.00 FEET
568 TO THE NORTHWESTERLY CORNER THEREOF, SAID CORNER LYING ON THE
569 EASTERLY LINE OF THOSE LANDS DESCRIBED AND RECORDED IN
570 OFFICIAL RECORDS BOOK 4487, PAGE 1986, OF SAID PUBLIC RECORDS;
571 THENCE NORTH $00^{\circ}27'57''$ EAST, ALONG SAID EASTERLY LINE, 865.30
572 FEET TO THE NORTHEASTERLY CORNER THEREOF; THENCE NORTH
573 $89^{\circ}33'14''$ WEST, ALONG THE NORTHERLY LINE THEREOF, 1275.32 FEET
574 TO THE NORTHWESTERLY CORNER THEREOF; THENCE SOUTH $00^{\circ}06'58''$
575 WEST, ALONG THE WESTERLY LINE THEREOF, AND ALONG THE WESTERLY
576 LINES OF THOSE LANDS DESCRIBED AND RECORDED IN OFFICIAL
577 RECORDS BOOK 4805, PAGE 1330 AND OFFICIAL RECORDS BOOK 4519,
578 PAGE 1469, BOTH OF SAID PUBLIC RECORDS, 2406.74 FEET; THENCE
579 NORTH $89^{\circ}17'40''$ EAST, CONTINUING ALONG THE WESTERLY LINE OF
580 LAST SAID LANDS, 6.87 FEET; THENCE SOUTH $00^{\circ}42'20''$ EAST,
581 CONTINUING ALONG SAID WESTERLY LINE, 319.74 FEET TO THE
582 SOUTHWESTERLY CORNER THEREOF, SAID CORNER LYING ON SAID

583 NORTHERLY RIGHT OF WAY LINE OF STATE ROAD NO. 16; THENCE
584 WESTERLY ALONG SAID NORTHERLY RIGHT OF WAY LINE THE FOLLOWING
585 3 COURSES: COURSE 1, THENCE SOUTH 89°18'44" WEST, 3706.64
586 FEET; COURSE 2, THENCE SOUTH 00°41'16" EAST, 20.00 FEET;
587 COURSE 3, THENCE SOUTH 89°18'44" WEST, 417.34 FEET TO THE
588 SOUTHEASTERLY CORNER OF THOSE LANDS DESCRIBED AND RECORDED IN
589 OFFICIAL RECORDS BOOK 4153, PAGE 789, OF SAID PUBLIC RECORDS;
590 THENCE NORTH 00°41'16" WEST, ALONG THE EASTERLY LINE THEREOF
591 AND ALONG THE EASTERLY LINE OF THOSE LANDS DESCRIBED AND
592 RECORDED IN OFFICIAL RECORDS BOOK 4102, PAGE 1147, OF SAID
593 PUBLIC RECORDS, 207.00 FEET TO THE NORTHEASTERLY CORNER OF
594 LAST SAID LANDS; THENCE SOUTH 89°18'44" WEST, ALONG THE
595 NORTHERLY LINE THEREOF, AND ALONG THE NORTHERLY LINES OF THOSE
596 LANDS DESCRIBED AND RECORDED IN OFFICIAL RECORDS BOOK 3885,
597 PAGE 1036 AND OFFICIAL RECORDS BOOK 4458, PAGE 625, BOTH OF
598 SAID PUBLIC RECORDS, 544.00 FEET TO THE NORTHWESTERLY CORNER
599 OF LAST SAID LANDS; THENCE SOUTH 00°41'16" EAST, ALONG THE
600 WESTERLY LINE THEREOF, 207.00 FEET THE SOUTHWESTERLY CORNER
601 THEREOF, SAID CORNER LYING ON SAID NORTHERLY RIGHT OF WAY LINE
602 OF STATE ROAD NO. 16; THENCE WESTERLY ALONG SAID NORTHERLY
603 RIGHT OF WAY LINE THE FOLLOWING 5 COURSES: COURSE 1, THENCE

604 SOUTH 89°18'44" WEST, 1086.34 FEET; COURSE 2, THENCE NORTH
605 89°59'16" WEST, 1462.28 FEET; COURSE 3, THENCE NORTH 00°00'44"
606 EAST, 20.00 FEET; COURSE 4, THENCE NORTH 89°59'16" WEST,
607 1701.21 FEET; COURSE 5, THENCE SOUTH 89°40'44" WEST, 2966.43
608 FEET TO ITS INTERSECTION WITH THE EASTERLY RIGHT OF WAY LINE
609 OF KENTUCKY AVENUE, A 60 FOOT RIGHT OF WAY AS PRESENTLY
610 ESTABLISHED; THENCE DUE NORTH, DEPARTING SAID NORTHERLY RIGHT
611 OF WAY LINE AND ALONG SAID EASTERLY RIGHT OF WAY LINE, 1229.87
612 FEET TO A POINT LYING ON THE EASTERLY PROLONGATION OF THE
613 NORTHERLY LINE OF THOSE LANDS DESCRIBED AND RECORDED IN
614 OFFICIAL RECORDS BOOK 4730, PAGE 334, OF SAID PUBLIC RECORDS;
615 THENCE DUE WEST, DEPARTING SAID EASTERLY RIGHT AWAY LINE,
616 ALONG SAID EASTERLY PROLONGATION AND ALONG SAID NORTHERLY
617 LINE, 244.04 FEET; THENCE DUE NORTH, CONTINUING ALONG SAID
618 NORTHERLY LINE, 42.24 FEET; THENCE DUE WEST, CONTINUING ALONG
619 SAID NORTHERLY LINE, 1242.78 FEET TO THE NORTHWESTERLY CORNER
620 THEREOF, SAID CORNER LYING ON THE EASTERLY LINE OF SECTION 7,
621 TOWNSHIP 6 SOUTH, RANGE 25 EAST, SAID COUNTY; THENCE NORTH
622 00°29'58" EAST, ALONG SAID EASTERLY LINE, ALSO BEING THE
623 EASTERLY LINES OF THOSE LANDS DESCRIBED AND RECORDED IN
624 OFFICIAL RECORDS BOOK 1722, PAGE 828, OFFICIAL RECORDS BOOK

625 4472, PAGE 98, OFFICIAL RECORDS BOOK 4859, PAGE 1416, OFFICIAL
626 RECORDS BOOK 1919, PAGE 1726, OFFICIAL RECORDS BOOK 4930, PAGE
627 960 AND OFFICIAL RECORDS BOOK 655, PAGE 231, ALL OF SAID
628 PUBLIC RECORDS, A DISTANCE OF 3996.83 FEET TO THE NORTHEAST
629 CORNER OF SAID SECTION 7; THENCE NORTH 00°21'51" EAST, ALONG
630 THE EASTERLY LINE OF SECTION 6, TOWNSHIP 6 SOUTH, RANGE 25
631 EAST, SAID COUNTY, AND CONTINUING ALONG SAID EASTERLY LINE OF
632 THOSE LANDS DESCRIBED AND RECORDED IN OFFICIAL RECORDS BOOK
633 655, PAGE 231, A DISTANCE OF 5350.18 FEET TO THE NORTHEAST
634 CORNER THEREOF; THENCE NORTH 88°06'28" WEST, ALONG THE
635 NORTHERLY LINE THEREOF, 1940.81 FEET TO THE SOUTHEASTERLY
636 CORNER OF THOSE LANDS DESCRIBED AND RECORDED IN OFFICIAL
637 RECORDS BOOK 3709, PAGE 1743, OF SAID PUBLIC RECORDS; THENCE
638 NORTH 00°01'20" EAST, ALONG THE EASTERLY LINE THEREOF AND
639 ALONG THE EASTERLY LINES OF THOSE LANDS DESCRIBED AND RECORDED
640 IN OFFICIAL RECORDS BOOK 4128, PAGE 37, OFFICIAL RECORDS BOOK
641 3425, PAGE 1675, AND OFFICIAL RECORDS BOOK 3580, PAGE 136, ALL
642 OF SAID PUBLIC RECORDS, 2640.42 FEET TO THE NORTHEAST CORNER
643 OF THE SOUTHWEST ONE-QUARTER OF AFOREMENTIONED SECTION 31;
644 THENCE NORTH 00°01'11" EAST, ALONG THE EASTERLY LINES OF THOSE
645 LANDS DESCRIBED AND RECORDED IN OFFICIAL RECORDS BOOK 4656,

646 PAGE 1450, OFFICIAL RECORDS BOOK 4524, PAGE 2076, OFFICIAL
647 RECORDS BOOK 1953, PAGE 1211, AND OFFICIAL RECORDS BOOK 4255,
648 PAGE 692, ALL OF SAID PUBLIC RECORDS, A DISTANCE OF 2701.39
649 FEET TO THE SOUTHEAST CORNER OF THE WEST ONE-HALF OF
650 AFOREMENTIONED SECTION 30, ALSO BEING THE SOUTHEASTERLY CORNER
651 OF THOSE LANDS DESCRIBED AND RECORDED IN OFFICIAL RECORDS BOOK
652 2866, PAGE 437, OF SAID PUBLIC RECORDS; THENCE NORTH 00°39'03"
653 WEST, ALONG THE EAST LINE OF THE WEST ONE-HALF OF SAID SECTION
654 30, ALSO BEING THE EASTERLY LINE OF LAST SAID LANDS, THE
655 EASTERLY LINE OF PARCEL 1 AS DESCRIBED AND RECORDED IN
656 OFFICIAL RECORDS BOOK 4524, PAGE 334, THE EASTERLY LINE OF
657 THOSE LANDS DESCRIBED AND RECORDED IN OFFICIAL RECORDS BOOK
658 1833, PAGE 1130, THE EASTERLY TERMINUS OF DARLENE ROAD, A 60
659 FOOT RIGHT OF WAY AS DEPICTED ON IVY WOODS, RECORDED IN PLAT
660 BOOK 12, PAGES 58 THROUGH 59, AND ALONG THE EASTERLY LINE OF
661 SAID IVY WOODS, ALL OF SAID PUBLIC RECORDS, A DISTANCE OF
662 5059.98 FEET TO THE SOUTHWESTERLY CORNER OF THOSE LANDS
663 DESCRIBED AND RECORDED IN OFFICIAL RECORDS BOOK 3182, PAGE
664 389, OF SAID PUBLIC RECORDS; THENCE NORTH 89°13'26" EAST,
665 DEPARTING SAID EASTERLY LINE AND ALONG THE SOUTHERLY LINE OF
666 LAST SAID LANDS, 150.53 FEET TO THE SOUTHEASTERLY CORNER

667 | THEREOF; THENCE NORTH $00^{\circ}31'05''$ WEST, ALONG THE EASTERLY LINE
668 | THEREOF, 89.37 FEET TO A POINT LYING ON THE SOUTHWESTERLY
669 | RIGHT OF WAY LINE OF COUNTY ROAD NO. 218, A 100 FOOT RIGHT OF
670 | WAY AS PRESENTLY ESTABLISHED; THENCE SOUTHEASTERLY ALONG SAID
671 | SOUTHWESTERLY RIGHT OF WAY LINE THE FOLLOWING 5 COURSES:
672 | COURSE 1, THENCE SOUTH $58^{\circ}30'38''$ EAST, 4090.48 FEET TO A POINT
673 | ON A NON-TANGENT CURVE CONCAVE NORTHEASTERLY HAVING A RADIUS
674 | OF 5779.58 FEET; COURSE 2, THENCE SOUTHEASTERLY ALONG THE ARC
675 | OF SAID CURVE, THROUGH A CENTRAL ANGLE OF $15^{\circ}39'00''$, AN ARC
676 | LENGTH OF 1578.66 FEET TO THE POINT OF TANGENCY OF SAID CURVE,
677 | SAID ARC BEING SUBTENDED BY A CHORD BEARING AND DISTANCE OF
678 | SOUTH $66^{\circ}17'12''$ EAST, 1573.75 FEET; COURSE 3, THENCE SOUTH
679 | $74^{\circ}06'42''$ EAST, 4014.23 FEET TO THE POINT OF CURVATURE OF A
680 | CURVE CONCAVE SOUTHWESTERLY HAVING A RADIUS OF 1382.39 FEET;
681 | COURSE 4, THENCE SOUTHEASTERLY ALONG THE ARC OF SAID CURVE,
682 | THROUGH A CENTRAL ANGLE OF $74^{\circ}00'00''$, AN ARC LENGTH OF 1785.42
683 | FEET TO THE POINT OF TANGENCY OF SAID CURVE, SAID ARC BEING
684 | SUBTENDED BY A CHORD BEARING AND DISTANCE OF SOUTH $37^{\circ}06'42''$
685 | EAST, 1663.89 FEET; COURSE 5, THENCE SOUTH $00^{\circ}06'42''$ EAST,
686 | 35.03 FEET TO A POINT LYING ON THE SOUTHERLY LINE OF
687 | AFOREMENTIONED SECTION 28; THENCE NORTH $89^{\circ}33'23''$ EAST,

688 DEPARTING SAID SOUTHWESTERLY RIGHT OF WAY LINE AND ALONG SAID
689 SOUTHERLY LINE, ALSO BEING THE SOUTHERLY LINE OF THOSE LANDS
690 DESCRIBED AND RECORDED IN OFFICIAL RECORDS BOOK 3755, PAGE
691 1942, AND THE SOUTHERLY LINE OF TRACT "C", AS DEPICTED ON
692 ROYAL POINTE UNIT 2-A, RECORDED IN PLAT BOOK 58, PAGES 68
693 THROUGH 74, BOTH OF SAID PUBLIC RECORDS, 3133.31 FEET TO THE
694 SOUTHEAST CORNER OF SAID SECTION 28; THENCE NORTH 89°40'58"
695 EAST, ALONG THE SOUTHERLY LINE OF SECTION 27, TOWNSHIP 5
696 SOUTH, RANGE 25 EAST, SAID COUNTY, ALSO BEING THE SOUTHERLY
697 LINE OF THOSE LANDS DESCRIBED AND RECORDED IN OFFICIAL RECORDS
698 BOOK 3503, PAGE 1705, AND THE SOUTHERLY LINE OF SHADOW CREST
699 AT ROLLING HILLS, RECORDED IN PLAT BOOK 69, PAGES 50 THROUGH
700 63, BOTH OF SAID PUBLIC RECORDS, 2366.83 FEET TO THE SOUTH
701 ONE-QUARTER CORNER OF SAID SECTION 27; THENCE NORTH 89°41'07"
702 EAST, CONTINUING ALONG THE SOUTHERLY LINE OF SAID SECTION 27
703 AND SAID SHADOW CREST AT ROLLING HILLS, 2638.10 FEET TO THE
704 SOUTHEAST CORNER OF SAID SECTION 27; THENCE NORTH 89°49'50"
705 EAST, ALONG THE SOUTHERLY LINE OF SECTION 26, TOWNSHIP 5
706 SOUTH, RANGE 25 EAST, SAID COUNTY, ALSO BEING THE SOUTHERLY
707 LINE OF THOSE LANDS DESCRIBED AND RECORDED IN OFFICIAL RECORDS
708 BOOK 4622, PAGE 1013, OF SAID PUBLIC RECORDS, 2521.31 FEET TO

709 THE SOUTH ONE-QUARTER CORNER OF SAID SECTION 26; THENCE NORTH
710 89°49'51" EAST, CONTINUING ALONG SAID SOUTHERLY LINE OF
711 SECTION 26, THE SOUTHERLY LINE OF LAST SAID LANDS, THE
712 SOUTHERLY LINE OF THOSE LANDS DESCRIBED AND RECORDED IN
713 OFFICIAL RECORDS BOOK 4931, PAGE 4227, AND ALONG THE BOUNDARY
714 LINE OF NORTH PARCEL, AS DESCRIBED AND RECORDED IN SAID
715 OFFICIAL RECORDS BOOK 4892, PAGE 1323, ALL OF SAID PUBLIC
716 RECORDS, 2626.74 FEET TO THE NORTHWEST CORNER OF SECTION 36,
717 TOWNSHIP 5 SOUTH, RANGE 25 EAST, SAID COUNTY; THENCE SOUTH
718 00°23'50" EAST, CONTINUING ALONG SAID BOUNDARY LINE AND ALONG
719 THE WESTERLY LINE OF CATHEDRAL OAK PARKWAY PHASE 1 SECOND
720 REPLAT, RECORDED IN PLAT BOOK 71, PAGES 22 THROUGH 25 OF SAID
721 PUBLIC RECORDS, 2575.34 FEET; THENCE SOUTH 00°45'58" WEST,
722 CONTINUING ALONG SAID WESTERLY LINE AND ALONG AFOREMENTIONED
723 BOUNDARY LINE OF SOUTH PARCEL, 2707.68 FEET TO THE POINT OF
724 BEGINNING.

725 LESS AND EXCEPT THAT PORTION OF THE ABOVE DESCRIBED
726 LANDS LYING IN STATE ROAD NO. 23, A VARIABLE WIDTH RIGHT OF
727 WAY AS PRESENTLY ESTABLISHED.

728

729 LESS AND EXCEPT THAT PORTION OF THE ABOVE DESCRIBED
730 LANDS LYING IN COUNTY ROAD NO. 218, A 100 FOOT RIGHT OF WAY AS
731 PRESENTLY ESTABLISHED.

732 LESS AND EXCEPT THAT PORTION OF THE ABOVE DESCRIBED
733 LANDS LYING IN CATHEDRAL OAK PARKWAY, A VARIABLE WIDTH RIGHT
734 OF WAY AS PRESENTLY ESTABLISHED.

735 LESS AND EXCEPT THE FOLLOWING DESCRIBED LANDS:

736 THOSE LANDS DESCRIBED AND RECORDED IN OFFICIAL RECORDS
737 BOOK 2527, PAGE 10, OF THE PUBLIC RECORDS OF CLAY COUNTY,
738 FLORIDA.

739 THE SOUTHWEST ONE-QUARTER OF THE NORTHWEST ONE-QUARTER
740 AND THE WEST ONE-HALF OF THE NORTHWEST ONE-QUARTER OF THE
741 SOUTHWEST ONE-QUARTER OF SECTION 2, TOWNSHIP 6 SOUTH, RANGE 25
742 EAST, CLAY COUNTY, FLORIDA.

743 FARM US, BLOCK 12, AS DEPICTED ON PLAT "A" OF THE
744 FLORIDA FARMS AND INDUSTRIES COMPANY'S PROPERTY, RECORDED IN
745 PLAT BOOK 2, PAGE 27, OF THE PUBLIC RECORDS OF CLAY COUNTY,
746 FLORIDA.

747 THOSE LANDS DESCRIBED AND RECORDED IN OFFICIAL RECORDS
748 BOOK 2905, PAGE 547, OF THE PUBLIC RECORDS OF CLAY COUNTY,
749 FLORIDA.

750 THOSE LANDS DESCRIBED AND RECORDED IN OFFICIAL RECORDS
751 BOOK 4529, PAGE 1261, OF THE PUBLIC RECORDS OF CLAY COUNTY,
752 FLORIDA.

753 THE TOWN LIMITS OF PENNY FARMS AS DESCRIBED IN LAWS OF
754 FLORIDA 1974; CHAPTER 74-575 (HOUSE BILL NO. 3961).

755 ANY PORTION OF THE ABOVE-DESCRIBED LANDS LYING WITHIN
756 VOLUNTARY ANNEXATION ORDINANCE 2009-04 AS RECORDED IN OFFICIAL
757 RECORDS BOOK 3138 ON PAGE 1019 AND VOLUNTARY ANNEXATION
758 ORDINANCE 2014-03 AS RECORDED IN OFFICIAL RECORDS BOOK 3699 ON
759 PAGE 287 OF THE PUBLIC RECORDS OF CLAY COUNTY, FLORIDA.

760 LESS ALL EXCEPTIONS, CONTAINING 8463.30 ACRES, MORE OR
761 LESS.

762 FURTHER LESS AND EXCEPT ANY PORTION OF THE ABOVE
763 DESCRIBED LANDS LYING IN A PUBLIC OR PRIVATE RIGHT OF WAY.

764 Being subject to any rights-of-way, restrictions and easements
765 of record.

766 Section 5. Board of supervisors; members and meetings;
767 organization; powers; duties; terms of office; related
768 election requirements.—

769 (1) The board of the district shall exercise the
770 powers granted to the district pursuant to this act. The board

771 shall consist of five members, each of whom shall hold office
772 for a term of 4 years, as provided in this section, except as
773 otherwise provided herein for initial board members, and until
774 a successor is chosen and qualified. The members of the board
775 must be residents of the state and citizens of the United
776 States.

777 (2) (a) Within 90 days after the effective date of this
778 act, there shall be held a meeting of the landowners of the
779 district for the purpose of electing five supervisors for the
780 district. Notice of the landowners' meeting shall be published
781 once a week for 2 consecutive weeks in a newspaper that is in
782 general circulation in the area of the district, the last day
783 of such publication to be not fewer than 14 days or more than
784 28 days before the date of the election. The landowners, when
785 assembled at such meeting, shall organize by electing a chair,
786 who shall conduct the meeting. The chair may be any person
787 present at the meeting. If the chair is a landowner or proxy
788 holder of a landowner, he or she may nominate candidates and
789 make and second motions. The landowners present at the
790 meeting, in person or by proxy, shall constitute a quorum. At
791 any landowners' meeting, 50 percent of the district acreage

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

796 (b) At such meeting, each landowner shall be entitled
797 to cast one vote per acre of land owned by him or her and
798 located within the district for each person to be elected. A
799 landowner may vote in person or by proxy in writing. Each
800 proxy must be signed by one of the legal owners of the
801 property for which the vote is cast and must contain the typed
802 or printed name of the individual who signed the proxy; the
803 street address, legal description of the property, or tax
804 parcel identification number; and the number of authorized
805 votes. If the proxy authorizes more than one vote, each
806 property must be listed and the number of acres of each
807 property must be included. The signature on a proxy need not
808 be notarized. A fraction of an acre shall be treated as 1
809 acre, entitling the landowner to one vote with respect
810 thereto. The three candidates receiving the highest number of
811 votes shall each be elected for terms expiring November 26,
812 2030, and the two candidates receiving the next highest number

813 | of votes shall each be elected for terms expiring November 28,
814 | 2028, with the term of office for each successful candidate
815 | commencing upon election. The members of the first board
816 | elected by landowners shall serve their respective terms;
817 | however, the next election of board members shall be held on
818 | the first Tuesday after the first Monday in November 2028.
819 | Thereafter, there shall be an election by landowners for the
820 | district every 2 years on the first Tuesday after the first
821 | Monday in November, which shall be noticed pursuant to
822 | paragraph (a). The second and subsequent landowners' election
823 | shall be announced at a public meeting of the board at least
824 | 90 days before the date of the landowners' meeting and shall
825 | also be noticed pursuant to paragraph (a). Instructions on how
826 | all landowners may participate in the election, along with
827 | sample proxies, shall be provided during the board meeting
828 | that announces the landowners' meeting. Each supervisor
829 | elected in or after November 2028 shall serve a 4-year term.

830 | (3) (a)1. The board may not exercise the ad valorem
831 | taxing power authorized by this act until such time as all
832 | members of the board are qualified electors who are elected by
833 | qualified electors of the district.

834 2.a. Regardless of whether the district has proposed
835 to levy ad valorem taxes, board members shall begin being
836 elected by qualified electors of the district as the district
837 becomes populated with qualified electors. The transition
838 shall occur such that the composition of the board, after the
839 first general election following a trigger of the qualified
840 elector population thresholds set forth below, shall be as
841 follows:

842 (I) Once 1,500 qualified electors reside within the
843 district, one governing board member shall be a person who is
844 a qualified elector of the district and who was elected by the
845 qualified electors, and four governing board members shall be
846 persons who were elected by the landowners.

847 (II) Once 12,000 qualified electors reside within the
848 district, two governing board members shall be persons who are
849 qualified electors of the district and who were elected by the
850 qualified electors, and three governing board members shall be
851 persons elected who were by the landowners.

852 (III) Once 20,000 qualified electors reside within the
853 district, three governing board members shall be persons who
854 are qualified electors of the district and who were elected by

855 | the qualified electors and two governing board members shall
856 | be persons who were elected by the landowners.

857 | (IV) Once 24,000 qualified electors reside within the
858 | district, four governing board members shall be persons who
859 | are qualified electors of the district and who were elected by
860 | the qualified electors, and one governing board member shall
861 | be a person who was elected by the landowners.

862 | (V) Once 28,000 qualified electors reside within the
863 | district, all five governing board members shall be persons
864 | who are qualified electors of the district and who were
865 | elected by the qualified electors.

866 | Nothing in this sub-subparagraph is intended to require an
867 | election prior to the expiration of an existing board member's
868 | term.

869 | b. On or before June 1 of each election year, the
870 | board shall determine the number of qualified electors in the
871 | district as of the immediately preceding April 15. The board
872 | shall use and rely upon the official records maintained by the
873 | supervisor of elections and property appraiser or tax
874 | collector in Clay County in making this determination. Such
875 | determination shall be made at a properly noticed meeting of

876 the board and shall become a part of the official minutes of
877 the district.

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

881 d. All governing board members elected by qualified
882 electors shall reside in the district.

883 e. Once the district qualifies to have any of its
884 board members elected by the qualified electors of the
885 district, the initial and all subsequent elections by the
886 qualified electors of the district shall be held at the
887 general election in November. The board shall adopt a
888 resolution, if necessary, to implement this requirement. The
889 transition process described herein is intended to be in lieu
890 of the process set forth in s. 189.041, Florida Statutes.

891 (b) Elections of board members by qualified electors
892 held pursuant to this subsection shall be nonpartisan and
893 shall be conducted in the manner prescribed by law for holding
894 general elections. Board members shall assume the office on
895 the second Tuesday following their election.

896 (c) Candidates seeking election to office by qualified
897 electors under this subsection shall conduct their campaigns
898 in accordance with chapter 106, Florida Statutes, and shall
899 file qualifying papers and qualify for individual seats in
900 accordance with s. 99.061, Florida Statutes.

901 (d) The supervisor of elections shall appoint the
902 inspectors and clerks of elections, prepare and furnish the
903 ballots, designate polling places, and canvass the returns of
904 the election of board members by qualified electors. The
905 county canvassing board shall declare and certify the results
906 of the election.

907 (4) Members of the board, regardless of how elected,
908 shall be public officers, shall be known as supervisors, and,
909 upon entering into office, shall take and subscribe to the
910 oath of office as prescribed by s. 876.05, Florida Statutes.
911 Members of the board shall be subject to ethics and conflict
912 of interest laws of the state that apply to all local public
913 officers. They shall hold office for the terms for which they
914 were elected or appointed and until their successors are
915 chosen and qualified. If, during the term of office, a vacancy
916 occurs, the remaining members of the board shall fill each

917 vacancy by an appointment for the remainder of the unexpired
918 term.

919 (5) Any elected member of the board of supervisors may
920 be removed by the Governor for malfeasance, misfeasance,
921 dishonesty, incompetency, or failure to perform the duties
922 imposed upon him or her by this act, and any vacancies that
923 may occur in such office for such reasons shall be filled by
924 the Governor as soon as practicable.

925 (6) A majority of the members of the board constitutes
926 a quorum for the purposes of conducting its business and
927 exercising its powers and for all other purposes. Action taken
928 by the district shall be upon a vote of a majority of the
929 members present unless general law or a rule of the district
930 requires a greater number.

931 (7) As soon as practicable after each election or
932 appointment, the board shall organize by electing one of its
933 members as chair and by electing a secretary, who need not be
934 a member of the board, and such other officers as the board
935 may deem necessary.

936 (8) The board shall keep a permanent record book
937 entitled "Record of Proceedings of Shadowlawn Stewardship

938 District," in which shall be recorded minutes of all meetings,
939 resolutions, proceedings, certificates, bonds given by all
940 employees, and any and all corporate acts. The record book and
941 all other district records shall at reasonable times be opened
942 to inspection in the same manner as state, county, and
943 municipal records pursuant to chapter 119, Florida Statutes.
944 The record book shall be kept at the office or other regular
945 place of business maintained by the board in a designated
946 location in Clay County.

947 (9) No supervisor shall be entitled to receive
948 compensation for his or her services in excess of the limits
949 established in s. 190.006(8), Florida Statutes, or any
950 successor statute thereto; however, each supervisor shall
951 receive travel and per diem expenses as set forth in s.
952 112.061, Florida Statutes.

953 (10) All meetings of the board shall be open to the
954 public and governed by chapter 286, Florida Statutes.

955 Section 6. Board of supervisors; general duties.—

956 (1) DISTRICT MANAGER AND EMPLOYEES.—The board shall
957 employ and fix the compensation of a district manager, who
958 shall have charge and supervision of the works of the district

959 and shall be responsible for preserving and maintaining any
960 improvement or facility constructed or erected pursuant of
961 this act, for maintaining and operating the equipment owned by
962 the district, and for performing such other duties as may be
963 prescribed by the board. It shall not be a conflict of
964 interest or constitute an abuse of public position under
965 chapter 112, Florida Statutes, for a board member, the
966 district manager, or another employee of the district to be a
967 stockholder, officer, or employee of a landowner or an
968 affiliate of a landowner. The district manager may hire or
969 otherwise employ and terminate the employment of such other
970 persons, including, without limitation, professional,
971 supervisory, and clerical employees, as may be necessary and
972 authorized by the board. The compensation and other conditions
973 of employment of the officers and employees of the district
974 shall be as provided by the board.

975 (2) TREASURER.—The board shall designate a person who
976 is a resident of the state as treasurer of the district, who
977 shall have charge of the funds of the district. Such funds
978 shall be disbursed only upon the order of or pursuant to a
979 resolution of the board by warrant or check countersigned by

980 the treasurer and by such other person as may be authorized by
981 the board. The board may give the treasurer such other or
982 additional powers and duties as the board may deem appropriate
983 and may fix his or her compensation. The board may require the
984 treasurer to give a bond in such amount, on such terms, and
985 with such sureties as may be deemed satisfactory to the board
986 to secure the performance by the treasurer of his or her
987 powers and duties. The financial records of the board shall be
988 audited by an independent certified public accountant in
989 accordance with the requirements of general law.

990 (3) PUBLIC DEPOSITORY.—The board is authorized to
991 select as a depository for its funds any qualified public
992 depository as defined in s. 280.02, Florida Statutes, which
993 meets all the requirements of chapter 280, Florida Statutes,
994 and has been designated by the treasurer as a qualified public
995 depository upon such terms and conditions as to the payment of
996 interest by such depository upon the funds so deposited as the
997 board may deem just and reasonable.

998 (4) BUDGET; REPORTS AND REVIEWS.—

999 (a) The district shall provide financial reports in
1000 such form and such manner as prescribed pursuant to this act

1001 and chapter 218, Florida Statutes, as amended from time to
1002 time.

1003 (b) On or before July 15 of each year, the district
1004 manager shall prepare a proposed budget for the ensuing fiscal
1005 year to be submitted to the board for board approval. The
1006 proposed budget shall include at the direction of the board an
1007 estimate of all necessary expenditures of the district for the
1008 ensuing fiscal year and an estimate of income to the district
1009 from the taxes and assessments provided in this act. The board
1010 shall consider the proposed budget item by item and may either
1011 approve the budget as proposed by the district manager or
1012 modify the same in part or in whole. The board shall indicate
1013 its approval of the budget by resolution, which resolution
1014 shall provide for a hearing on the budget as approved. Notice
1015 of the hearing on the budget shall be published in a newspaper
1016 of general circulation in the area of the district once a week
1017 for 2 consecutive weeks, except that the first publication
1018 shall be no less than 15 days prior to the date of the
1019 hearing. The notice shall further contain a designation of the
1020 day, time, and place of the public hearing. At the time and
1021 place designated in the notice, the board shall hear all

1022 objections to the budget as proposed and may make such changes
1023 as the board deems necessary. At the conclusion of the budget
1024 hearing, the board shall, by resolution, adopt the budget as
1025 finally approved by the board. The budget shall be adopted
1026 prior to October 1 of each year.

1027 (c) At least 60 days prior to adoption, the board of
1028 supervisors of the district shall submit to the Board of
1029 County Commissioners of Clay County, for purposes of
1030 disclosure and information only, the proposed annual budget
1031 for the ensuing fiscal year, and the commission may submit
1032 written comments to the board of supervisors solely for the
1033 assistance and information of the board of supervisors of the
1034 district in adopting its annual district budget.

1035 (d) The board of supervisors of the district shall
1036 submit annually a public facilities report to the Board of
1037 County Commissioners of Clay County pursuant to Florida
1038 Statutes. The commission may use and rely on the district's
1039 public facilities report in the preparation or revision of the
1040 Clay County comprehensive plan.

1041 (5) DISCLOSURE OF PUBLIC INFORMATION; WEB-BASED PUBLIC
1042 ACCESS.—The district shall take affirmative steps to provide

1043 for the full disclosure of information relating to the public
1044 financing and maintenance of improvements to real property
1045 undertaken by the district. Such information shall be made
1046 available to all existing residents and all prospective
1047 residents of the district. The district shall furnish each
1048 developer of a residential development within the district
1049 with sufficient copies of that information to provide each
1050 prospective initial purchaser of property in that development
1051 with a copy; and any developer of a residential development
1052 within the district, when required by law to provide a public
1053 offering statement, shall include a copy of such information
1054 relating to the public financing and maintenance of
1055 improvements in the public offering statement. The district
1056 shall file the disclosure documents required by this
1057 subsection and any amendments thereto in the property records
1058 of each county in which the district is located. By the end of
1059 the first full fiscal year of the district's creation, the
1060 district shall maintain an official Internet website in
1061 accordance with s. 189.069, Florida Statutes.

1062 (6) GENERAL POWERS.—The district shall have, and the
1063 board may exercise, the following general powers:

1064 (a) To sue and be sued in the name of the district; to
1065 adopt and use a seal and authorize the use of a facsimile
1066 thereof; to acquire, by purchase, gift, devise, or otherwise,
1067 and to dispose of, real and personal property, or any estate
1068 therein; and to make and execute contracts and other
1069 instruments necessary or convenient to the exercise of its
1070 powers.

1071 (b) To apply for coverage of its employees under the
1072 Florida Retirement System in the same manner as if such
1073 employees were state employees.

1074 (c) To contract for the services of consultants to
1075 perform planning, engineering, legal, or other appropriate
1076 services of a professional nature. Such contracts shall be
1077 subject to public bidding or competitive negotiation
1078 requirements as set forth in general law applicable to
1079 independent special districts.

1080 (d) To borrow money and accept gifts; to apply for and
1081 use grants or loans of money or other property from the United
1082 States, the state, a unit of local government, or any person
1083 for any district purposes and enter into agreements required
1084 in connection therewith; and to hold, use, and dispose of such

1085 moneys or property for any district purposes in accordance
1086 with the terms of the gift, grant, loan, or agreement relating
1087 thereto.

1088 (e) To adopt and enforce rules and orders pursuant to
1089 chapter 120, Florida Statutes, prescribing the powers, duties,
1090 and functions of the officers of the district; the conduct of
1091 the business of the district; the maintenance of records; and
1092 the form of certificates evidencing tax liens and all other
1093 documents and records of the district. The board may also
1094 adopt and enforce administrative rules with respect to any of
1095 the projects of the district and define the area to be
1096 included therein. The board may also adopt resolutions which
1097 may be necessary for the conduct of district business.

1098 (f) To maintain an office at such place or places as
1099 the board of supervisors designates in Clay County and within
1100 the district when facilities are available.

1101 (g) To hold, control, and acquire by donation,
1102 purchase, or condemnation, or dispose of, any public
1103 easements, dedications to public use, platted reservations for
1104 public purposes, or any reservations for those purposes
1105 authorized by this act and to make use of such easements,

1106 dedications, or reservations for the purposes authorized by
1107 this act.

1108 (h) To lease as lessor or lessee to or from any
1109 person, firm, corporation, association, or body, public or
1110 private, any projects of the type that the district is
1111 authorized to undertake and facilities or property of any
1112 nature for the use of the district to carry out the purposes
1113 authorized by this act.

1114 (i) To borrow money and issue bonds, certificates,
1115 warrants, notes, or other evidence of indebtedness as provided
1116 herein; to levy such taxes and assessments as may be
1117 authorized; and to charge, collect, and enforce fees and other
1118 user charges.

1119 (j) To raise, by user charges or fees authorized by
1120 resolution of the board, amounts of money which are necessary
1121 for the conduct of district activities and services and to
1122 enforce their receipt and collection in the manner prescribed
1123 by resolution not inconsistent with law.

1124 (k) To exercise all powers of eminent domain now or
1125 hereafter conferred on counties in this state provided,
1126 however, that such power of eminent domain may not be

1127 exercised outside the territorial limits of the district
1128 unless the district receives prior approval by vote of a
1129 resolution of the governing body of the county if the taking
1130 will occur in an unincorporated area in that county, or the
1131 governing body of the city if the taking will occur in an
1132 incorporated area. The district shall not have the power to
1133 exercise eminent domain over municipal, county, state, or
1134 federal property. The powers hereinabove granted to the
1135 district shall be so construed to enable the district to
1136 fulfill the objects and purposes of the district as set forth
1137 in this act.

1138 (1) To cooperate with, or contract with, other
1139 governmental agencies as may be necessary, convenient,
1140 incidental, or proper in connection with any of the powers,
1141 duties, or purposes authorized by this act.

1142 (m) To assess and to impose upon lands in the district
1143 ad valorem taxes as provided by this act.

1144 (n) If and when authorized by general law, to
1145 determine, order, levy, impose, collect, and enforce
1146 maintenance taxes.

1147 (o) To determine, order, levy, impose, collect, and
1148 enforce assessments pursuant to this act and chapter 170,
1149 Florida Statutes, as amended from time to time, pursuant to
1150 authority granted in s. 197.3631, Florida Statutes, or
1151 pursuant to other provisions of general law now or hereinafter
1152 enacted which provide or authorize a supplemental means to
1153 order, levy, impose, or collect special assessments. Such
1154 special assessments, in the discretion of the district, may be
1155 collected and enforced pursuant to ss. 197.3632 and 197.3635,
1156 Florida Statutes, and chapters 170 and 173, Florida Statutes,
1157 as they may be amended from time to time, or as provided by
1158 this act, or by other means authorized by general law now or
1159 hereinafter enacted. The district may levy such special
1160 assessments for the purposes enumerated in this act and to pay
1161 special assessments imposed by Clay County on lands within the
1162 district.

1163 (p) To exercise such special powers and other express
1164 powers as may be authorized and granted by this act in the
1165 charter of the district, including powers as provided in any
1166 interlocal agreement entered into pursuant to chapter 163,
1167 Florida Statutes, or which shall be required or permitted to

1168 | be undertaken by the district pursuant to any development
1169 | order, including any detailed specific area plan development
1170 | order, or any interlocal service agreement with Clay County or
1171 | other unit of government for fair-share capital construction
1172 | funding for any certain capital facilities or systems required
1173 | of a developer pursuant to any applicable development order or
1174 | agreement.

1175 | (q) To exercise all of the powers necessary,
1176 | convenient, incidental, or proper in connection with any other
1177 | powers or duties or the special and limited purpose of the
1178 | district authorized by this act.

1179 |
1180 | This subsection shall be construed liberally in order to carry
1181 | out effectively the special and limited purpose of this act.

1182 | (7) SPECIAL POWERS.—The district shall have, and the
1183 | board may exercise, the following special powers to implement
1184 | its lawful and special purpose and to provide, pursuant to
1185 | that purpose, systems, facilities, services, improvements,
1186 | projects, works, and infrastructure, each of which constitutes
1187 | a lawful public purpose when exercised pursuant to this
1188 | charter, subject to, and not inconsistent with, general law

1189 regarding utility providers' territorial and service
1190 agreements, the regulatory jurisdiction and permitting
1191 authority of all other applicable governmental bodies,
1192 agencies, and any special districts having authority with
1193 respect to any area included therein, and to plan, establish,
1194 acquire, construct or reconstruct, enlarge or extend, equip,
1195 operate, finance, fund, and maintain improvements, systems,
1196 facilities, services, works, projects, and infrastructure. Any
1197 or all of the following special powers are granted by this act
1198 in order to implement the special and limited purpose of the
1199 district but do not constitute obligations to undertake such
1200 improvements, systems, facilities, services, works, projects
1201 or infrastructure:

1202 (a) To provide water management and control for the
1203 lands within the district, including irrigation systems and
1204 facilities, and to connect some or any of such facilities with
1205 roads and bridges. In the event that the board assumes the
1206 responsibility for providing water management and control for
1207 the district which is to be financed by benefit special
1208 assessments, the board shall adopt plans and assessments
1209 pursuant to law or may proceed to adopt water management and

1210 control plans, assess for benefits, and apportion and levy
1211 special assessments, as follows:

1212 1. The board shall cause to be made by the district's
1213 engineer, or such other engineer or engineers as the board may
1214 employ for that purpose, complete and comprehensive water
1215 management and control plans for the lands located within the
1216 district that will be improved in any part or in whole by any
1217 system of facilities that may be outlined and adopted, and the
1218 engineer shall make a report in writing to the board with maps
1219 and profiles of said surveys and an estimate of the cost of
1220 carrying out and completing the plans.

1221 2. Upon the completion of such plans, the board shall
1222 hold a hearing thereon to hear objections thereto, shall give
1223 notice of the time and place fixed for such hearing by
1224 publication once each week for 2 consecutive weeks in a
1225 newspaper of general circulation in the general area of the
1226 district, and shall permit the inspection of the plan at the
1227 office of the district by all persons interested. All
1228 objections to the plan shall be filed at or before the time
1229 fixed in the notice for the hearing and shall be in writing.

1230 3. After the hearing, the board shall consider the
1231 proposed plan and any objections thereto and may modify,
1232 reject, or adopt the plan or continue the hearing until a day
1233 certain for further consideration of the proposed plan or
1234 modifications thereof.

1235 4. When the board approves a plan, a resolution shall
1236 be adopted and a certified copy thereof shall be filed in the
1237 office of the secretary and incorporated by him or her into
1238 the records of the district.

1239 5. The water management and control plan may be
1240 altered in detail from time to time until the engineer's
1241 report pursuant to s. 298.301, Florida Statutes, is filed but
1242 not in such manner as to affect materially the conditions of
1243 its adoption. After the engineer's report has been filed, no
1244 alteration of the plan shall be made, except as provided by
1245 this act.

1246 6. Within 20 days after the final adoption of the plan
1247 by the board, the board shall proceed pursuant to s. 298.301,
1248 Florida Statutes.

1249 (b) To provide utility systems, water supply, sewer,
1250 wastewater, and reclaimed water management, reclamation, and

1251 reuse, or any combination thereof, and any irrigation systems,
1252 facilities, and services and to construct and operate water
1253 systems, sewer systems, irrigation systems, and reclaimed
1254 water systems such as connecting intercepting or outlet sewers
1255 and sewer mains and pipes and water mains, conduits, or
1256 pipelines in, along, and under any street, alley, highway, or
1257 other public place or ways, and to dispose of any water,
1258 effluent, residue, or other byproducts of such water system,
1259 sewer system, irrigation system or reclaimed water system and
1260 to enter into interlocal agreements and other agreements with
1261 public or private entities for the same.

1262 (c) To provide bridges, culverts, wildlife corridors,
1263 or road crossings that may be needed across any drain, ditch,
1264 canal, floodway, holding basin, excavation, public highway,
1265 tract, grade, fill, or cut and roadways over levees and
1266 embankments, and to construct any and all of such works and
1267 improvements across, through, or over any public right-of-way,
1268 highway, grade, fill, or cut.

1269 (d) To provide district or other roads equal to or
1270 exceeding the specifications of the county in which such
1271 district or other roads are located, and to provide street

1272 lights. This special power includes, but is not limited to,
1273 roads, parkways, intersections, bridges, landscaping,
1274 hardscaping, irrigation, bicycle lanes, sidewalks, jogging
1275 paths, multiuse pathways and trails, street lighting, traffic
1276 signals, regulatory or informational signage, road striping,
1277 underground conduit, underground cable or fiber or wire
1278 installed pursuant to an agreement with or tariff of a retail
1279 provider of services, and all other customary elements of a
1280 functioning modern road system in general or as tied to the
1281 conditions of development approval for the area within and
1282 without the district, and parking facilities that are
1283 freestanding or that may be related to any innovative
1284 strategic intermodal system of transportation pursuant to
1285 applicable federal, state, and local law and ordinance.

1286 (e) To provide buses, trolleys, rail access, mass
1287 transit facilities, transit shelters, ridesharing facilities
1288 and services, parking improvements, and related signage.

1289 (f) To provide investigation and remediation costs
1290 associated with the cleanup of actual or perceived
1291 environmental contamination within the district under the
1292 supervision or direction of a competent governmental authority

1293 unless the covered costs benefit any person who is a landowner
1294 within the district and who caused or contributed to the
1295 contamination.

1296 (g) To provide observation areas, mitigation areas,
1297 wetland creation areas, and wildlife habitat, including the
1298 maintenance of any plant or animal species, and any related
1299 interest in real or personal property.

1300 (h) Using its general and special powers as set forth
1301 in this act, to provide any other project within or without
1302 the boundaries of the district when the project is the subject
1303 of an agreement between the district and the Board of County
1304 Commissioners of Clay County or with any other applicable
1305 public or private entity, and is not inconsistent with the
1306 effective local comprehensive plans.

1307 (i) To provide parks and facilities for indoor and
1308 outdoor recreational, cultural, and educational uses.

1309 (j) To provide school buildings and related
1310 structures, which may be leased, sold, or donated to the
1311 school district, for use in the educational system when
1312 authorized by the district school board.

1313 (k) To provide security, including electronic
1314 intrusion-detection systems and patrol vehicles, when
1315 authorized by proper governmental agencies, and to contract
1316 with the appropriate local general-purpose government agencies
1317 for an increased level of such services within the district
1318 boundaries. However, this paragraph does not prohibit the
1319 district from contracting with a towing operator to remove a
1320 vehicle or vessel from a district-owned facility or property
1321 if the district follows the authorization and notice and
1322 procedural requirements in s. 715.07, Florida Statutes, for an
1323 owner or lessee of private property. The district's selection
1324 of a towing operator is not subject to public bidding if the
1325 towing operator is included in an approved list of tow
1326 operators maintained by the local government that has
1327 jurisdiction over the district's facility or property.

1328 (l) To provide control and elimination of mosquitoes
1329 and other arthropods of public health importance.

1330 (m) To enter into impact fee, mobility fee, or other
1331 similar credit agreements with Clay County or other
1332 governmental bodies or a landowner developer and to sell or

1333 assign such credits, on such terms as the district deems
1334 appropriate.

1335 (n) To provide buildings and structures for district
1336 offices, maintenance facilities, meeting facilities, town
1337 centers, stadiums or any other project authorized or granted
1338 by this act.

1339 (o) To establish and create, at noticed meetings, such
1340 departments of the board of supervisors of the district, as
1341 well as committees, task forces, boards, or commissions, or
1342 other agencies under the supervision and control of the
1343 district, as from time to time the members of the board may
1344 deem necessary or desirable in the performance of the acts or
1345 other things necessary to exercise the board's general or
1346 special powers to implement an innovative project to carry out
1347 the special and limited purpose of the district as provided in
1348 this act and to delegate the exercise of its powers to such
1349 departments, boards, task forces, committees, or other
1350 agencies, and such administrative duties and other powers as
1351 the board may deem necessary or desirable, but only if there
1352 is a set of expressed limitations for accountability, notice,

1353 and periodic written reporting to the board that shall retain
1354 the powers of the board.

1355 (p) To provide electrical, sustainable, or green
1356 infrastructure improvements, facilities, and services,
1357 including, but not limited to, recycling of natural resources,
1358 reduction of energy demands, development and generation of
1359 alternative or renewable energy sources and technologies,
1360 mitigation of urban heat islands, sequestration, capping or
1361 trading of carbon emissions or carbon emissions credits, LEED
1362 or Florida Green Building Coalition certification, and
1363 development of facilities and improvements for low-impact
1364 development and to enter into joint ventures, public-private
1365 partnerships, and other agreements and to grant such easements
1366 as may be necessary to accomplish the foregoing. Nothing
1367 herein shall authorize the district to provide electric
1368 service to retail customers or otherwise act to impair
1369 electric utility franchise agreements.

1370 (q) To provide for any facilities or improvements that
1371 may otherwise be provided for by any county or municipality,
1372 including, but not limited to, libraries, annexes,

1373 substations, and other buildings to house public officials,
1374 staff, and employees.

1375 (r) To provide waste collection and disposal.

1376 (s) To provide for the construction and operation of
1377 communications systems and related infrastructure for the
1378 carriage and distribution of communications services, and to
1379 enter into joint ventures, public-private partnerships, and
1380 other agreements and to grant such easements as may be
1381 necessary to accomplish the foregoing. The term
1382 "communications systems" means all facilities, buildings,
1383 equipment, items, and methods necessary or desirable in order
1384 to provide communications services, including, without
1385 limitation, wires, cables, conduits, wireless cell sites,
1386 computers, modems, satellite antennae sites, transmission
1387 facilities, network facilities, and appurtenant devices
1388 necessary and appropriate to support the provision of
1389 communications services. The term "communications services"
1390 includes, without limitation, Internet, voice telephone or
1391 similar services provided by voiceover Internet protocol,
1392 cable television, data transmission services, electronic
1393 security monitoring services, and multichannel video

1394 programming distribution services. Nothing herein shall
1395 authorize the district to provide communications services to
1396 retail customers or otherwise act to impair existing service
1397 provider franchise agreements, though the district may
1398 contract with such providers for resale purposes.

1399 (t) To provide health care facilities and to enter
1400 into public-private partnerships and agreements as may be
1401 necessary to accomplish the foregoing.

1402 (u) To coordinate, work with, and, as the board deems
1403 appropriate, enter into interlocal agreements with any public
1404 or private entity for the provision of an institution or
1405 institutions of higher education.

1406 (v) To coordinate, work with, and as the board deems
1407 appropriate, enter into public-private partnerships and
1408 agreements as may be necessary or useful to effectuate the
1409 purposes of this act.

1410 The enumeration of special powers herein shall not be deemed
1411 exclusive or restrictive but shall be deemed to incorporate
1412 all powers express or implied necessary or incidental to
1413 carrying out such enumerated special powers, including also
1414 the general powers provided by this special act charter to the

1415 | district to implement its purposes. Further, this subsection
1416 | shall be construed liberally in order to carry out effectively
1417 | the special and limited purpose of this district under this
1418 | act.

1419 | (8) ISSUANCE OF BOND ANTICIPATION NOTES.—In addition
1420 | to the other powers provided for in this act, and not in
1421 | limitation thereof, the district shall have the power, at any
1422 | time and from time to time after the issuance of any bonds of
1423 | the district shall have been authorized, to borrow money for
1424 | the purposes for which such bonds are to be issued in
1425 | anticipation of the receipt of the proceeds of the sale of
1426 | such bonds and to issue bond anticipation notes in a principal
1427 | sum not in excess of the authorized maximum amount of such
1428 | bond issue. Such notes shall be in such denomination or
1429 | denominations, bear interest at such rate not to exceed the
1430 | maximum rate allowed by general law, mature at such time or
1431 | times not later than 5 years from the date of issuance, and be
1432 | in such form and executed in such manner as the board shall
1433 | prescribe. Such notes may be sold at either public or private
1434 | sale or, if such notes shall be renewal notes, may be
1435 | exchanged for notes then outstanding on such terms as the

1436 board shall determine. Such notes shall be paid from the
1437 proceeds of such bonds when issued. The board may, in its
1438 discretion, in lieu of retiring the notes by means of bonds,
1439 retire them by means of current revenues or from any taxes or
1440 assessments levied for the payment of such bonds, but, in such
1441 event, a like amount of the bonds authorized shall not be
1442 issued.

1443 (9) BORROWING.—The district at any time may obtain
1444 loans, in such amount and on such terms and conditions as the
1445 board may approve, for the purpose of paying any of the
1446 expenses of the district or any costs incurred or that may be
1447 incurred in connection with any of the projects of the
1448 district, which loans shall bear interest as the board
1449 determines, not to exceed the maximum rate allowed by general
1450 law, and may be payable from and secured by a pledge of such
1451 funds, revenues, taxes, and assessments as the board may
1452 determine, subject, however, to the provisions contained in
1453 any proceeding under which bonds were theretofore issued and
1454 are then outstanding. For the purpose of defraying such costs
1455 and expenses, the district may issue negotiable notes,
1456 warrants, or other evidences of debt to be payable at such

1457 times and to bear such interest as the board may determine,
1458 not to exceed the maximum rate allowed by general law, and to
1459 be sold or discounted at such price or prices not less than 95
1460 percent of par value and on such terms as the board may deem
1461 advisable. The board shall have the right to provide for the
1462 payment thereof by pledging the whole or any part of the
1463 funds, revenues, taxes, and assessments of the district or by
1464 covenanting to budget and appropriate from such funds. The
1465 approval of the electors residing in the district shall not be
1466 necessary except when required by the State Constitution.

1467 (10) BONDS.—

1468 (a) Sale of bonds.—Bonds may be sold in blocks or
1469 installments at different times, or an entire issue or series
1470 may be sold at one time. Bonds may be sold at public or
1471 private sale after such advertisement, if any, as the board
1472 may deem advisable, but not in any event at less than 90
1473 percent of the par value thereof, together with accrued
1474 interest thereon. Bonds may be sold or exchanged for refunding
1475 bonds. Special assessment and revenue bonds may be delivered
1476 by the district as payment of the purchase price of any
1477 project or part thereof, or a combination of projects or parts

1478 | thereof, or as the purchase price or exchange for any
1479 | property, real, personal, or mixed, including franchises or
1480 | services rendered by any contractor, engineer, or other
1481 | person, all at one time or in blocks from time to time, in
1482 | such manner and upon such terms as the board in its discretion
1483 | shall determine. The price or prices for any bonds sold,
1484 | exchanged, or delivered may be:

1485 | 1. The money paid for the bonds.

1486 | 2. The principal amount, plus accrued interest to the
1487 | date of redemption or exchange, or outstanding obligations
1488 | exchanged for refunding bonds.

1489 | 3. In the case of special assessment or revenue bonds,
1490 | the amount of any indebtedness to contractors or other persons
1491 | paid with such bonds, or the fair value of any properties
1492 | exchanged for the bonds, as determined by the board.

1493 | (b) Authorization and form of bonds.—Any general
1494 | obligation bonds, special assessment bonds, or revenue bonds
1495 | may be authorized by resolution or resolutions of the board
1496 | which shall be adopted by a majority of all the members
1497 | thereof then in office. Such resolution or resolutions may be
1498 | adopted at the same meeting at which they are introduced and

1499 need not be published or posted. The board may, by resolution,
1500 authorize the issuance of bonds and fix the aggregate amount
1501 of bonds to be issued; the purpose or purposes for which the
1502 moneys derived therefrom shall be expended, including, but not
1503 limited to, payment of costs as defined in section 2(2)(i); the
1504 rate or rates of interest, not to exceed the maximum rate
1505 allowed by general law; the denomination of the bonds; whether
1506 or not the bonds are to be issued in one or more series; the
1507 date or dates of maturity, which shall not exceed 40 years
1508 from their respective dates of issuance; the medium of
1509 payment; the place or places within or without the state at
1510 which payment shall be made; registration privileges;
1511 redemption terms and privileges, whether with or without
1512 premium; the manner of execution; the form of the bonds,
1513 including any interest coupons to be attached thereto; the
1514 manner of execution of bonds and coupons; and any and all
1515 other terms, covenants, and conditions thereof and the
1516 establishment of revenue or other funds. Such authorizing
1517 resolution or resolutions may further provide for the
1518 contracts authorized by s. 159.825(1)(f) and (g), Florida
1519 Statutes, regardless of the tax treatment of such bonds being

1520 authorized, subject to the finding by the board of a net
1521 saving to the district resulting by reason thereof. Such
1522 authorizing resolution may further provide that such bonds may
1523 be executed in accordance with the Registered Public
1524 Obligations Act, except that bonds not issued in registered
1525 form shall be valid if manually countersigned by an officer
1526 designated by appropriate resolution of the board. The seal of
1527 the district may be affixed, lithographed, engraved, or
1528 otherwise reproduced in facsimile on such bonds. In case any
1529 officer whose signature shall appear on any bonds or coupons
1530 shall cease to be such officer before the delivery of such
1531 bonds, such signature or facsimile shall nevertheless be valid
1532 and sufficient for all purposes the same as if he or she had
1533 remained in office until such delivery.

1534 (c) Interim certificates; replacement certificates.—
1535 Pending the preparation of definitive bonds, the board may
1536 issue interim certificates or receipts or temporary bonds, in
1537 such form and with such provisions as the board may determine,
1538 exchangeable for definitive bonds when such bonds have been
1539 executed and are available for delivery. The board may also

1540 provide for the replacement of any bonds which become
1541 mutilated, lost, or destroyed.

1542 (d) Negotiability of bonds.—Any bond issued under this
1543 act or any temporary bond, in the absence of an express
1544 recital on the face thereof that it is nonnegotiable, shall be
1545 fully negotiable and shall be and constitute a negotiable
1546 instrument within the meaning and for all purposes of the law
1547 merchant and the laws of the state.

1548 (e) Defeasance.—The board may make such provision with
1549 respect to the defeasance of the right, title, and interest of
1550 the holders of any of the bonds and obligations of the
1551 district in any revenues, funds, or other properties by which
1552 such bonds are secured as the board deems appropriate and,
1553 without limitation on the foregoing, may provide that when
1554 such bonds or obligations become due and payable or shall have
1555 been called for redemption and the whole amount of the
1556 principal and interest and premium, if any, due and payable
1557 upon the bonds or obligations then outstanding shall be held
1558 in trust for such purpose, and provision shall also be made
1559 for paying all other sums payable in connection with such
1560 bonds or other obligations, then and in such event the right,

1561 title, and interest of the holders of the bonds in any
1562 revenues, funds, or other properties by which such bonds are
1563 secured shall thereupon cease, terminate, and become void; and
1564 the board may apply any surplus in any sinking fund
1565 established in connection with such bonds or obligations and
1566 all balances remaining in all other funds or accounts other
1567 than moneys held for the redemption or payment of the bonds or
1568 other obligations to any lawful purpose of the district as the
1569 board shall determine.

1570 (f) Issuance of additional bonds.—If the proceeds of
1571 any bonds are less than the cost of completing the project in
1572 connection with which such bonds were issued, the board may
1573 authorize the issuance of additional bonds, upon such terms
1574 and conditions as the board may provide in the resolution
1575 authorizing the issuance thereof, but only in compliance with
1576 the resolution or other proceedings authorizing the issuance
1577 of the original bonds.

1578 (g) Refunding bonds.—The district shall have the power
1579 to issue bonds to provide for the retirement or refunding of
1580 any bonds or obligations of the district that at the time of
1581 such issuance are or subsequent thereto become due and

1582 payable, or that at the time of issuance have been called or
1583 are, or will be, subject to call for redemption within 10
1584 years thereafter, or the surrender of which can be procured
1585 from the holders thereof at prices satisfactory to the board.
1586 Refunding bonds may be issued at any time that in the judgment
1587 of the board such issuance will be advantageous to the
1588 district. No approval of the qualified electors residing in
1589 the district shall be required for the issuance of refunding
1590 bonds except in cases in which such approval is required by
1591 the State Constitution. The board may by resolution confer
1592 upon the holders of such refunding bonds all rights, powers,
1593 and remedies to which the holders would be entitled if they
1594 continued to be the owners and had possession of the bonds for
1595 the refinancing of which such refunding bonds are issued,
1596 including, but not limited to, the preservation of the lien of
1597 such bonds on the revenues of any project or on pledged funds,
1598 without extinguishment, impairment, or diminution thereof. The
1599 provisions of this act pertaining to bonds of the district
1600 shall, unless the context otherwise requires, govern the
1601 issuance of refunding bonds, the form and other details

1602 | thereof, the rights of the holders thereof, and the duties of
1603 | the board with respect thereto.

1604 | (h) Revenue bonds.—

1605 | 1. The district shall have the power to issue revenue
1606 | bonds from time to time without limitation as to amount. Such
1607 | revenue bonds may be secured by, or payable from, the gross or
1608 | net pledge of the revenues to be derived from any project or
1609 | combination of projects; from the rates, fees, or other
1610 | charges to be collected from the users of any project or
1611 | projects; from any revenue-producing undertaking or activity
1612 | of the district; from special assessments; from benefit
1613 | special assessments; or from any other source or pledged
1614 | security. Such bonds shall not constitute an indebtedness of
1615 | the district, and the approval of the qualified electors shall
1616 | not be required unless such bonds are additionally secured by
1617 | the full faith and credit and taxing power of the district.

1618 | 2. Any two or more projects may be combined and
1619 | consolidated into a single project and may hereafter be
1620 | operated and maintained as a single project. The revenue bonds
1621 | authorized herein may be issued to finance any one or more of
1622 | such projects, regardless of whether such projects have been

1623 combined and consolidated into a single project. If the board
1624 deems it advisable, the proceedings authorizing such revenue
1625 bonds may provide that the district may thereafter combine the
1626 projects then being financed or theretofore financed with
1627 other projects to be subsequently financed by the district and
1628 that revenue bonds to be thereafter issued by the district
1629 shall be on parity with the revenue bonds then being issued,
1630 all on such terms, conditions, and limitations as shall have
1631 been provided in the proceeding which authorized the original
1632 bonds.

1633 (i) General obligation bonds.—

1634 1. Subject to the limitations of this charter, the
1635 district shall have the power from time to time to issue
1636 general obligation bonds to finance or refinance capital
1637 projects or to refund outstanding bonds in an aggregate
1638 principal amount of bonds outstanding at any one time not in
1639 excess of 35 percent of the assessed value of the taxable
1640 property within the district as shown on the pertinent tax
1641 records at the time of the authorization of the general
1642 obligation bonds for which the full faith and credit of the
1643 district is pledged. Except for refunding bonds, no general

1644 obligation bonds shall be issued unless the bonds are issued
1645 to finance or refinance a capital project and the issuance has
1646 been approved at an election held in accordance with the
1647 requirements for such election as prescribed by the State
1648 Constitution. Such elections shall be called to be held in the
1649 district by the Clay County Supervisor of Elections upon the
1650 request of the board of the district. The expenses of calling
1651 and holding an election shall be at the expense of the
1652 district and the district shall reimburse the county for any
1653 expenses incurred in calling or holding such election.

1654 2. The district may pledge its full faith and credit
1655 for the payment of the principal and interest on such general
1656 obligation bonds and for any reserve funds provided therefor
1657 and may unconditionally and irrevocably pledge itself to levy
1658 ad valorem taxes on all taxable property in the district, to
1659 the extent necessary for the payment thereof, without
1660 limitation as to rate or amount.

1661 3. If the board determines to issue general obligation
1662 bonds for more than one capital project, the approval of the
1663 issuance of the bonds for each and all such projects may be
1664 submitted to the electors on one and the same ballot. The

1665 failure of the electors to approve the issuance of bonds for
1666 any one or more capital projects shall not defeat the approval
1667 of bonds for any capital project which has been approved by
1668 the electors.

1669 4. In arriving at the amount of general obligation
1670 bonds permitted to be outstanding at any one time pursuant to
1671 subparagraph 1., there shall not be included any general
1672 obligation bonds that are additionally secured by the pledge
1673 of:

1674 a. Any assessments levied in an amount sufficient to
1675 pay the principal and interest on the general obligation bonds
1676 so additionally secured, which assessments have been equalized
1677 and confirmed by resolution of the board pursuant to this act
1678 or s. 170.08, Florida Statutes.

1679 b. Water revenues, sewer revenues, or water and sewer
1680 revenues of the district to be derived from user fees in an
1681 amount sufficient to pay the principal and interest on the
1682 general obligation bonds so additionally secured.

1683 c. Any combination of assessments and revenues
1684 described in sub-subparagraphs a. and b.

1685 (j) Bonds as legal investment or security.-

1686 1. Notwithstanding any provisions of any other law to
1687 the contrary, all bonds issued under this act shall constitute
1688 legal investments for savings banks, banks, trust companies,
1689 insurance companies, executors, administrators, trustees,
1690 guardians, and other fiduciaries and for any board, body,
1691 agency, instrumentality, county, municipality, or other
1692 political subdivision of the state and shall be and constitute
1693 security which may be deposited by banks or trust companies as
1694 security for deposits of state, county, municipal, or other
1695 public funds or by insurance companies as required or
1696 voluntary statutory deposits.

1697 2. Any bonds issued by the district shall be
1698 incontestable in the hands of bona fide purchasers or holders
1699 for value and shall not be invalid because of any irregularity
1700 or defect in the proceedings for the issue and sale thereof.

1701 (k) Covenants.—Any resolution authorizing the issuance
1702 of bonds may contain such covenants as the board may deem
1703 advisable, and all such covenants shall constitute valid and
1704 legally binding and enforceable contracts between the district
1705 and the bondholders, regardless of the time of issuance
1706 thereof.

1707 Such covenants may include, without limitation, covenants
1708 concerning the disposition of the bond proceeds; the use and
1709 disposition of project revenues; the pledging of revenues,
1710 taxes, and assessments; the obligations of the district with
1711 respect to the operation of the project and the maintenance of
1712 adequate project revenues; the issuance of additional bonds;
1713 the appointment, powers, and duties of trustees and receivers;
1714 the acquisition of outstanding bonds and obligations;
1715 restrictions on the establishing of competing projects or
1716 facilities; restrictions on the sale or disposal of the assets
1717 and property of the district; the priority of assessment
1718 liens; the priority of claims by bondholders on the taxing
1719 power of the district; the maintenance of deposits to ensure
1720 the payment of revenues by users of district facilities and
1721 services; the discontinuance of district services by reason of
1722 delinquent payments; acceleration upon default; the execution
1723 of necessary instruments; the procedure for amending or
1724 abrogating covenants with the bondholders; and such other
1725 covenants as may be deemed necessary or desirable for the
1726 security of the bondholders.

1727 (1) Validation proceedings.—The power of the district
1728 to issue bonds under this act may be determined, and any of
1729 the bonds of the district maturing over a period of more than
1730 5 years shall be validated and confirmed, by court decree,
1731 under chapter 75, Florida Statutes, and laws amendatory
1732 thereof or supplementary thereto.

1733 (m) Tax exemption.—To the extent allowed by general
1734 law, all bonds issued hereunder and interest paid thereon and
1735 all fees, charges, and other revenues derived by the district
1736 from the projects provided by this act are exempt from all
1737 taxes by the state or by any political subdivision, agency, or
1738 instrumentality thereof; however, any interest, income, or
1739 profits on debt obligations issued hereunder are not exempt
1740 from the tax imposed by chapter 220, Florida Statutes.
1741 Further, the district is not exempt from chapter 212, Florida
1742 Statutes.

1743 (n) Application of s. 189.051, Florida Statutes.—Bonds
1744 issued by the district shall meet the criteria set forth in s.
1745 189.051, Florida Statutes.

1746 (o) Act furnishes full authority for issuance of
1747 bonds.—This act constitutes full and complete authority for

1748 | the issuance of bonds and the exercise of the powers of the
1749 | district provided herein. No procedures or proceedings,
1750 | publications, notices, consents, approvals, orders, acts, or
1751 | things by the board, or any board, officer, commission,
1752 | department, agency, or instrumentality of the district, other
1753 | than those required by this act, shall be required to perform
1754 | anything under this act, except that the issuance or sale of
1755 | bonds pursuant to this act shall comply with the general law
1756 | requirements applicable to the issuance or sale of bonds by
1757 | the district. Nothing in this act shall be construed to
1758 | authorize the district to utilize bond proceeds to fund the
1759 | ongoing operations of the district.

1760 | (p) Pledge by the state to the bondholders of the
1761 | district.—The state pledges to the holders of any bonds issued
1762 | under this act that it will not limit or alter the rights of
1763 | the district to own, acquire, construct, reconstruct, improve,
1764 | maintain, operate, or furnish the projects or to levy and
1765 | collect the taxes, assessments, rentals, rates, fees, and
1766 | other charges provided for herein and to fulfill the terms of
1767 | any agreement made with the holders of such bonds or other

1768 obligations and that it will not in any way impair the rights
1769 or remedies of such holders.

1770 (q) Default.—A default on the bonds or obligations of
1771 the district shall not constitute a debt or obligation of the
1772 state or any general-purpose local government of the state. In
1773 the event of a default or dissolution of the district, no
1774 general-purpose local government shall be required to assume
1775 the property of the district, the debts of the district, or
1776 the district's obligations to complete any infrastructure
1777 improvements or provide any services to the district. The
1778 provisions of s. 189.076(2), Florida Statutes, shall not apply
1779 to the district.

1780 (11) TRUST AGREEMENTS.—Any issue of bonds shall be
1781 secured by a trust agreement or resolution by and between the
1782 district and a corporate trustee or trustees, which may be any
1783 trust company or bank having the powers of a trust company
1784 within or without the state. The resolution authorizing the
1785 issuance of the bonds or such trust agreement may pledge the
1786 revenues to be received from any projects of the district and
1787 may contain such provisions for protecting and enforcing the
1788 rights and remedies of the bondholders as the board may

1789 approve, including, without limitation, covenants setting
1790 forth the duties of the district in relation to: the
1791 acquisition, construction, reconstruction, improvement,
1792 maintenance, repair, operation, and insurance of any projects;
1793 the fixing and revising of the rates, fees, and charges; and
1794 the custody, safeguarding, and application of all moneys and
1795 for the employment of consulting engineers in connection with
1796 such acquisition, construction, reconstruction, improvement,
1797 maintenance, repair, or operation. It shall be lawful for any
1798 bank or trust company within or without the state which may
1799 act as a depository of the proceeds of bonds or of revenues to
1800 furnish such indemnifying bonds or to pledge such securities
1801 as may be required by the district. Such resolution or trust
1802 agreement may set forth the rights and remedies of the
1803 bondholders and of the trustee, if any, and may restrict the
1804 individual right of action by bondholders. The board may
1805 provide for the payment of proceeds of the sale of the bonds
1806 and the revenues of any project to such officer, board, or
1807 depository as it may designate for the custody thereof and may
1808 provide for the method of disbursement thereof with such
1809 safeguards and restrictions as it may determine. All expenses

1810 incurred in carrying out the provisions of such resolution or
1811 trust agreement may be treated as part of the cost of
1812 operation of the project to which such resolution or trust
1813 agreement pertains.

1814 (12) AD VALOREM TAXES; ASSESSMENTS, BENEFIT SPECIAL
1815 ASSESSMENTS, MAINTENANCE SPECIAL ASSESSMENTS, AND SPECIAL
1816 ASSESSMENTS; MAINTENANCE TAXES.—

1817 (a) Ad valorem taxes.—At such time as all members of
1818 the board are qualified electors who are elected by qualified
1819 electors of the district, the board shall have the power to
1820 levy and assess an ad valorem tax on all the taxable property
1821 in the district to construct, operate, and maintain assessable
1822 improvements; to pay the principal of, and interest on, any
1823 general obligation bonds of the district; and to provide for
1824 any sinking or other funds established in connection with any
1825 such bonds. An ad valorem tax levied by the board for
1826 operating purposes, exclusive of debt service on bonds, shall
1827 not exceed 3 mills. The ad valorem tax provided for herein
1828 shall be in addition to county and all other ad valorem taxes
1829 provided for by law. Such tax shall be assessed, levied, and
1830 collected in the same manner and at the same time as county

1831 taxes. The levy of ad valorem taxes must be approved by
1832 referendum as required by s. 9, Article VII of the State
1833 Constitution.

1834 (b) Benefit special assessments.—The board annually
1835 shall determine, order, and levy the annual installment of the
1836 total benefit special assessments for bonds issued and related
1837 expenses to finance assessable improvements. These assessments
1838 may be due and collected during each year county taxes are due
1839 and collected, in which case such annual installment and levy
1840 shall be evidenced to and certified to the property appraiser
1841 by the board not later than August 31 of each year. Such
1842 assessment shall be entered by the property appraiser on the
1843 county tax rolls and shall be collected and enforced by the
1844 tax collector in the same manner and at the same time as
1845 county taxes, and the proceeds thereof shall be paid to the
1846 district. However, this paragraph shall not prohibit the
1847 district in its discretion from using the method prescribed in
1848 s. 197.3632, Florida Statutes, or chapter 173, Florida
1849 Statutes, as each may be amended from time to time, for
1850 collecting and enforcing these assessments. Each annual
1851 installment of benefit special assessments shall be a lien on

1852 the property against which assessed until paid and shall be
1853 enforceable in like manner as county taxes. The amount of the
1854 assessment for the exercise of the district's powers under
1855 subsections (6) and (7) shall be determined by the board based
1856 upon a report of the district's engineer and assessed by the
1857 board upon such lands, which may be part or all of the lands
1858 within the district benefited by the improvement, apportioned
1859 between benefited lands in proportion to the benefits received
1860 by each tract of land. The board may, if it determines it is
1861 in the best interests of the district, set forth in the
1862 proceedings initially levying such benefit special assessments
1863 or in subsequent proceedings a formula for the determination
1864 of an amount, which when paid by a taxpayer with respect to
1865 any tax parcel, shall constitute a prepayment of all future
1866 annual installments of such benefit special assessments and
1867 that the payment of which amount with respect to such tax
1868 parcel shall relieve and discharge such tax parcel of the lien
1869 of such benefit special assessments and any subsequent annual
1870 installment thereof. The board may provide further that upon
1871 delinquency in the payment of any annual installment of
1872 benefit special assessments, the prepayment amount of all

1873 future annual installments of benefit special assessments as
1874 determined in the preceding sentence shall be and become
1875 immediately due and payable together with such delinquent
1876 annual installment.

1877 (c) Non-ad valorem maintenance taxes.—If and when
1878 authorized by general law, to maintain and to preserve the
1879 physical facilities and services constituting the works,
1880 improvements, or infrastructure owned by the district pursuant
1881 to this act, to repair and restore any one or more of them,
1882 when needed, and to defray the current expenses of the
1883 district, including any sum which may be required to pay state
1884 and county ad valorem taxes on any lands which may have been
1885 purchased and which are held by the district under this act,
1886 the board of supervisors may, upon the completion of said
1887 systems, facilities, services, works, improvements, or
1888 infrastructure, in whole or in part, as may be certified to
1889 the board by the engineer of the board, levy annually a non-ad
1890 valorem and nonmillage tax upon each tract or parcel of land
1891 within the district, to be known as a "maintenance tax." This
1892 non-ad valorem maintenance tax shall be apportioned upon the
1893 basis of the net assessments of benefits assessed as accruing

1894 | from the original construction and shall be evidenced to and
1895 | certified by the board of supervisors of the district not
1896 | later than June 1 of each year to the Clay County tax
1897 | collector and shall be extended on the tax rolls and collected
1898 | by the tax collector on the merged collection roll of the tax
1899 | collector in the same manner and at the same time as county ad
1900 | valorem taxes, and the proceeds therefrom shall be paid to the
1901 | district. This non-ad valorem maintenance tax shall be a lien
1902 | until paid on the property against which assessed and
1903 | enforceable in like manner and of the same dignity as county
1904 | ad valorem taxes.

1905 | (d) Maintenance special assessments.—To maintain and
1906 | preserve the facilities and projects of the district, the
1907 | board may levy a maintenance special assessment. This
1908 | assessment may be evidenced to and certified to the tax
1909 | collector by the board of supervisors not later than August 31
1910 | of each year and shall be entered by the property appraiser on
1911 | the county tax rolls and shall be collected and enforced by
1912 | the tax collector in the same manner and at the same time as
1913 | county taxes, and the proceeds therefrom shall be paid to the
1914 | district. However, this paragraph shall not prohibit the

1915 | district in its discretion from using the method prescribed in
1916 | s. 197.363, s. 197.3631, or s. 197.3632, Florida Statutes, for
1917 | collecting and enforcing these assessments. These maintenance
1918 | special assessments shall be a lien on the property against
1919 | which assessed until paid and shall be enforceable in like
1920 | manner as county taxes. The amount of the maintenance special
1921 | assessment for the exercise of the district's powers under
1922 | this section shall be determined by the board based upon a
1923 | report of the district's engineer and assessed by the board
1924 | upon such lands, which may be all of the lands within the
1925 | district benefited by the maintenance thereof, apportioned
1926 | between the benefited lands in proportion to the benefits
1927 | received by each tract of land.

1928 | (e) Special assessments.—The board may levy and impose
1929 | any special assessments pursuant to this subsection.

1930 | (f) Enforcement of taxes.—The collection and
1931 | enforcement of all taxes levied by the district shall be at
1932 | the same time and in like manner as county taxes, and the
1933 | provisions of the laws of Florida relating to the sale of
1934 | lands for unpaid and delinquent county taxes; the issuance,
1935 | sale, and delivery of tax certificates for such unpaid and

1936 delinquent county taxes; the redemption thereof; the issuance
1937 to individuals of tax deeds based thereon; and all other
1938 procedures in connection therewith shall be applicable to the
1939 district to the same extent as if such statutory provisions
1940 were expressly set forth herein. All taxes shall be subject to
1941 the same discounts as county taxes.

1942 (g) When unpaid tax is delinquent; penalty.—All taxes
1943 provided for in this act shall become delinquent and bear
1944 penalties on the amount of such taxes in the same manner as
1945 county taxes.

1946 (h) Status of assessments.—Benefit special
1947 assessments, maintenance special assessments, and special
1948 assessments are hereby found and determined to be non-ad
1949 valorem assessments as defined by s. 197.3632, Florida
1950 Statutes. Maintenance taxes are non-ad valorem taxes and are
1951 not special assessments.

1952 (i) Assessments constitute liens; collection.—Any and
1953 all assessments, including special assessments, benefit
1954 special assessments, and maintenance special assessments
1955 authorized by this section, and including special assessments
1956 as defined by section 2(2)(aa) and granted and authorized by

1957 this subsection, and including maintenance taxes if authorized
1958 by general law, shall constitute a lien on the property
1959 against which assessed from the date of levy and imposition
1960 thereof until paid, coequal with the lien of state, county,
1961 municipal, and school board taxes. These assessments may be
1962 collected, at the district's discretion, under authority of s.
1963 197.3631, Florida Statutes, as amended from time to time, by
1964 the tax collector pursuant to ss. 197.3632 and 197.3635,
1965 Florida Statutes, as amended from time to time, or in
1966 accordance with other collection measures provided by law. In
1967 addition to, and not in limitation of, any powers otherwise
1968 set forth herein or in general law, these assessments may also
1969 be enforced pursuant to chapter 173, Florida Statutes, as
1970 amended from time to time.

1971 (j) Land owned by governmental entity.—Except as
1972 otherwise provided by law, no levy of ad valorem taxes or non-
1973 ad valorem assessments under this act or chapter 170 or
1974 chapter 197, Florida Statutes, as each may be amended from
1975 time to time, or otherwise, by a board of the district, on
1976 property of a governmental entity that is subject to a ground
1977 lease as described in s. 190.003(14), Florida Statutes, shall

1978 constitute a lien or encumbrance on the underlying fee
1979 interest of such governmental entity.

1980 (13) SPECIAL ASSESSMENTS.—

1981 (a) As an alternative method to the levy and
1982 imposition of special assessments pursuant to chapter 170,
1983 Florida Statutes, pursuant to the authority of s. 197.3631,
1984 Florida Statutes, or pursuant to other provisions of general
1985 law, now or hereafter enacted, which provide a supplemental
1986 means or authority to impose, levy, and collect special
1987 assessments as otherwise authorized under this act, the board
1988 may levy and impose special assessments to finance the
1989 exercise of any of its powers permitted under this act using
1990 the following uniform procedures:

1991 1. At a noticed meeting, the board of supervisors of
1992 the district may consider and review an engineer's report on
1993 the costs of the systems, facilities, and services to be
1994 provided, a preliminary special assessment methodology, and a
1995 preliminary roll based on acreage or platted lands, depending
1996 upon whether platting has occurred.

1997 a. The special assessment methodology shall address
1998 and discuss and the board shall consider whether the systems,

1999 facilities, and services being contemplated will result in
2000 special benefits peculiar to the property, different in kind
2001 and degree than general benefits, as a logical connection
2002 between the systems, facilities, and services themselves and
2003 the property, and whether the duty to pay the special
2004 assessments by the property owners is apportioned in a manner
2005 that is fair and equitable and not in excess of the special
2006 benefit received. It shall be fair and equitable to designate
2007 a fixed proportion of the annual debt service, together with
2008 interest thereon, on the aggregate principal amount of bonds
2009 issued to finance such systems, facilities, and services which
2010 give rise to unique, special, and peculiar benefits to
2011 property of the same or similar characteristics under the
2012 special assessment methodology so long as such fixed
2013 proportion does not exceed the unique, special, and peculiar
2014 benefits enjoyed by such property from such systems,
2015 facilities, and services.

2016 b. The engineer's cost report shall identify the
2017 nature of the proposed systems, facilities, and services,
2018 their location, a cost breakdown plus a total estimated cost,
2019 including cost of construction or reconstruction, labor, and

2020 materials, lands, property, rights, easements, franchises, or
2021 systems, facilities, and services to be acquired, cost of
2022 plans and specifications, surveys of estimates of costs and
2023 revenues, costs of engineering, legal, and other professional
2024 consultation services, and other expenses or costs necessary
2025 or incidental to determining the feasibility or practicability
2026 of such construction, reconstruction, or acquisition,
2027 administrative expenses, relationship to the authority and
2028 power of the district in its charter, and such other expenses
2029 or costs as may be necessary or incidental to the financing to
2030 be authorized by the board of supervisors.

2031 c. The preliminary special assessment roll will be in
2032 accordance with the assessment methodology as may be adopted
2033 by the board of supervisors; the special assessment roll shall
2034 be completed as promptly as possible and shall show the
2035 acreage, lots, lands, or plats assessed and the amount of the
2036 fairly and reasonably apportioned assessment based on special
2037 and peculiar benefit to the property, lot, parcel, or acreage
2038 of land; and, if the special assessment against such lot,
2039 parcel, acreage, or portion of land is to be paid in
2040 installments, the number of annual installments in which the

2041 special assessment is divided shall be entered into and shown
2042 upon the special assessment roll.

2043 2. The board of supervisors of the district may
2044 determine and declare by an initial special assessment
2045 resolution to levy and assess the special assessments with
2046 respect to assessable improvements stating the nature of the
2047 systems, facilities, and services, improvements, projects, or
2048 infrastructure constituting such assessable improvements, the
2049 information in the engineer's cost report, the information in
2050 the special assessment methodology as determined by the board
2051 at the noticed meeting and referencing and incorporating as
2052 part of the resolution the engineer's cost report, the
2053 preliminary special assessment methodology, and the
2054 preliminary special assessment roll as referenced exhibits to
2055 the resolution by reference. If the board determines to
2056 declare and levy the special assessments by the initial
2057 special assessment resolution, the board shall also adopt and
2058 declare a notice resolution which shall provide and cause the
2059 initial special assessment resolution to be published once a
2060 week for a period of 2 weeks in newspapers of general
2061 circulation published in Clay County and said board shall by

2062 | the same resolution fix a time and place at which the owner or
2063 | owners of the property to be assessed or any other persons
2064 | interested therein may appear before said board and be heard
2065 | as to the propriety and advisability of making such
2066 | improvements, as to the costs thereof, as to the manner of
2067 | payment therefor, and as to the amount thereof to be assessed
2068 | against each property so improved. Thirty days' notice in
2069 | writing of such time and place shall be given to such property
2070 | owners. The notice shall include the amount of the special
2071 | assessment and shall be served by mailing a copy to each
2072 | assessed property owner at his or her last known address, the
2073 | names and addresses of such property owners to be obtained
2074 | from the record of the property appraiser of the county
2075 | political subdivision in which the land is located or from
2076 | such other sources as the district manager or engineer deems
2077 | reliable, and proof of such mailing shall be made by the
2078 | affidavit of the district manager or by the engineer, said
2079 | proof to be filed with the district manager, provided that
2080 | failure to mail said notice or notices shall not invalidate
2081 | any of the proceedings hereunder. It is provided further that
2082 | the last publication shall be at least 1 week prior to the

2083 date of the hearing on the final special assessment
2084 resolution. Said notice shall describe the general areas to be
2085 improved and advise all persons interested that the
2086 description of each property to be assessed and the amount to
2087 be assessed to each piece, parcel, lot, or acre of property
2088 may be ascertained at the office of the district manager. Such
2089 service by publication shall be verified by the affidavit of
2090 the publisher and filed with the district manager. Moreover,
2091 the initial special assessment resolution with its attached,
2092 referenced, and incorporated engineer's cost report,
2093 preliminary special assessment methodology, and preliminary
2094 special assessment roll, along with the notice resolution,
2095 shall be available for public inspection at the office of the
2096 district manager and the office of the engineer or any other
2097 office designated by the board of supervisors in the notice
2098 resolution. Notwithstanding the foregoing, the landowners of
2099 all of the property which is proposed to be assessed may give
2100 the district written notice of waiver of any notice and
2101 publication provided for in this subparagraph and such notice
2102 and publication shall not be required, provided, however, that

2103 any meeting of the board of supervisors to consider such
2104 resolution shall be a publicly noticed meeting.

2105 3. At the time and place named in the noticed
2106 resolution as provided for in subparagraph 2., the board of
2107 supervisors of the district shall meet and hear testimony from
2108 affected property owners as to the propriety and advisability
2109 of making the systems, facilities, services, projects, works,
2110 improvements, or infrastructure and funding them with
2111 assessments referenced in the initial special assessment
2112 resolution on the property. Following the testimony and
2113 questions from the members of the board or any professional
2114 advisors to the district of the preparers of the engineer's
2115 cost report, the special assessment methodology, and the
2116 special assessment roll, the board of supervisors shall make a
2117 final decision on whether to levy and assess the particular
2118 special assessments. Thereafter, the board of supervisors
2119 shall meet as an equalizing board to hear and to consider any
2120 and all complaints as to the particular special assessments
2121 and shall adjust and equalize the special assessments to
2122 ensure proper assessment based on the benefit conferred on the
2123 property.

2124 4. When so equalized and approved by resolution or
2125 ordinance by the board of supervisors, to be called the final
2126 special assessment resolution, a final special assessment roll
2127 shall be filed with the clerk of the board and such special
2128 assessment shall stand confirmed and remain legal, valid, and
2129 binding first liens on the property against which such special
2130 assessments are made until paid, equal in dignity to the first
2131 liens of ad valorem taxation of county and municipal
2132 governments and school boards. However, upon completion of the
2133 systems, facilities, services, projects, improvements, works,
2134 or infrastructure, the district shall credit to each of the
2135 assessments the difference in the special assessment as
2136 originally made, approved, levied, assessed, and confirmed and
2137 the proportionate part of the actual cost of the improvement
2138 to be paid by the particular special assessments as finally
2139 determined upon the completion of the improvement; but in no
2140 event shall the final special assessment exceed the amount of
2141 the special and peculiar benefits as apportioned fairly and
2142 reasonably to the property from the system, facility, or
2143 service being provided as originally assessed. Promptly after
2144 such confirmation, the special assessment shall be recorded by

2145 | the clerk of the district in the minutes of the proceedings of
2146 | the district, and the record of the lien in this set of
2147 | minutes shall constitute prima facie evidence of its validity.
2148 | The board of supervisors, in its sole discretion, may by
2149 | resolution grant a discount equal to all or a part of the
2150 | payee's proportionate share of the cost of the project
2151 | consisting of bond financing cost, such as capitalized
2152 | interest, funded reserves, and bond discounts included in the
2153 | estimated cost of the project, upon payment in full of any
2154 | special assessments during such period prior to the time such
2155 | financing costs are incurred as may be specified by the board
2156 | of supervisors in such resolution.

2157 | 5. District special assessments may be made payable in
2158 | installments over no more than 40 years from the date of the
2159 | payment of the first installment thereof and may bear interest
2160 | at fixed or variable rates.

2161 | (b) Notwithstanding any provision of this act or
2162 | chapter 170, Florida Statutes, that portion of s. 170.09,
2163 | Florida Statutes, that provides that special assessments may
2164 | be paid without interest at any time within 30 days after the
2165 | improvement is completed and a resolution accepting the same

2166 has been adopted by the governing authority shall not be
2167 applicable to any district special assessments, whether
2168 imposed, levied, and collected pursuant to this act or other
2169 provisions of Florida law, including, but not limited to,
2170 chapter 170, Florida Statutes.

2171 (c) In addition, the district is authorized expressly
2172 in the exercise of its rulemaking power to adopt a rule or
2173 rules which provide for notice, levy, imposition,
2174 equalization, and collection of assessments.

2175 (14) ISSUANCE OF CERTIFICATES OF INDEBTEDNESS BASED ON
2176 ASSESSMENTS FOR ASSESSABLE IMPROVEMENTS; ASSESSMENT BONDS.—

2177 (a) The board may, after any special assessments or
2178 benefit special assessments for assessable improvements are
2179 made, determined, and confirmed as provided in this act, issue
2180 certificates of indebtedness for the amount so assessed
2181 against the abutting property or property otherwise benefited,
2182 as the case may be, and separate certificates shall be issued
2183 against each part or parcel of land or property assessed,
2184 which certificates shall state the general nature of the
2185 improvement for which the assessment is made. The certificates
2186 shall be payable in annual installments in accordance with the

2187 | installments of the special assessment for which they are
2188 | issued. The board may determine the interest to be borne by
2189 | such certificates, not to exceed the maximum rate allowed by
2190 | general law, and may sell such certificates at either private
2191 | or public sale and determine the form, manner of execution,
2192 | and other details of such certificates. The certificates shall
2193 | recite that they are payable only from the special assessments
2194 | levied and collected from the part or parcel of land or
2195 | property against which they are issued. The proceeds of such
2196 | certificates may be pledged for the payment of principal of
2197 | and interest on any revenue bonds or general obligation bonds
2198 | issued to finance in whole or in part such assessable
2199 | improvement, or, if not so pledged, may be used to pay the
2200 | cost or part of the cost of such assessable improvements.

2201 | (b) The district may also issue assessment bonds,
2202 | revenue bonds, or other obligations payable from a special
2203 | fund into which such certificates of indebtedness referred to
2204 | in paragraph (a) may be deposited or, if such certificates of
2205 | indebtedness have not been issued, the district may assign to
2206 | such special fund for the benefit of the holders of such
2207 | assessment bonds or other obligations, or to a trustee for

2208 such bondholders, the assessment liens provided for in this
2209 act unless such certificates of indebtedness or assessment
2210 liens have been theretofore pledged for any bonds or other
2211 obligations authorized hereunder. In the event of the creation
2212 of such special fund and the issuance of such assessment bonds
2213 or other obligations, the proceeds of such certificates of
2214 indebtedness or assessment liens deposited therein shall be
2215 used only for the payment of the assessment bonds or other
2216 obligations issued as provided in this section. The district
2217 is authorized to covenant with the holders of such assessment
2218 bonds, revenue bonds, or other obligations that it will
2219 diligently and faithfully enforce and collect all the special
2220 assessments, and interest and penalties thereon, for which
2221 such certificates of indebtedness or assessment liens have
2222 been deposited in or assigned to such fund; to foreclose such
2223 assessment liens so assigned to such special fund or
2224 represented by the certificates of indebtedness deposited in
2225 the special fund, after such assessment liens have become
2226 delinquent, and deposit the proceeds derived from such
2227 foreclosure, including interest and penalties, in such special
2228 fund; and to make any other covenants deemed necessary or

2229 | advisable in order to properly secure the holders of such
2230 | assessment bonds or other obligations.

2231 | (c) The assessment bonds, revenue bonds, or other
2232 | obligations issued pursuant to this section shall have such
2233 | dates of issue and maturity as shall be deemed advisable by
2234 | the board; however, the maturities of such assessment bonds or
2235 | other obligations shall not be more than 2 years after the due
2236 | date of the last installment which will be payable on any of
2237 | the special assessments for which such assessment liens, or
2238 | the certificates of indebtedness representing such assessment
2239 | liens, are assigned to or deposited in such special fund.

2240 | (d) Such assessment bonds, revenue bonds, or other
2241 | obligations issued under this section shall bear such interest
2242 | as the board may determine, not to exceed the maximum rate
2243 | allowed by general law, and shall be executed, shall have such
2244 | provisions for redemption prior to maturity, shall be sold in
2245 | the manner, and shall be subject to all of the applicable
2246 | provisions contained in this act for revenue bonds, except as
2247 | the same may be inconsistent with this section.

2248 | (e) All assessment bonds, revenue bonds, or other
2249 | obligations issued under this section shall be, shall

2250 constitute, and shall have all the qualities and incidents of
2251 negotiable instruments under the law merchant and the laws of
2252 the state.

2253 (15) TAX LIENS.—All taxes of the district provided for
2254 in this act, together with all penalties for default in the
2255 payment of the same and all costs in collecting the same,
2256 including a reasonable attorney fee fixed by the court and
2257 taxed as a cost in the action brought to enforce payment,
2258 shall, from January 1 for each year the property is liable to
2259 assessment and until paid, constitute a lien of equal dignity
2260 with the liens for state and county taxes and other taxes of
2261 equal dignity with state and county taxes upon all the lands
2262 against which such taxes shall be levied. A sale of any of the
2263 real property within the district for state and county or
2264 other taxes shall not operate to relieve or release the
2265 property so sold from the lien for subsequent district taxes
2266 or installments of district taxes, which lien may be enforced
2267 against such property as though no such sale thereof had been
2268 made. In addition to, and not in limitation of, the preceding
2269 sentence, for purposes of s.197.552, Florida Statutes, the
2270 lien of all special assessments levied by the district shall

2271 constitute a lien of record held by a municipal or county
2272 governmental unit. The provisions of ss. 194.171, 197.122,
2273 197.333, and 197.432, Florida Statutes, shall be applicable to
2274 district taxes with the same force and effect as if such
2275 provisions were expressly set forth in this act.

2276 (16) PAYMENT OF TAXES AND REDEMPTION OF TAX LIENS BY
2277 THE DISTRICT; SHARING IN PROCEEDS OF TAX SALE.—

2278 (a) The district shall have the power and right to:

2279 1. Pay any delinquent state, county, district,
2280 municipal, or other tax or assessment upon lands located
2281 wholly or partially within the boundaries of the district.

2282 2. Redeem or purchase any tax sales certificates
2283 issued or sold on account of any state, county, district,
2284 municipal, or other taxes or assessments upon lands located
2285 wholly or partially within the boundaries of the district.

2286 (b) Delinquent taxes paid, or tax sales certificates
2287 redeemed or purchased, by the district, together with all
2288 penalties for the default in payment of the same and all costs
2289 in collecting the same and a reasonable attorney fee, shall
2290 constitute a lien in favor of the district of equal dignity
2291 with the liens of state and county taxes and other taxes of

2292 equal dignity with state and county taxes upon all the real
2293 property against which the taxes were levied. The lien of the
2294 district may be foreclosed in the manner provided in this act.

2295 (c) In any sale of land pursuant to s. 197.542,
2296 Florida Statutes, as may be amended from time to time, the
2297 district may certify to the clerk of the circuit court of the
2298 county holding such sale the amount of taxes due to the
2299 district upon the lands sought to be sold, and the district
2300 shall share in the disbursement of the sales proceeds in
2301 accordance with this act and under the laws of the state.

2302 (17) FORECLOSURE OF LIENS.—Any lien in favor of the
2303 district arising under this act may be foreclosed by the
2304 district by foreclosure proceedings in the name of the
2305 district in a court of competent jurisdiction as provided by
2306 general law in like manner as is provided in chapter 170 or
2307 chapter 173, Florida Statutes, and amendments thereto and the
2308 provisions of those chapters shall be applicable to such
2309 proceedings with the same force and effect as if those
2310 provisions were expressly set forth in this act. Any act
2311 required or authorized to be done by or on behalf of a
2312 municipality in foreclosure proceedings under chapter 170 or

2313 chapter 173, Florida Statutes, may be performed by such
2314 officer or agent of the district as the board of supervisors
2315 may designate. Such foreclosure proceedings may be brought at
2316 any time after the expiration of 1 year from the date any tax,
2317 or installment thereof, becomes delinquent; however, no lien
2318 shall be foreclosed against any political subdivision or
2319 agency of the state. Other legal remedies shall remain
2320 available.

2321 (18) MANDATORY USE OF CERTAIN DISTRICT FACILITIES.—To
2322 the full extent permitted by law, the district shall require
2323 all lands, buildings, premises, persons, firms, and
2324 corporations within the district to use the facilities of the
2325 district.

2326 (19) COMPETITIVE PROCUREMENT; BIDS; NEGOTIATIONS;
2327 RELATED PROVISIONS REQUIRED.—

2328 (a) No contract shall be let by the board for any
2329 goods, supplies, or materials to be purchased when the amount
2330 thereof to be paid by the district shall exceed the amount
2331 provided in s. 287.017, Florida Statutes, as amended from time
2332 to time, for category four, unless notice of bids shall be
2333 advertised once in a newspaper in general circulation in Clay

2334 County. Any board seeking to construct or improve a public
2335 building, structure, or other public works shall comply with
2336 the bidding procedures of s. 255.20, Florida Statutes, as
2337 amended from time to time, and other applicable general law.
2338 In each case, the bid of the lowest responsive and responsible
2339 bidder shall be accepted unless all bids are rejected because
2340 the bids are too high or the board determines it is in the
2341 best interests of the district to reject all bids. The board
2342 may require the bidders to furnish bond with a responsible
2343 surety to be approved by the board. Nothing in this subsection
2344 shall prevent the board from undertaking and performing the
2345 construction, operation, and maintenance of any project or
2346 facility authorized by this act by the employment of labor,
2347 material, and machinery.

2348 (b) The provisions of the Consultants' Competitive
2349 Negotiation Act, s. 287.055, Florida Statutes, apply to
2350 contracts for engineering, architecture, landscape
2351 architecture, or registered surveying and mapping services let
2352 by the board.

2353 (c) Contracts for maintenance services for any
2354 district facility or project shall be subject to competitive

2355 bidding requirements when the amount thereof to be paid by the
2356 district exceeds the amount provided in s. 287.017, Florida
2357 Statutes, as amended from time to time, for category four. The
2358 district shall adopt rules, policies, or procedures
2359 establishing competitive bidding procedures for maintenance
2360 services. Contracts for other services shall not be subject to
2361 competitive bidding unless the district adopts a rule, policy,
2362 or procedure applying competitive bidding procedures to said
2363 contracts. Nothing herein shall preclude the use of requests
2364 for proposal instead of invitations to bid as determined by
2365 the district to be in its best interest.

2366 (20) FEES, RENTALS, AND CHARGES; PROCEDURE FOR
2367 ADOPTION AND MODIFICATIONS; MINIMUM REVENUE REQUIREMENTS.—

2368 (a) The district is authorized to prescribe, fix,
2369 establish, and collect rates, fees, rentals, or other charges,
2370 hereinafter sometimes referred to as "revenues," and to revise
2371 the same from time to time, for the systems, facilities, and
2372 services furnished by the district, including, but not limited
2373 to, recreational facilities, water management and control
2374 facilities, and water and sewer systems; to recover the costs
2375 of making connection with any district service, facility, or

2376 system; and to provide for reasonable penalties against any
2377 user or property for any such rates, fees, rentals, or other
2378 charges that are delinquent.

2379 (b) No such rates, fees, rentals, or other charges for
2380 any of the facilities or services of the district shall be
2381 fixed until after a public hearing at which all the users of
2382 the proposed facility or services or owners, tenants, or
2383 occupants served or to be served thereby and all other
2384 interested persons shall have an opportunity to be heard
2385 concerning the proposed rates, fees, rentals, or other
2386 charges. Rates, fees, rentals, and other charges shall be
2387 adopted under the administrative rulemaking authority of the
2388 district, but shall not apply to district leases. Notice of
2389 such public hearing setting forth the proposed schedule or
2390 schedules of rates, fees, rentals, and other charges shall
2391 have been published in a newspaper of general circulation in
2392 Clay County at least once and at least 10 days prior to such
2393 public hearing. The rulemaking hearing may be adjourned from
2394 time to time. After such hearing, such schedule or schedules,
2395 either as initially proposed or as modified or amended, may be
2396 finally adopted. A copy of the schedule or schedules of such

2397 rates, fees, rentals, or charges as finally adopted shall be
2398 kept on file in an office designated by the board and shall be
2399 open at all reasonable times to public inspection. The rates,
2400 fees, rentals, or charges so fixed for any class of users or
2401 property served shall be extended to cover any additional
2402 users or properties thereafter served which shall fall in the
2403 same class, without the necessity of any notice or hearing.

2404 (c) Such rates, fees, rentals, and other charges shall
2405 be just and equitable and uniform for users of the same class,
2406 and when appropriate may be based or computed either upon the
2407 amount of service furnished, upon the average number of
2408 persons residing or working in or otherwise occupying the
2409 premises served, or upon any other factor affecting the use of
2410 the facilities furnished, or upon any combination of the
2411 foregoing factors, as may be determined by the board on an
2412 equitable basis.

2413 (d) The rates, fees, rentals, or other charges
2414 prescribed shall be such as will produce revenues, together
2415 with any other assessments, taxes, revenues, or funds
2416 available or pledged for such purpose, at least sufficient to

2417 provide for the items hereinafter listed, but not necessarily
2418 in the order stated:

2419 1. To provide for all expenses of operation and
2420 maintenance of such facility or service.

2421 2. To pay when due all bonds and interest thereon for
2422 the payment of which such revenues are, or shall have been,
2423 pledged or encumbered, including reserves for such purpose.

2424 3. To provide for any other funds which may be
2425 required under the resolution or resolutions authorizing the
2426 issuance of bonds pursuant to this act.

2427 (e) The board shall have the power to enter into
2428 contracts for the use of the projects of the district and with
2429 respect to the services, systems, and facilities furnished or
2430 to be furnished by the district.

2431 (21) RECOVERY OF DELINQUENT CHARGES.—In the event that
2432 any rates, fees, rentals, charges, or delinquent penalties are
2433 not paid when due and are in default for 60 days or more, the
2434 unpaid balance thereof and all interest accrued thereon,
2435 together with reasonable attorney fees and costs, may be
2436 recovered by the district in a civil action.

2437 (22) DISCONTINUANCE OF SERVICE.—In the event the fees,
2438 rentals, or other charges for district services or facilities
2439 are not paid when due, the board shall have the power, under
2440 such reasonable rules and regulations as the board may adopt,
2441 to discontinue and shut off such services until such fees,
2442 rentals, or other charges, including interest, penalties, and
2443 charges for the shutting off and discontinuance and the
2444 restoration of such services, are fully paid; and, for such
2445 purposes, the board may enter on any lands, waters, or
2446 premises of any person, firm, corporation, or body, public or
2447 private, within the district limits. Such delinquent fees,
2448 rentals, or other charges, together with interest, penalties,
2449 and charges for the shutting off and discontinuance and the
2450 restoration of such services and facilities and reasonable
2451 attorney fees and other expenses, may be recovered by the
2452 district, which may also enforce payment of such delinquent
2453 fees, rentals, or other charges by any other lawful method of
2454 enforcement.

2455 (23) ENFORCEMENT AND PENALTIES.—The board or any
2456 aggrieved person may have recourse to such remedies in law and
2457 at equity as may be necessary to ensure compliance with this

2458 act, including injunctive relief to enjoin or restrain any
2459 person violating this act or any bylaws, resolutions,
2460 regulations, rules, codes, or orders adopted under this act.
2461 In case any building or structure is erected, constructed,
2462 reconstructed, altered, repaired, converted, or maintained, or
2463 any building, structure, land, or water is used, in violation
2464 of this act or of any code, order, resolution, or other
2465 regulation made under authority conferred by this act or under
2466 law, the board or any citizen residing in the district may
2467 institute any appropriate action or proceeding to prevent such
2468 unlawful erection, construction, reconstruction, alteration,
2469 repair, conversion, maintenance, or use; to restrain, correct,
2470 or avoid such violation; to prevent the occupancy of such
2471 building, structure, land, or water; and to prevent any
2472 illegal act, conduct, business, or use in or about such
2473 premises, land, or water.

2474 (24) SUITS AGAINST THE DISTRICT.—Any suit or action
2475 brought or maintained against the district for damages arising
2476 out of tort, including, without limitation, any claim arising
2477 upon account of an act causing an injury or loss of property,

2478 personal injury, or death, shall be subject to the limitations
2479 provided in s. 768.28, Florida Statutes.

2480 (25) EXEMPTION OF DISTRICT PROPERTY FROM EXECUTION.—

2481 All district property shall be exempt from levy and sale by
2482 virtue of an execution, and no execution or other judicial
2483 process shall issue against such property, nor shall any
2484 judgment against the district be a charge or lien on its
2485 property or revenues; however, nothing contained herein shall
2486 apply to or limit the rights of bondholders to pursue any
2487 remedy for the enforcement of any lien or pledge given by the
2488 district in connection with any of the bonds or obligations of
2489 the district.

2490 (26) TERMINATION, CONTRACTION, OR EXPANSION OF
2491 DISTRICT.—

2492 (a) The board of supervisors of the district shall not
2493 ask the Legislature to repeal or amend this act to expand or
2494 to contract the boundaries of the district or otherwise cause
2495 the merger or termination of the district without first
2496 obtaining a resolution or official statement from Clay County
2497 as required by s. 189.031(2)(e)4., Florida Statutes, for
2498 creation of an independent special district. The district's

2499 consent may be evidenced by a resolution or other official
2500 written statement of the district.

2501 (b) The district shall remain in existence until:

2502 1. The district is terminated and dissolved pursuant
2503 to amendment to this act by the Legislature.

2504 2. The district has become inactive pursuant to s.
2505 189.062, Florida Statutes.

2506 (27) MERGER WITH COMMUNITY DEVELOPMENT DISTRICTS. The
2507 district may merge with one or more community development
2508 districts situated wholly within its boundaries. The district
2509 shall be the surviving entity of the merger. Any mergers
2510 shall commence upon each such community development district
2511 filing a written request for merger with the district. A copy
2512 of the written request shall also be filed with Clay County.
2513 The district, subject to the direction of its board of
2514 supervisors, shall enter into a merger agreement which shall
2515 provide for the proper allocation of debt, the manner in which
2516 such debt shall be retired, the transition of the community
2517 development district board, and the transfer of all financial
2518 obligations and operating and maintenance responsibilities to
2519 the district. The execution of the merger agreement by the

2520 district and each community development district constitutes
2521 consent of the landowners within each district. The district
2522 and each community development district requesting merger
2523 shall hold a public hearing within its boundaries to provide
2524 information about and take public comment on the proposed
2525 merger in the merger agreement. The public hearing shall be
2526 held within 45 days of the initial consideration and approval
2527 of the merger agreement by all parties thereto. Notice of the
2528 public hearing shall be published at least 14 days before the
2529 hearing in a newspaper of general circulation in Clay County.
2530 At the conclusion of the public hearing each district shall
2531 consider a resolution either approving or disapproving the
2532 proposed merger. If the district and each community
2533 development district which is a party to the merger agreement
2534 adopt a resolution approving the proposed merger, the
2535 resolutions and the executed merger agreement shall be filed
2536 with Clay County. Upon receipt of the resolutions approving
2537 the merger and the merger agreement, Clay County shall adopt a
2538 non-emergency ordinance dissolving each community development
2539 district pursuant to s. 190.046(10), Florida Statutes.

2540 (28) INCLUSION OF TERRITORY. The inclusion of any or
2541 all territory of the district within a municipality does not
2542 change, alter, or affect the boundary, territory, existence,
2543 or jurisdiction of the district.

2544 (29) SALE OF REAL ESTATE WITHIN THE DISTRICT; REQUIRED
2545 DISCLOSURE TO PURCHASER.—Subsequent to the creation of this
2546 district under this act, each contract for the initial sale of
2547 a parcel of real property and each contract for the initial
2548 sale of a residential unit within the district shall include,
2549 immediately prior to the space reserved in the contract for
2550 the signature of the purchaser, the following disclosure
2551 statement in boldfaced and conspicuous type which is larger
2552 than the type in the remaining text of the contract: "THE
2553 SHADOWLAWN STEWARDSHIP DISTRICT MAY IMPOSE AND LEVY TAXES OR
2554 ASSESSMENTS, OR BOTH TAXES AND ASSESSMENTS, ON THIS PROPERTY.
2555 THESE TAXES AND ASSESSMENTS PAY FOR THE CONSTRUCTION,
2556 OPERATION, AND MAINTENANCE COSTS OF CERTAIN PUBLIC SYSTEMS,
2557 FACILITIES, AND SERVICES OF THE DISTRICT AND ARE SET ANNUALLY
2558 BY THE GOVERNING BOARD OF THE DISTRICT. THESE TAXES AND
2559 ASSESSMENTS ARE IN ADDITION TO COUNTY AND OTHER LOCAL

2560 GOVERNMENTAL TAXES AND ASSESSMENTS AND ALL OTHER TAXES AND
2561 ASSESSMENTS PROVIDED FOR BY LAW."

2562 (30) NOTICE OF CREATION AND ESTABLISHMENT.—Within 30
2563 days after the election of the first board of supervisors
2564 creating this district, the district shall cause to be
2565 recorded in the grantor-grantee index of the property records
2566 in Clay County a "Notice of Creation and Establishment of the
2567 Shadowlawn Stewardship District." The notice shall, at a
2568 minimum, include the legal description of the property covered
2569 by this act.

2570 (31) DISTRICT PROPERTY PUBLIC; FEES.—Any system,
2571 facility, service, works, improvement, project, or other
2572 infrastructure owned by the district, or funded by federal tax
2573 exempt bonding issued by the district, is public; and the
2574 district by rule may regulate, and may impose reasonable
2575 charges or fees for, the use thereof, but not to the extent
2576 that such regulation or imposition of such charges or fees
2577 constitutes denial of reasonable access.

2578 Section 7. If any provision of this act is determined
2579 unconstitutional or otherwise determined invalid by a court of

2580 law, all the rest and remainder of the act shall remain in
2581 full force and effect as the law of this state.

2582 Section 8. This act shall take effect upon becoming a
2583 law, except that the provisions of this act which authorize
2584 the levy of ad valorem taxation shall take effect only upon
2585 express approval by a majority vote of those qualified
2586 electors of the Shadowlawn_ Stewardship District, as required
2587 by Section 9 of Article VII of the State Constitution, voting
2588 in a referendum election held in the manner prescribed by
2589 general law for holding general elections and at such time as
2590 all members of the board are qualified electors who are
2591 elected by qualified electors of the district as provided in
2592 this act.