

**SOUTH FLORIDA WATER MANAGEMENT DISTRICT  
RESOLUTION NO. 2013- \_\_\_\_\_**

**A RESOLUTION OF THE GOVERNING BOARD OF THE SOUTH FLORIDA WATER MANAGEMENT DISTRICT CONCEPTUALLY APPROVING A PROPOSED LAND ACQUISITION WITH A. DUDA & SONS, INC. IN WHICH THE SOUTH FLORIDA WATER MANAGEMENT DISTRICT WILL ACQUIRE 638 ACRES OF LAND IN GLADES COUNTY FOR \$1,900,000 AND THE DISTRICT WILL HAVE AN OPTION TO PURCHASE THE BALANCE OF THE PROPERTY (APPROXIMATELY 2,489 ACRES); PROVIDING AN EFFECTIVE DATE.**

**WHEREAS**, the staff of the South Florida Water Management District entered into the non-binding Letter of Intent with A. Duda & Sons, Inc. (Duda), dated November 27, 2012; and

**WHEREAS**, the Letter of Intent provides the general terms of a proposed land acquisition; and

**WHEREAS**, under the Letter of Intent, the South Florida Water Management District will acquire from Duda approximately 638 acres of land in Glades County, known as the Moore Haven property; and

**WHEREAS**, the proposed acquisition would be based on the following principles:

1. The South Florida Water Management District's (DISTRICT) will acquire 638 acres of the DUDA's Moore Haven property identified as Areas (1), (2), and (3) on the map attached as Exhibit A.
2. The acquisition is contingent upon the extension of DUDA's State land leases (Lease Numbers 1935 and 1935-S) for 30 years by the Board of Trustees of the Internal Improvement Trust Fund.
3. The DISTRICT will provide cash in the amount of \$1.9 million (or \$2,984/acre). (This represents a 56% discount from the appraised value of \$6,800/acre.)
4. The District will have an option to purchase the balance of the Moore Haven property (approximately 2,489 acres) to be acquired at the appraised value of \$6,800/acre for an additional \$16.9 million. The District will have four years to exercise the option. If consideration other than cash is contemplated, the valuation for the balance may be adjusted accordingly; and

**WHEREAS**, it is desirable that the Governing Board of the South Florida Water Management District conceptually approve the proposed acquisition before the parties proceed with the negotiation of a Sale and Purchase Agreement to be brought back to this Governing Board for review and approval; and

**WHEREAS**, staff has obtained an appraisal of the Moore Haven parcel to support the transaction; and

**WHEREAS**, this proposed land acquisition will provide significant benefits in the restoration of the Caloosahatchee River Watershed in accordance with the Northern Everglades and Estuaries Protection Program by providing improved water quality and fresh water flows to the Caloosahatchee River while satisfying other water-related needs.

**NOW THEREFORE,**

**BE IT RESOLVED BY THE GOVERNING BOARD OF THE SOUTH FLORIDA WATER MANAGEMENT DISTRICT:**

**Section 1.** The Governing Board of the South Florida Water Management District hereby conceptually approves staff proceeding with negotiating a proposed Sale and Purchase Agreement in accordance with the principles in the Letter of Intent.

**Section 2.** After negotiations have been completed, staff will bring the Agreement back to the Governing Board for review and consideration for approval.

**Section 3.** This resolution shall take effect immediately upon adoption.

**PASSED and ADOPTED** this \_\_\_\_\_ day of \_\_\_\_\_, 2012.

SOUTH FLORIDA WATER MANAGEMENT DISTRICT, BY ITS GOVERNING BOARD

By:

\_\_\_\_\_  
Chairman

ATTEST:

\_\_\_\_\_  
District Clerk/Secretary

Approved as to form:

By:

\_\_\_\_\_  
Office of Counsel

Print name:  
\_\_\_\_\_