



SOUTH FLORIDA WATER MANAGEMENT DISTRICT

3301 Gun Club Road, West Palm Beach, Florida 33406 • (561) 686-8800 • FL WATS 1-800-432-2045 • TDD (561) 697-2574
Mailing Address: P.O. Box 24680, West Palm Beach, FL 33416-4680 • www.sfwmd.gov

LAND ACQUISITION EXECUTIVE SUMMARY

PROJECT: Kissimmee Chain of Lakes
TRACT NOS.: 18-001-052, 18-001-054, 18-001-055, 18-001-058
18-001-060, 18-001-139, 18-001-140, 18-001-141
ACRES: 35.81
PURPOSE: Kissimmee River Restoration
OWNERS: Edgar Curtis Chandley, Jr. and Barbara Curtis Chandley
APPRAISED VALUE: \$3,413,235
PURCHASE PRICE: \$4,413,000
COSTS & ATTORNEY'S FEES: \$ 893,828.19

REQUEST: Approval of the acquisition of land interests containing 35.81 acres, more or less, in Polk County for the Kissimmee Chain of Lakes Project in the amount of \$4,413,000, a portion of which includes a cost to cure to implement engineering solutions, and the payment of statutory costs and attorney's fees in the amount of \$893,828.19.

BACKGROUND: The fee and flowage easement acquisitions, comprising 35.81 acres, are a necessary part of the Project in Polk County. The Project, which includes measures to reestablish the historic river channel and flood plain, will cause modifications of water levels in the upper basin lakes in a manner that may impact certain lands including the subject lands.

CONSIDERATIONS: The subject lands, bordering on Lake Kissimmee in Polk County, are comprised of lands used primarily for cattle grazing and lands used for a residential fish camp known as Grape Hammock Fish Camp. The Fish Camp includes 12 short-term rental cabin sites and 70 short-term rental RV camping sites owned by the Owners and approximately 40 tenant sites improved with permanent mobile homes and accessory attachments owned by each individual tenant. The implementation of the Project will potentially impact the septic and wastewater systems, certain interior roads, and certain drainage areas within the Fish Camp which impacts, if not remedied, will potentially compromise the Owners' continued operation of the Fish Camp which would include the loss by the Owners of the use of the temporary rental cabin sites and the short-term rental RV camping sites, and may require the acquisition by the District of all of the individual tenants' interests and improvements. A \$1,913,235 engineering cost to cure ("Cost To Cure") intended to prevent the Project's potential impacts to the Fish Camp's infrastructure was designed and included as a portion of the appraised value and purchase price. Pursuant to the acquisition agreement, the District agrees to:

GOVERNING BOARD

Kevin McCarty, *Chair*
Irela M. Bagué, *Vice-Chair*
Miya Burt-Stewart

Alice J. Carlson
Michael Collins
Nicolás J. Gutiérrez, Jr., Esq.

Lennart E. Lindahl, P.E.
Harkley R. Thornton
Malcolm S. Wade, Jr.

EXECUTIVE OFFICE

Carol Ann Wehle, *Executive Director*

- pay eight hundred ninety-three thousand eight hundred twenty-eight dollars and 19/100 (\$893,828.19) for the owner's statutory costs and attorney's fees
- allow the Owners, a reservation for goat grazing purposes as to the 9.37 acre Tract No. 18-001-054 which can be terminated with 6 months notice
- allow the Owners until March 1, 2007 to terminate the transaction if they cannot secure the required permits for the seawalls and bulkheading that are included in the Cost To Cure.
- include 14.02 policy land acres as to which the Owners claim ownership, but which may be subject to the competing ownership claim of the State

FISCAL IMPACT: The purchase price is \$4,413,000 or 29.29% above the approved appraised value. The purchase price and the \$893,828.19 statutory costs and attorney's fees are to be funded through Florida Forever and/or Ad Valorem funds.

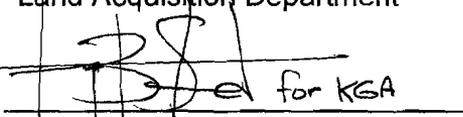
RECOMMENDATION: That the Governing Board of the South Florida Water Management District approve the acquisition of land interests containing 35.81 acres, more or less, for the Kissimmee Chain of Lakes Project in the amount of \$4,413,000, a portion of which includes a cost to cure to implement engineering solutions, and the payment of statutory costs and attorney's fees in the amount of \$893,828.19 and approve funding with Florida Forever and/or Ad Valorem funds.

Prepared by: 
 Robert A. Schaeffer
 Lead Professional-Acquisition
 Land Acquisition Department

6-15-2006
 Date

Reviewed by: 
 Ruth P. Clements
 Director
 Land Acquisition Department

6/19/06
 Date

Approved by:  for KGA
 Kenneth G. Ammon, P.E.
 Deputy Executive Director
 CERP

6-20-06
 Date

Owners	Tract Nos.	Interest	Acres	Appraised Value**	Purchase Price
Edgar Curtis Chandley, Jr. and Barbara Curtis Chandley	18-001-054	Fee*	9.37		\$4,413,000
Edgar Curtis Chandley, Jr. and Barbara Curtis Chandley	18-001-060	Fee	11.79		
Edgar Curtis Chandley, Jr. and Barbara Curtis Chandley	18-001-058	Fee	2.79		
Edgar Curtis Chandley, Jr. and Barbara Curtis Chandley	18-001-140	Flowage Easement	0.85		
Edgar Curtis Chandley, Jr. and Barbara Curtis Chandley	18-001-139	Flowage Easement	1.36		
Edgar Curtis Chandley, Jr. and Barbara Curtis Chandley	18-001-055	Flowage Easement	0.40		
Edgar Curtis Chandley, Jr. and Barbara Curtis Chandley	18-001-052	Flowage Easement	9.25		
Edgar Curtis Chandley, Jr. and Barbara Curtis Chandley	18-001-141	Restrictive Covenant***	N/A	N/A	N/A
Totals			35.81	\$3,413,235	\$4,413,000

*Subject to a reservation for grazing goats which is not reflected in the appraised value which can be terminated with 6 months notice.

**The Appraised Value includes \$1,913,235 representing a cost to cure for engineering solutions.

***Restriction with respect to the wastewater system within the area of the Fish Camp

Attachments: Resolution and map

Persons and entities for conflict check:

None