

41 depicted on location map Exhibit "AA", which is attached hereto and made a part hereof. The
42 District has identified the land area and the matter associated with the agreement and the
43 \$250,000 expenditure as Tract No. 19103-849.

44 (2) The District staff has determined that the maximum \$250,000 cost is an accurate
45 and reasonable expenditure for the work associated with the removal and relocation of the MCI
46 fiber optic cable transmission system lines.

47 (3) Since there is no acquisition of lands or land interests, the requirements that there
48 be a review for the presence of State Sovereignty submerged lands and that the District take
49 reasonable measures avoid paying for sovereignty lands are not applicable.

50 (4) This request for funds is consistent with the District's Five Year Plan of acquisition
51 or the South Florida Water Management District Florida Forever Work Plan, as contained in
52 Chapter 6A, Volume II of the South Florida Environmental Report, and last updated during a
53 public hearing on January 13, 2009, and filed with the Legislature and the Department of
54 Environmental Protection.

55 (5) The subject of this Resolution related to the request for release of funds from the
56 Florida Forever Trust Fund Acquisition furthers the Florida Forever goals set forth in (1) Section
57 259.105 (4)(a) Florida Statutes (i.e. enhance the coordination and completion of land acquisition
58 projects as measured by the number of shared acquisition projects among Florida Forever
59 funding partners and partners with other funding sources, including local governments and the
60 Federal Government) and (2) Section 259.105 (4)(d) Florida Statutes (i.e. ensure that sufficient
61 quantities of water are available to meet the current and future needs of natural systems and the
62 citizens of the state, as measured by the quantity of water made available through the water
63 resource development component of a district water supply plan for which a water management
64 district is responsible), and the complies with the Section 215.618 Florida Statutes requirements
65 to finance the cost of acquisition and improvement of land, water areas, and related property
66 interests and resources, in urban and rural settings, for the purposes of restoration,
67 conservation, recreation, water resource development, or historical preservation, and for capital
68 improvements to lands and water areas that accomplish environmental restoration, enhance
69 public access and recreational enjoyment, promote long-term management goals, and facilitate
70 water resource development.

71 (6) The funds requested shall be used only for the costs associated with the
72 agreement described herein.

73 (7) Since there is no acquisition of lands or land interests, the requirement that to the
74 extent possible, the lands being acquired shall be maintained in an environmentally acceptable
75 manner is not applicable.

76 (8) Since there is no acquisition of lands or land interests, the requirement that should
77 the District dispose of any or all of the interests acquired hereunder, all revenues derived
78 therefrom will be used to acquire other lands for water management, water supply and the
79 conservation and protection of water resources is not applicable.

80 (9) Since there is no acquisition of lands or land interests, the requirement that an
81 environmental assessment be completed is not applicable.

82 (10) Since there is no acquisition of lands or land interests, the requirement that the
83 lands shall be managed for multiple-use purposes where compatible with the resource values of
84 and management objectives for such lands as set forth in Section 259.105(5), Florida Statutes is
85 not applicable.

86 (11) The Resolution of approve acquisition of these lands was approved by the
87 Governing Board of the District on December 10, 2009.

88 (12) The District will utilize funds from the Florida Forever Trust Fund.

89 (13) The Executive Director or the designee of the Executive Director is hereby
90 authorized to request the release of funds for all costs and expenses for the matter described and
91 identified in this Resolution.

92 (14) This Resolution shall take effect immediately upon adoption.

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94 **PASSED** and **ADOPTED** this _____ day of _____, 2009.

95
96 **ATTEST:**

97
98
99 By: _____
100 District Clerk/Secretary

101
102
103 **SOUTH FLORIDA WATER MANAGEMENT**
104 **DISTRICT, BY ITS GOVERNING BOARD**

105
106 (Corporate Seal)

107
108 By: _____
109 Chair

110
111
112 **Legal Form Approved:**

113
114
115 By: _____
116 Office of Counsel