

LAND ACQUISITION EXECUTIVE SUMMARY

PROJECT: Kissimmee River Restoration and Headwaters Revitalization Project

COUNTY: Osceola

SIZE: 140.60 acres (Easement)

PURPOSE: Approve final purchase offer for voluntary acquisition of perpetual conservation and flowage/inundation easement and Authorize Eminent Domain for the acquisition in the event that the final purchase offer is not accepted by the owner.

OWNER: Arnold H. Mack, as Trustee of the Arnold H. Mack revocable Trust dated December 27, 2000

APPRAISED VALUE: \$2,060,000

FINAL OFFER: \$2,369,000

HIGHLIGHTS: This land is located in Osceola County and is required for the Project. The District has been unsuccessful in negotiating the voluntary purchase of this tract. In an effort to bring this acquisition to finality, District staff is requesting authority to make a final written offer of \$2,369,000, 15% over appraised value. If the land owner fails to accept, approval of the Governing Board item will also grant authority to file condemnation action.

CONSIDERATIONS: This acquisition involves the acquisition of a perpetual conservation and flowage/ inundation easement between 52.5 and 54 feet in Osceola County. The Project, which includes measures to reestablish the historic river channel and floodplain, will cause the water levels in the restored river to fluctuate in a manner that may impact certain lands including the subject lands. Acquisition of a perpetual conservation and flowage/inundation easement, comprising 140.60 acres, is a necessary part of the Project in Osceola County.

FISCAL IMPACT: The final purchase offer of \$2,369,000 is 15% of the appraised value based on SFWMD approved appraisal dated January 17, 2010. Should the owner not accept the offer within 30 days, the District would initiate eminent domain proceedings. The final condemnation settlement cost of the subject land is unknown at this time. All costs are to be funded through ad valorem (Capital Projects Okeechobee) and dedicated (Florida Forever Trust Fund) funds.

RECOMMENDATION: That the Governing Board of the South Florida Water Management District authorize a final purchase offer and eminent domain proceedings for the acquisition of a land interest containing 140.60 acres, more or less, in Osceola County, Kissimmee River Restoration and Headwaters Revitalization Project and approve funding with ad valorem (Capital Projects Okeechobee) and dedicated (Florida Forever Trust Fund) funds.

Prepared by: _____
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Date

Reviewed by: _____
Ruth P. Clements
Director
Land Acquisition Department

Date

Approved by: _____
Kenneth G. Ammon, P.E.
Deputy Executive Director
Everglades Restoration and Capital Projects

Date

Attachments: Resolution and map

Persons and entities for conflict check:

Arnold H. Mack, as Trustee of the Arnold H. Mack
revocable Trust dated December 27, 2000.