

1 SOUTH FLORIDA WATER MANAGEMENT DISTRICT

2
3 RESOLUTION NO. 2007- _____

4
5 A RESOLUTION OF THE GOVERNING BOARD OF THE SOUTH FLORIDA WATER
6 MANAGEMENT DISTRICT TO APPROVE THE PURCHASE OF LAND INTERESTS
7 CONTAINING 22.19 ACRES, MORE OR LESS, FOR THE WATER PRESERVE AREA
8 EAST COAST BUFFER PROJECT, IN MIAMI-DADE COUNTY, WHICH IS ALSO PART
9 OF THE COMPREHENSIVE EVERGLADES RESTORATION PLAN, WCA 3A/3B
10 SEEPAGE MANAGEMENT PROJECT, IN THE AMOUNT OF \$4,316,000, TOGETHER
11 WITH STATUTORY COSTS AND ATTORNEYS' FEES IN THE TOTAL AMOUNT OF
12 \$655,185, AND ALL ASSOCIATED COSTS; AND AUTHORIZE BUDGET TRANSFERS
13 OF DEDICATED FUNDS (SAVE OUR EVERGLADES TRUST FUND) FROM CERP
14 FUNDED PROGRAMS LAKE OKEECHOBEE WATERSHED AND NORTH PALM BEACH
15 COUNTY AND CERP AD VALOREM FUNDS FROM CERP PROGRAM SUPPORT AND
16 CERP FUNDED PROGRAM LAKE OKEECHOBEE WATERSHED TO CERP FUNDED
17 PROGRAM BROWARD COUNTY WATER PRESERVE AREA; APPROVE DECLARING
18 SURPLUS, DISPOSAL OF, AND REMOVAL FROM THE ASSET RECORDS, ANY SUCH
19 STRUCTURES AND IMPROVEMENTS DEEMED UNNECESSARY FOR THE STATED
20 PURPOSE OF THE ORIGINAL LAND ACQUISITION; PROVIDING AN EFFECTIVE DATE.
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22 WHEREAS, the South Florida Water Management District is currently acquiring land in connection
23 with implementation of the Water Preserve Area East Coast Buffer Project which is also part of the
24 Comprehensive Everglades Restoration Plan, WCA 3A/3B Seepage Management Project in Miami-Dade
25 County;

26 WHEREAS, the South Florida Water Management District desires to purchase land interests
27 containing 22.19 acres, more or less, for the Water Preserve Area East Coast Buffer Project, in Miami-Dade
28 County, which is also part of the Comprehensive Everglades Restoration Plan, WCA 3A/3B Seepage
29 Management Project, in the amount of \$4,316,000, together with statutory costs and attorneys' fees in the
30 total amount of \$655,185, and all associated costs, and approve declaring surplus, disposal of, and removal
31 from the asset records, any such structures and improvements deemed unnecessary for the stated purpose
32 of the original land acquisition;

33 WHEREAS, the South Florida Water Management District is authorized to acquire land, or interests
34 or rights in land, pursuant to Section 373.139, Florida Statutes;

35 NOW THEREFORE, BE IT RESOLVED by the Governing Board of the South Florida Water
36 Management District:

37 **Section 1.** The Governing Board of the South Florida Water Management District hereby approves the
38 purchase of land interests containing 22.19 acres, more or less, for the Water Preserve Area East Coast
39 Buffer Project, in Miami-Dade County, which is also part of the Comprehensive Everglades Restoration Plan,
40 WCA 3A/3B Seepage Management Project, in the amount of \$4,316,000, together with statutory costs and
41 attorneys' fees in the amount of \$655,185, and all associated costs, as follows:
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Owner	Tract No.	Interest	Acres	Appraised Value	Purchase Price
Phoenix S & S Inc., a Florida corporation	W9311-049	FEE	22.19	\$3,320,000	\$4,316,000
Totals					\$4,316,000

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47 **Section 2.** The Governing Board of the South Florida Water Management District hereby approves the
 48 transfer of dedicated funds (Save Our Everglades Trust Fund) from CERP funded programs Lake
 49 Okeechobee Watershed and North Palm Beach County and CERP ad valorem funds from CERP program
 50 support and CERP funded program Lake Okeechobee Watershed to CERP funded program Broward County
 51 Water Preserve Area, as follows:

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53 **FROM:**

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Amount	Fund	Funds Center	Funded Program	Commitment Item
\$542,917	412000	3411143000	P101	580020
\$2,522,573	412000	3510144000	P117	589020
\$1,109,130	410000	3510144000	Ph99	580014
\$540,000	410000	3514148000	Ph99	530100
\$256,565	410000	3510144000	P101	530900

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57 **TO:**

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Dollars	Fund	Funds Center	Funded Program	Commitment Item GL Account #
\$3,065,490	412000	3510144000	P145	580020
\$1,905,695	410000	351014400	P145	580020

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Budget Approved

Date

64 **Section 3.** The Governing Board of the South Florida Water Management District hereby further
 65 approves declaring surplus, disposal of, and removal from the asset records, any such structures and
 66 improvements deemed unnecessary for the stated purpose of the original land acquisition.

67 **Section 4.** Seller shall have post closing rights for six (6) months after the actual closing date to wind up
 68 nursery operations, and up to eighteen (18) months after the actual closing date to complete restoration
 69 requirements of Miami-Dade County Department of Environmental Resources Management.

70 **Section 5.** The District will withhold Five Hundred Thousand Dollars (\$500,000) from the purchase price
71 to assure seller's compliance with restoration requirements of Miami-Dade County Department of
72 Environmental Resources Management.

73 **Section 6.** The Governing Board of the South Florida Water Management District hereby authorizes the
74 Chair to execute the Agreement for Sale and Purchase.

75 **Section 7.** This Resolution shall take effect immediately upon adoption.

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77 **PASSED** and **ADOPTED** this ____ day of _____, 2007.

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80 **Legal Form Approved:**

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83 By: _____
84 Office of Counsel

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88 (Corporate Seal)

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**SOUTH FLORIDA WATER MANAGEMENT DISTRICT,
BY ITS GOVERNING BOARD**

By: _____
Chairman

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ATTEST:

By: _____
District Clerk/Secretary