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3 **SOUTH FLORIDA WATER MANAGEMENT DISTRICT**  
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5 **RESOLUTION NO. 2009- \_\_\_\_\_**  
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7 **A RESOLUTION OF THE GOVERNING BOARD OF THE SOUTH FLORIDA**  
8 **WATER MANAGEMENT DISTRICT TO APPROVE THE EXCHANGE OF LAND**  
9 **INTERESTS WITH GLADES ELECTRIC COOPERATIVE, INC. FOR THE**  
10 **KISSIMMEE RIVER PROJECT, IN OKEECHOBEE COUNTY, WHEREBY THE**  
11 **DISTRICT WILL DECLARE SURPLUS AND CONVEY A TEMPORARY**  
12 **EASEMENT FOR ELECTRIC POWER LINES CONTAINING 1.78 ACRES, MORE**  
13 **OR LESS, AND A PERMANENT EASEMENT FOR ELECTRIC POWER LINES**  
14 **CONTAINING 1.19 ACRES, MORE OR LESS, TOGETHER WITH THE PAYMENT**  
15 **OF A MAXIMUM OF \$25,000 FOR THE REMOVAL AND RELOCATION OF SAID**  
16 **ELECTRIC POWER LINES, IN EXCHANGE FOR THE TERMINATION AND**  
17 **RELEASE OF PERMANENT EASEMENT RIGHTS CONTAINING 1.78 ACRES,**  
18 **AND ASSOCIATED COSTS AND APPROVE A BUDGET TRANSFER OF**  
19 **DEDICATED FUNDS (CAPITAL PROJECTS OKEECHOBEE) FROM C-**  
20 **111/MODIFIED WATER DELIVERIES – CERP PROJECT TO LAND**  
21 **CERTIFICATION/CONDEMNATION – RIVER RESTORATION PROJECT;**  
22 **PROVIDING AN EFFECTIVE DATE.**  
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24 **WHEREAS**, the South Florida Water Management District is currently acquiring land in  
25 connection with implementation of the Kissimmee River Project in Okeechobee County;

26 **WHEREAS**, the South Florida Water Management District is authorized to acquire land, or  
27 interests or rights in land, pursuant to Section 373.139, Florida Statutes and to exchange lands, or  
28 interests or rights in land, pursuant to Section 373.089, Florida Statutes;

29 **WHEREAS**, in connection with the Kissimmee River Project, certain construction work will  
30 be done by the District and the U.S. Army Corps of Engineers, whereby certain existing Glades  
31 Electric Cooperative, Inc. (“Glades Electric”) electric power lines will interfere with the intended  
32 construction work improvements (the “Project Improvements”);

33 **WHEREAS**, the current 1.78 acres, more or less, easement area within which the existing  
34 electric power lines are located (the “Existing Power Easement Area”) is being acquired in fee by  
35 the District for the Project Improvements and the proposed new easement area of 1.19 acres,  
36 more or less, within which the electric power lines will be relocated (the “New Power Easement  
37 Area”) has already been acquired by the District for the Project Improvements;

38 **WHEREAS**, the Existing Power Easement Area, identified as Tract No. 19103-834, and the  
39 New Power Easement Area, identified as Tract No. 19103-835 and described as being  
40 approximately twenty (25) feet wide located within Tract Nos. 19103-554, 19103-555, 19103-556,  
41 19103-557, 19103-558, 19103-568 and the S65D structure lands, are shown on the location map  
42 attached hereto as Exhibit “A” attached hereto;

43           **WHEREAS**, until the electric power lines are relocated by Glades Electric within New  
44 Power Easement Area, the District will grant Glades Electric a temporary easement for the existing  
45 electric power lines to remain within the Existing Power Easement Area;

46           **WHEREAS**, the estimated cost for the removal and relocation by Glades Electric of the  
47 electric power lines is a maximum of \$25,000;

48           **WHEREAS**, the District has determined that the conveyance to Glades Electric of a  
49 temporary easement for existing electric power lines within the Existing Power Easement Area and  
50 a permanent easement for new electric power lines within the New Power Easement Area and the  
51 payment of a maximum of \$25,000 for removal and relocation costs in exchange for the  
52 termination and release by Glades Electric of permanent easement rights within the Existing Power  
53 Easement Area is needed for Project purposes;

54           **WHEREAS**, the District shall convey to Glades Electric a temporary easement for existing  
55 electric power lines within the Existing Power Easement Area and a permanent easement for new  
56 electric power lines within the New Power Easement Area and pay of a maximum of \$25,000 for  
57 removal and relocation costs in exchange for the termination and release by Glades Electric of  
58 permanent easement rights within the Existing Power Easement Area;

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60           **NOW THEREFORE, BE IT RESOLVED** by the Governing Board of the South Florida Water  
61 Management District:

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63    **Section 1.**    The Governing Board of the South Florida Water Management District hereby  
64 approves the exchange of land interests with Glades Electric Cooperative, Inc. for the Kissimmee  
65 River Project, in Okeechobee County, whereby the District hereby declares surplus the flowing  
66 land interests and will convey a temporary easement for electric power lines with the Existing  
67 Power Easement Areas containing 1.78 acres, more or less, and a permanent easement for new  
68 electric power lines within the New Power Easement Area containing 1.19 acres, more or less, and  
69 pay a maximum of \$25,000 for removal and relocation costs of electric power lines in exchange for  
70 the termination and release of permanent easement rights within the 1.78 acres, and associated  
71 costs, subject to a budget transfer as follows. Furthermore, pursuant to Section 373.089, the  
72 Governing Board hereby approves the surplus of the aforementioned easement interests in land  
73 for exchange, as herein provided, by at least a two-thirds vote.

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Owners	Tract Nos.	Interest/Reason	Acres	Appraised Value	Maximum Cost Estimation
Glades Electric Cooperative, Inc.		Termination and Release of Easement Rights	1.78	N/A	
South Florida Water Management District	19103-834	Temporary Easement	1.78	N/A	
South Florida Water Management District	19103-835	Permanent Easement	1.19	N/A	
South Florida Water Management District		Removal and Relocation of Electric Power Lines	N/A	N/A	\$25,000

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83 **Section 2.** The Governing Board of the South Florida Water Management District hereby  
 84 approves a budget transfer of Dedicated Funds (Capital Project Okeechobee) from C-111/Modified  
 85 Water Deliveries – CERP Project to Land Certification/Condemnation – River Restoration Project.

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87 **BUDGET TRANSFER**

88 **FROM:**

Dollars	Fund	Fund Center	Functional Area	Commitment Item GL Acct #
\$25,000	402000	3510144000	PK03	580020

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**TO:**

Dollars	Fund	Fund Center	Functional Area	Commitment Item GL Acct #
\$25,000	402000	3510144000	FD01	580020

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94 **Section 3.** The Governing Board of the South Florida Water Management District hereby  
 95 authorizes the Chair to execute the easements with respect to the Existing Power Easement Area  
 96 and the New Power Easement Area and hereby authorizes the Executive Director to execute all  
 97 other documents necessary to consummate this transaction.

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**Section 4.** This Resolution shall take effect immediately upon adoption.

**PASSED** and **ADOPTED** this \_\_\_\_\_ day of \_\_\_\_\_, 2009.

**ATTEST:**

By: \_\_\_\_\_  
District Clerk/Secretary

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

(Corporate Seal)

By: \_\_\_\_\_  
Chair

**Approved as to form:**

By: \_\_\_\_\_  
Office of Counsel