

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 1,770.55 ACRES, MORE OR LESS, IN GLADES COUNTY, FOR THE  
8 CALOOSAHATCHEE RIVER BASIN WATER QUALITY TREATMENT AND TESTING  
9 FACILITY, IN THE AMOUNT OF \$37,181,550 AND ASSOCIATED COSTS FOR WHICH  
10 DEDICATED FUNDS (SAVE OUR EVERGLADES TRUST FUND) AND AD VALOREM  
11 FUNDS ARE BUDGETED, AND FOR WHICH ADDITIONAL DEDICATED FUNDS  
12 (LEE COUNTY) ARE AVAILABLE SUBJECT TO A BUDGET AMENDMENT;  
13 APPROVE DECLARING SURPLUS, DISPOSAL OF, AND REMOVAL FROM THE  
14 ASSET RECORDS ANY SUCH STRUCTURES AND IMPROVEMENTS DEEMED  
15 UNNECESSARY FOR THE STATED PURPOSE OF THE ORIGINAL LAND  
16 ACQUISITION; PROVIDING AN EFFECTIVE DATE.  
17

18 WHEREAS, the South Florida Water Management District will be acquiring land in connection  
19 with implementation of the Caloosahatchee River Basin Water Quality Treatment and Testing Facility;  
20 and

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

23 WHEREAS, the South Florida Water Management District desires to enter into an Agreement for  
24 Sale and Purchase of land interests containing 1,770.55 acres, more or less, in Glades County (Tract No.  
25 KC100-013), for the Caloosahatchee River Basin Water Quality Treatment and Testing Facility, as more  
26 particularly described on Exhibit "A", and as shown on the location map Exhibit "AA", both of which are  
27 attached hereto and made a part hereof, in the amount of \$37,181,550, and declare surplus, disposal of,  
28 and removal from the asset records, any such structures and improvements deemed unnecessary for the  
29 stated purpose for the original land acquisition; and

30 WHEREAS, Seller shall remain on the property to harvest its current citrus crop until April 1,  
31 2008, and the District, in its sole discretion, may extend occupancy beyond April 1<sup>st</sup> for consideration to  
32 be negotiated, if such extension is consistent with the project schedule; and

33 WHEREAS, funding is available by the Florida Department of Environmental Protection from the  
34 Save Our Everglades Trust Fund and District ad valorem; and

35 WHEREAS, additional funding will be made available by Lee County, subject to a budget  
36 amendment; and

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

39 **Section 1.** The Governing Board of the South Florida Water Management District hereby approves  
40 the purchase of land interests containing 1,770.55 acres, more or less, in Glades County, for the  
41 Caloosahatchee River Basin Water Quality Treatment and Testing Facility, in the amount of \$37,181,550,  
42 together with associated costs, as follows:  
43

Owners	Tract No.	Interest	Acres	Appraised Value	Purchase Price
Boma, LC, a Utah limited liability company	KC 100-013	Fee	1,770.55	\$30,801,290*	\$37,181,550

\*Allocated appraised value based on 1770.55 acres.

Dollars	Fund	Fund Center	Fund Program	Commitment Item GL Account #
\$21,600,000	412000	3313204000	Ji50PROJ	580020
\$5,000,000	412000	3313204000	Ji50PROJ	580800
\$ 581,550	101000	3313204000	Ji50PROJ	580800

The purchase price is based on an estimated acreage of 1,770.55 acres at \$21,000 per acre. The purchase price is subject to adjustment in the amount of \$21,000 per acre based on final surveyed acreage being more or less than the estimate amount. However, if the surveyed acreage is less than 1,750 acres, the District has the option of either cancelling the contract or paying the purchase price based on 1,750 acres.

**Section 2.** The Governing Board of the South Florida Water Management District hereby further approves declaring surplus, disposal of and removal from the asset records, any such structures and improvements deemed unnecessary for the stated purpose of the original land acquisition.

**Section 3.** The Governing Board of the South Florida Water Management District hereby authorizes the Chairman to execute the Agreement for Sale and Purchase.

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

**PASSED and ADOPTED** this \_\_\_\_\_ day of \_\_\_\_\_, 2007.

**ATTEST:**

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

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

(Corporate Seal)

By: \_\_\_\_\_  
Chairman

**Approved as to form:**

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