

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 AUTHORIZE ENTRY INTO A STIPULATED FINAL
7 JUDGMENT/SETTLEMENT AGREEMENT FOR \$417,483.00 FOR LAND, ATTORNEY'S FEES IN
8 THE AMOUNT OF \$85,168.00, AND EXPERT WITNESS FEES AND OTHER COSTS IN THE
9 AMOUNT OF \$85,694.37 FOR AN EMINENT DOMAIN ACTION INVOLVING APPROXIMATELY
10 40.73 ACRES, MORE OR LESS, FOR A PERPETUAL FLOWAGE AND INUNDATION
11 EASEMENT (TRACT NO. 19-101-065 J. PAT CORRIGAN FAMILY LIMITED PARTNERSHIP)
12 WITHIN THE DESIGNATED BOUNDARIES OF THE KISSIMMEE RIVER AND HEADWATER
13 REVITALIZATION PROJECT STYLED SOUTH FLORIDA WATER MANAGEMENT DISTRICT V.
14 J. PAT CORRIGAN FAMILY LIMITED PARTNERSHIP, FILED IN THE 19TH CIRCUIT COURT IN
15 AND FOR OKEECHOBEE COUNTY, FLORIDA, CASE NO. 2005-CA-184, FOR WHICH
16 DEDICATED FUNDS (FLORIDA FOREVER TRUST FUND) AND AD VALOREM FUNDS
17 (OKEECHOBEE CAPITAL) ARE BUDGETED, PROVIDING AN EFFECTIVE DATE.
18

19 **WHEREAS**, Sections 373.083 (1) and 373.129, Florida Statutes, authorize the
20 South Florida Water Management District to settle existing lawsuits;

21 **WHEREAS**, the existing lawsuit is a condemnation action;

22 **WHEREAS**, the Parties have been engaged in negotiations in an attempt to acquire
23 the subject property without trial; and

24 **WHEREAS**, the Parties have been successful in presenting a stipulated final
25 judgment to the Governing Board of the South Florida Water Management District; and,

26 **WHEREAS**, the terms of the stipulated final judgment are set forth on the attached
27 document;

28
29 **BE IT RESOLVED BY THE GOVERNING BOARD OF THE SOUTH FLORIDA**
30 **WATER MANAGEMENT DISTRICT:**

31
32 To authorize a stipulated final judgment/settlement agreement for \$417,483.00,
33 attorneys' fees, in the amount of \$85,168.00, and expert fees and other costs in the
34 amount of \$85,694.37, for a condemnation action involving approximately 40.73 acres
35 more or less of land in a perpetual flowage and inundation easement (Tract No.: 19-101-
36 065 J. Pat Corrigan Family Limited Partnership) within the designated boundaries of the
37 Kissimmee River and Headwater Revitalization Project filed in the 19th Circuit Court in and

1 for Okeechobee County, Florida, Case No. 2005 CA 184, styled South Florida Water
2 Management District v. J. Pat Corrigan Family Limited Partnership, filed in the 19th Circuit
3 Court in and for Okeechobee County, Florida, for which dedicated funds (Florida Forever
4 Trust Fund) and Ad Valorem funds (Okeechobee Capital) are budgeted; providing an
5 effective date.

6

7 This Resolution shall take effect immediately upon adoption.

8

9 **PASSED** and **ADOPTED** this _____ day of September, 2007.

10

11 Approved:
12 Legal Form Approved

SOUTH FLORIDA WATER MANAGEMENT
DISTRICT

13

14

15

16 By: _____

By: _____

17

Chairperson

18 (Corporate Seal)

ATTEST:

19

20

21 By: _____

22

Assistant Secretary

23

24

25

26

27

28

29

30

31

32

33

34

