



35 **Section 1:** The Governing Board of the South Florida Water Management District  
36 has determined that the District has no present or apparent future use for the District's  
37 Parcel and therefore hereby approves declaring surplus and conveying the District's  
38 Parcel to the Applicants in exchange for the Applicants conveying the Applicants'  
39 Parcel to the District, provided all of the following terms, conditions, and requirements  
40 are satisfied to the satisfaction of the District, in its sole and absolute discretion:

- 41 a. In exchange for the District's Parcel, the underlying fee owner shall  
42 convey by statutory warranty deed to the District the Applicants'  
43 Parcel, free and clear of all encumbrances, liens, and other  
44 objectionable matters.
- 45 b. The Applicants shall provide to the District title assurance acceptable  
46 to the District confirming that the Applicants' Parcel is free and clear of  
47 all encumbrances, liens and other objectionable matters.
- 48 c. The Applicants shall obtain from Miami-Dade County and any other  
49 applicable governmental entities, all required approvals of the  
50 proposed exchange of parcels, including but not limited to a waiver of  
51 plat.
- 52 d. Applicants must provide a legal description and sketch for each  
53 instrument, subject to District review and approval.
- 54 e. The Applicants shall pay to the District no less than appraised value for  
55 the District's Parcel, less and except the appraised value of the  
56 Applicants' Parcel. The appraiser, appraisal and appraised value must  
57 all be acceptable to and approved by the District. Under no  
58 circumstances shall the District be obligated to pay any amount to the  
59 Applicants, even if the appraised value Applicants' Parcel exceeds the  
60 appraised value of the District's Parcel. Applicants must pay all closing  
61 costs of the exchange.
- 62 f. The Applicants shall obtain all necessary permits from the District,  
63 Miami-Dade County, and any other governmental entities, if any, and  
64 pay all associated fees. There is no representation, guaranty or  
65 assurance made by the District that the District's Governing Board will  
66 in fact approve the issuance of any required District permits, and there  
67 is no obligation on the part of the District's Governing Board to approve  
68 the issuance of any required District permits. The District's review  
69 process for any required permits will be done separate, independent  
70 and unfettered of the fact that the District has approved this Resolution  
71 and shall be in accordance with the District's applicable rules.
- 72 g. All of the foregoing terms, conditions, and requirements set forth in  
73 subparagraphs (a.) through (f.), inclusive, must be satisfied to the  
74 satisfaction of the District in its sole and absolute discretion no later  
75 than December 1, 2009.

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77 **Section 2:** The Governing Board of the South Florida Water Management District  
78 hereby authorizes the Chairman to execute the conveyance instrument. No  
79 conveyance instrument shall be delivered to the Applicants, or shall be effective, until  
80 all of the foregoing requirements have been fully completed and fulfilled to the  
81 District's satisfaction, and such conveyance has been recorded in the Public Records  
82 of Miami-Dade County.

83 **Section 3:** This Resolution shall take effect immediately upon adoption.

84  
85 **PASSED** and **ADOPTED** this \_\_\_\_\_ day of \_\_\_\_\_, 2009.

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89 SOUTH FLORIDA WATER MANAGEMENT  
90 DISTRICT, BY ITS GOVERNING BOARD

91  
92  
93 BY: \_\_\_\_\_  
94 Eric Buermann, Chairman

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96  
97 ATTEST:

98  
99 By: \_\_\_\_\_  
100 District Clerk/Secretary

101  
102  
103 Legal form approved:

104  
105 By: \_\_\_\_\_  
106 Office of Counsel