

LAND ACQUISITION EXECUTIVE SUMMARY

PROJECT: Kissimmee River
TRACT NOS.: 19103-812, 19103-813, 19103-814, 19103-815, 19103-824
ACRES: 1.74
PURPOSE: Kissimmee River Restoration
OWNER: CSX Transportation, Inc.
APPRAISED VALUE: \$17,768
PURCHASE PRICE: \$20,000

REQUEST: Approval of the acquisition of land interests containing 1.74 acres, more or less, in Okeechobee County for the Kissimmee River Project in the amount of \$20,000, and associated costs and approve a budget transfer from C-111/Modified Water Deliveries – CERP Project to Land Certification/Condemnation – River Restoration Project.

BACKGROUND/CONSIDERATIONS: In connection with the Kissimmee River Project (the “Project”), certain construction work will be done by the U.S. Army Corps of Engineers (the “USACE”) in the Okeechobee County platted subdivision know as River Acres. The construction work will include the dredging and widening of an existing channel and the installation of a tie-back levee. The channel and the levee are adjacent to the railroad right-of-way owned by CSX Transportation, Inc. (the “CSX Property”). The construction work for the channel and the levee, and the future maintenance of the channel and levee, require certain temporary and permanent access, maintenance and construction easements with respect to the CSX Property. The USACE is negotiating directly with CSX for the acquisition of the subject easements. Though the subject land interests may be acquired directly by the USACE, the Project requires that the District, as local sponsor, purchase the land interests necessary for the Project. The USACE has scheduled the contract bid and award, with respect to the said construction work, for the last quarter (July through September) of Fiscal Year 2009. Therefore, acquisition of the land interests must occur as soon as possible.

FISCAL IMPACT: The USACE is still currently negotiating the acquisitions of the subject land interests. The USACE has informed the District that the \$20,000 purchase price will be the maximum amount that the District must pay for the land interests. The \$20,000 purchase price is 12.5% above the approved appraised value and will be funded through Dedicated Funds (Capital Projects Okeechobee).

RECOMMENDATION: That the Governing Board of the South Florida Water Management District approve the acquisition of land interests containing 1.74 acres, more or less, for the Kissimmee River Project, in Okeechobee County, in the amount of \$20,000, and associated

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costs and approve a budget transfer from C-111/Modified Water Deliveries – CERP Project to Land Certification/Condemnation – River Restoration Project.

Prepared by: _____
 Robert A. Schaeffer
 Lead Professional-Acquisition
 Land Acquisition Department

 Date

Reviewed by: _____
 Ruth P. Clements, Director
 Land Acquisition Department

 Date

Approved by: _____
 Kenneth G. Ammon, P.E.
 Deputy Executive Director
 Everglades Restoration Resource Area

 Date

Owners	Tract Nos.	Interest	Acres	Appraised Value	Purchase Price
CSX Transportation, Inc.	19103-812	Access, Maintenance & Construction Easement	0.30	\$5,400	
CSX Transportation, Inc.	19103-813	Temporary Construction Easement	0.07	\$ 390	
CSX Transportation, Inc.	19103-814	Temporary Construction Easement	1.02	\$5,678	
CSX Transportation, Inc.	19103-815	Access, Maintenance & Construction Easement	0.08	\$1,440	
CSX Transportation, Inc.	19103-824	Access, Maintenance & Construction Easement	0.27	\$8,900	
Totals			1.74	\$17,768	\$20,000

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BUDGET TRANSFER

FROM:

Dollars	Fund	Fund Center	Functional Area	Commitment Item GL Acct #
\$20,000	402000	3510144000	PK03	580020

TO:

Dollars	Fund	Fund Center	Functional Area	Commitment Item GL Acct #
\$20,000	402000	3510144000	FD01	580020

Attachments: Resolution and map

Persons and entities for conflict check:
CSX Transportation, Inc. (publicly traded)