

LAND ACQUISITION EXECUTIVE SUMMARY

PROJECT: Kissimmee River Restoration and Headwaters Revitalization Project

COUNTY: Osceola

SIZE: 106.19 acres (Easement)

PURPOSE: Approve final purchase offer for voluntary acquisition of perpetual conservation and flowage/inundation easements and Authorize Eminent Domain for the acquisition in the event that the final purchase offer is not accepted by the owner.

OWNER: Kenneth Hyatt a/k/a Kenneth G. Hyatt Tract No. 18072-003 (20.44 ac)
Tract No. 18072-004 (85.75 ac)

APPRAISED VALUE: Tract No. 18-072-003 \$ 102,000
Tract No. 18-072-004 \$ 1,988,000

FINAL OFFER: Tract No. 18072-003 \$ 117,300
Tract No. 18072-004 \$ 2,286,200

HIGHLIGHTS: These lands are located in Osceola County and are required for the Project. The District has been unsuccessful in negotiating the voluntary purchase of these tracts. In an effort to bring these acquisitions to finality, District staff is requesting authority to make a final written offer totaling \$2,403,500, 15% over appraised value. If the land owners fail to accept, approval of the Governing Board item will also grant authority to file condemnation actions.

CONSIDERATIONS: This acquisition involves the acquisition of perpetual conservation and flowage/inundation easements between 52.5 and 54 feet in Osceola County. The Project, which includes measures to reestablish the historic river channel and floodplain, will cause the water levels in the restored river to fluctuate in a manner that may impact certain lands including the subject lands. Acquisition of perpetual conservation and flowage/inundation easements, comprising 106.19 acres, is a necessary part of the Project in Osceola County.

FISCAL IMPACT: The final purchase offer of \$2,403,500 is 15% of the appraised value based on our approved appraisal dated January 17, 2010. Should the owners not accept the offer within 30 days, the District would initiate eminent domain proceedings. The final condemnation settlement cost of the subject lands is unknown at this time. All costs are to be funded through ad valorem (Capital Projects Okeechobee) and dedicated (Florida Forever Trust Fund) funds.

RECOMMENDATION: That the Governing Board of the South Florida Water Management District authorize a final purchase offer and eminent domain proceedings for the acquisition of land interests containing 106.19 acres, more or less, in Osceola County, Kissimmee Chain of Lakes Project and approve funding with ad valorem (Capital Projects Okeechobee) and dedicated (Florida Forever Trust Fund) funds.

Prepared by: _____
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Date

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

Date

Approved by: _____
Kenneth G. Ammon, P.E.
Deputy Executive Director
Everglades Restoration and Capital Projects

Date

Attachments: Resolution and map

Persons and entities for conflict check:

As to Tract No. 18072-003 and 18072-004
Kenneth Hyatt a/k/a Kenneth G. Hyatt