

1 SOUTH FLORIDA WATER MANAGEMENT DISTRICT

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3 RESOLUTION NO. 2010- \_\_\_\_\_

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5 A RESOLUTION OF THE GOVERNING BOARD OF THE SOUTH FLORIDA WATER  
6 MANAGEMENT DISTRICT TO APPROVE DECLARING SURPLUS LAND INTERESTS  
7 CONTAINING 0.12 ACRES, MORE OR LESS, IN FEE, BEING A PORTION OF LOT Z, LAKE  
8 TRAFFORD SHORES UNIT NO. 1, PLAT BOOK 8, PAGE 12, LOCATED IN SECTION 36,  
9 TOWNSHIP 46 SOUTH, RANGE 28 EAST, COLLIER COUNTY, CREW PROJECT (SAVE OUR  
10 RIVERS, LAKE TRAFFORD AREA); AUTHORIZE THE DONATION OF SAID PROPERTY TO  
11 COLLIER COUNTY FOR PUBLIC ACCESS; AND APPROVE WAIVERS OF THE  
12 APPLICATION FEE AND RESERVATION OF RIGHTS PURSUANT TO SECTION 270.11,  
13 FLORIDA STATUTES; PROVIDING AN EFFECTIVE DATE.  
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15 WHEREAS, the District has determined that it is in the public interest to surplus and  
16 donate a portion of Lot Z, LAKE TRAFFORD SHORES UNIT NO. 1, Plat Book 8, Page 12, in  
17 Section 36, Township 46 South, Range 28 East, Collier County, in the Save Our Rivers portion of  
18 the CREW Project, containing 0.12 acres, more or less, in fee title, without reserving the District's  
19 interest in and privilege to mine and develop all phosphate, minerals, metals and petroleum in, on  
20 or under said property pursuant to Section 270.11, Florida Statutes, to the applicant, Collier  
21 County, to be used for public access; and

22 WHEREAS, the Governing Board has determined that the 0.12 acre, more or less, parcel  
23 is not required by the District for present or future use; and

24 WHEREAS, the Governing Board, pursuant to Section 373.056(4), Florida Statutes, has  
25 the authority to convey to any governmental entity land, or rights in land, owned by the District not  
26 required for its purposes; and

27 WHEREAS, the District acquired the subject property in 1996 and pursuant to Section  
28 373.089(6), Florida Statutes, all lands acquired by the District prior to July 1, 1999 shall be  
29 considered to have been acquired for conservation purposes, and the Governing Board shall be  
30 required to approve the surplus of any such lands by at least a two-thirds (2/3) majority; and

31 WHEREAS, the applicant has requested that the District waive both the application fee  
32 and the reservation of rights to mine and develop all phosphate, minerals, metals and petroleum  
33 in, on, or under said property pursuant to Section 270.11, Florida Statutes.

34 NOW THEREFORE, be it resolved by the Governing Board of the South Florida Water  
35 Management District:

36 **Section 1.** The Governing Board of the South Florida Water Management District hereby  
37 approves declaring surplus land interests containing 0.12 acres, more or less, in fee, Section 36,  
38 Township 46 South, Range 28 East, Collier County, CREW Project (Lake Trafford Area), without  
39 reserving the District's interest in and privilege to mine and develop all phosphate, minerals,  
40 metals and petroleum in, on or under said property pursuant to Section 270.11, Florida Statutes,  
41 authorizes the donation of said property to Collier County for public access, and approves a  
42 waiver of the application fee.

43 **Section 2.** The Governing Board of the South Florida Water Management District approved  
44 this Resolution by at least a two-thirds (2/3) majority.

45 **Section 3.** The Governing Board of the South Florida Water Management District hereby  
46 authorizes the Chair to execute the conveyance document.

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

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49 **PASSED** and **ADOPTED** this 15th day of July, 2010.

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SOUTH FLORIDA WATER MANAGEMENT  
DISTRICT, BY ITS GOVERNING BOARD

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53 ATTEST:

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

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Chair

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District Clerk

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Approved as to form:

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

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Office of Counsel

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