

SOUTH FLORIDA WATER MANAGEMENT DISTRICT

RESOLUTION NO. 2009 - _____

A RESOLUTION OF THE GOVERNING BOARD OF THE SOUTH FLORIDA WATER MANAGEMENT DISTRICT REQUESTING THE RELEASE OF FUNDS FROM THE SAVE OUR EVERGLADES TRUST FUND BY THE DEPARTMENT OF ENVIRONMENTAL PROTECTION FOR THE HIGHLANDS COUNTY ACQUISITION OF LAND INTERESTS CONTAINING 312.09 ACRES FOR THE ISTOKPOGA MARSH WATERSHED IMPROVEMENT DISTRICT/HIGHLANDS COUNTY PROJECT IN HIGHLANDS COUNTY, IN THE AMOUNT OF \$3,183,318, TOGETHER WITH ASSOCIATED COSTS; PENDING CONTRACTS FOR SALE; PROVIDING AN EFFECTIVE DATE.

WHEREAS, the South Florida Water Management District has an active program underway to restore and preserve the Lake Okeechobee watershed and the Caloosahatchee and St. Lucie estuaries including assisting Istokpoga Marsh Watershed Improvement District/Highlands County (IMWID/County) through an existing cooperative agreement (4600001716) acquire land interests for the IMWID Alternative Water Storage and Stormwater Reuse Project ('Project');

WHEREAS, pursuant to Section 373.139 (3)(c) Florida Statutes, the District is required to submit a resolution to the Department of Environmental Protection when requesting funds from a trust fund, including the Save Our Everglades Trust Fund; and

NOW THEREFORE, BE IT RESOLVED by the Governing Board of the South Florida Water Management District:

(1) It does hereby advise the Secretary of the Department of Environmental Protection of the IMWID/County's intent to acquire fee title to 312.09 acres, more or less, for the IMWID Project in Highlands County. The lands are described in Exhibit "A" and as shown on location map Exhibit "AA", which are attached hereto and made a part hereof. The IMWID/Highlands County has executed options to acquire the following land interests for a total purchase price of \$3,183,318.00 and is in the process of obtaining contracts for sale.

Owners	STRAP Nos.	Interest	Acres	Appraised Value	Appraised Value	Purchase Price
Reynolds Farms Land	C013730A0000180000 C013730A0000180010 C013730A0000150000	Fee	55.22	\$850,000	\$785,000	\$563,244
Terry & Kelly Reynolds Grove	C013730A0000180030 C013730A0000180020	Fee	24.86	\$395,000	\$352,000	\$253,572
Wiggins Farms Property	C013730A0000100000 C013730A0000130000	Fee	50.54	\$710,000	\$735,000	\$515,508
Jessie Harrison Land	C013730A0000120000 C013730A0000140000	Fee	79.6	\$1,120,000	\$1,155,000	\$811,920
Bobby Scarborough Trustee & Jack Scarborough Trustee Property	C013730A0000170000 C013730A0000300000 C013730A0000400000 C013730A0000500000	Fee	62.11	\$1,020,000	\$1,070,000	\$633,522
David Lamar Harrison Trust Property	C013730A0000160000	Fee	39.76	\$560,000	\$575,000	\$405,552
Totals			312.09	\$4,655,000	\$4,672,000	\$3,183,318

(2) The purchase price of \$3,183,318.00 for the above listed STRAP Nos., taking into account the value of non-cash considerations, defects in title or outstanding interests of the lands to be acquired, is below the appraised value, based on the certified appraisals that were used to determine the value of the

35 interests to be purchased.

36 (3) The lands being acquired have been reviewed for the presence of State Sovereignty
37 submerged lands and the District has taken reasonable measures to avoid paying for sovereignty lands.

38 (4) This request for funds deposited into Save Our Everglades Trust Fund is consistent with the
39 Northern Everglades and Estuary Protection Plan, the District's Five Year Plan of acquisition or the South
40 Florida Water Management District Florida Forever Work Plan, as contained in Chapter 6A, Volume II of the
41 South Florida Environmental Report, and last updated during a public hearing on January 13, 2009, and
42 filed with the Legislature and the Department of Environmental Protection.

43 (5) Acquisition of this land furthers the Florida Forever goals set forth in (1) Section 259.105
44 (4)(a) Florida Statutes (i.e. enhance the coordination and completion of land acquisition projects as
45 measured by the number of shared acquisition projects among Florida Forever funding partners and
46 partners with other funding sources, including local governments and the Federal Government) and (2)
47 Section 259.105 (4)(d) Florida Statutes (i.e. ensure that sufficient quantities of water are available to meet
48 the current and future needs of natural systems and the citizens of the state, as measured by the quantity
49 of water made available through the water resource development component of a district water supply
50 plan for which a water management district is responsible).

51 (6) The funds requested shall be used only for the acquisition costs and pre-acquisition/
52 associated costs and expenses of the described land interests.

53 (7) To the extent possible, the lands being acquired shall be maintained in an environmentally
54 acceptable manner.

55 (8) Should the IMWID/Highlands County not utilize the lands acquired for the construction of a
56 stormwater management facility by the end of the term of the existing cooperative agreement
57 (4600001716), the agreement term shall be amended to account for the new project schedule or the land
58 acquired shall be sold and the funds obtained from the sale returned to the District. All revenues derived
59 therefrom will be used to acquire other lands for water management, water supply and the conservation and
60 protection of water resources.

61 (9) A Phase I and Phase II environmental assessment will be completed and the findings will be
62 addressed prior to closing. The contract provides that the IMWID/County can terminate if the assessment
63 discloses environmental conditions the IMWID/County and the District deems unacceptable.

64 (10) The lands shall be managed for multiple-use purposes where compatible with the resource
65 values of and management objectives for such lands as set forth in Section 259.105(5), Florida Statutes.

66 (11) The Resolution of approve acquisition of these lands was approved by the Governing Board of
67 the District on August 13, 2009.

68 (12) The District will utilize funds from the Save Our Everglades Trust Fund.

69 (13) The Executive Director or the designee of the Executive Director is hereby authorized to
70 request the release of funds for all acquisition costs and pre-acquisition/associated costs and expenses for
71 the described interests identified in this Resolution.

72 (14) This Resolution shall take effect immediately upon adoption.

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74 **PASSED and ADOPTED** this 13th day of August, 2009.

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ATTEST:

By: _____
District Clerk/Secretary

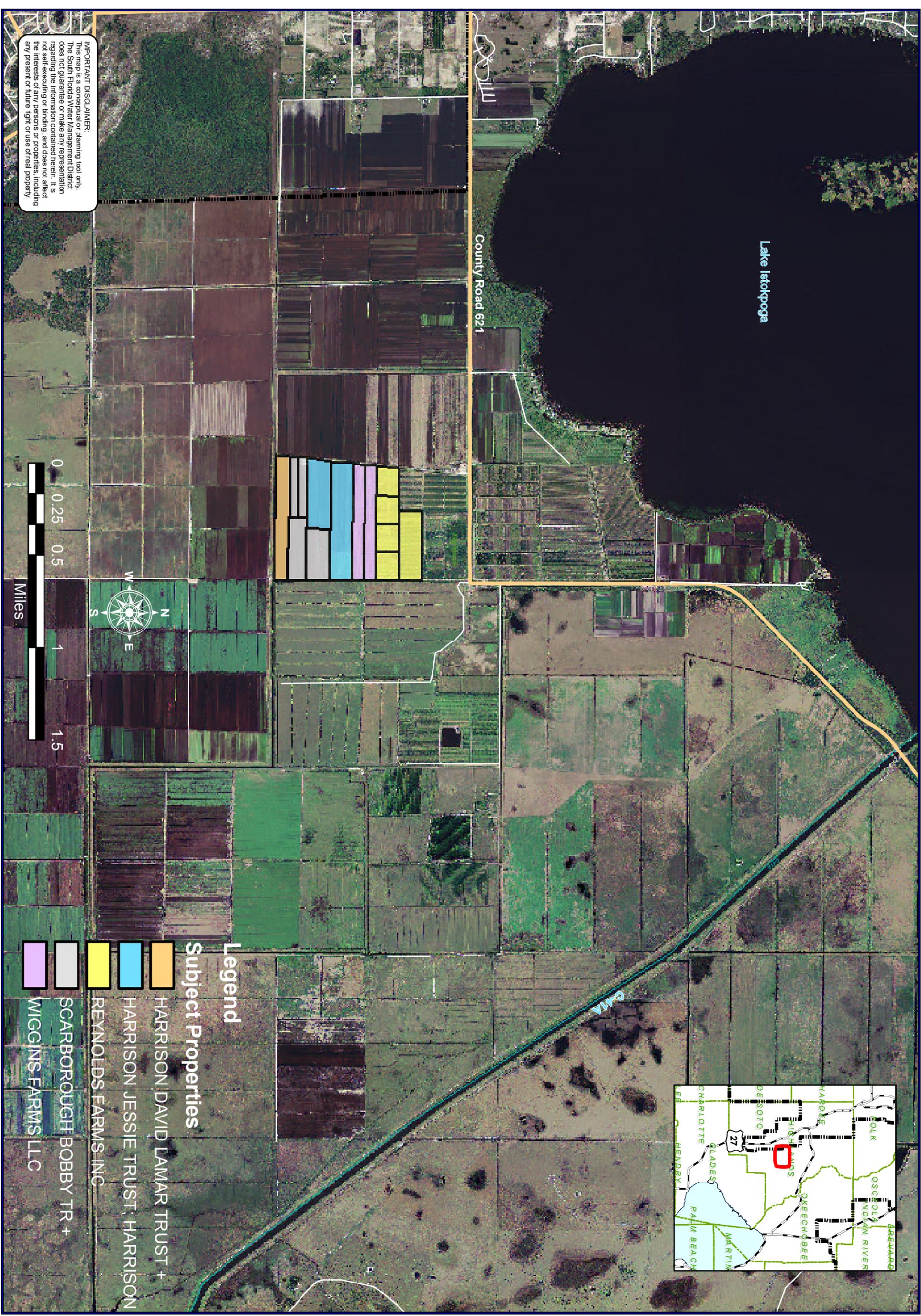
(Corporate Seal)

**SOUTH FLORIDA WATER MANAGEMENT DISTRICT,
BY ITS GOVERNING BOARD**

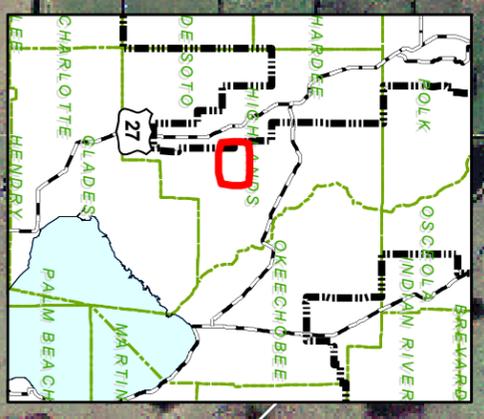
By: _____
Chair

Legal Form Approved:

By: _____
Office of Counsel



IMPORTANT DISCLAIMER:
 This map is a conceptual or planning tool only. The South Florida Water Management District does not guarantee or make any representation regarding the information contained herein. It is not self-executing or binding, and does not affect the interests of any persons or properties, including any present or future right or use of real property.



- Legend**
- Subject Properties**
- HARRISON DAVID LAMAR TRUST +
 - HARRISON JESSIE TRUST; HARRISON REYNOLDS FARMS INC
 - SCARBOROUGH BOBBY TR +
 - WIGGINS FARMS LLC



sfwmd.gov

South Florida Water Management District
 Land Acquisition Department
 GIS SECTION
 3301 Gun Club Road, West Palm Beach, Florida 33406
 561-686-2400 - FL WATS 1-800-432-2045 - www.sfwmd.gov
 MAILING ADDRESS: P.O. Box 24680 - West Palm Beach, FL 33416-4680

Highlands County, Florida

UPDATED
05 AUG 2009



