

1 SOUTH FLORIDA WATER MANAGEMENT DISTRICT

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3 RESOLUTION NO. 2007-\_\_

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5 A RESOLUTION OF THE GOVERNING BOARD OF THE SOUTH FLORIDA WATER  
6 MANAGEMENT DISTRICT TO AUTHORIZE A SETTLEMENT AGREEMENT FOR  
7 \$67,500.00, PLUS \$16,335.00 FOR ATTORNEY'S FEES AND \$3,121.15 FOR EXPERT  
8 FEES AND COSTS, FOR WHICH DEDICATED FUNDS (FLORIDA FOREVER TRUST  
9 FUND) ARE BUDGETED AND AD VALOREM FUNDS ARE AVAILABLE, SUBJECT TO  
10 A BUDGET AMENDMENT; FOR A CONDEMNATION ACTION INVOLVING  
11 APPROXIMATELY 15 ACRES (TRACT NOS. 003-674 and 003-676 – STELLA  
12 MARCIANO) WITHIN THE DESIGNATED BOUNDARIES OF THE CRITICAL CREW  
13 (SOUTHERN CORKSCREW REGIONAL ECOSYSTEM WATERSHED) PROJECT  
14 STYLED SOUTH FLORIDA WATER MANAGEMENT DISTRICT V. KENNARD W.  
15 BROWN, JR., ET AL., FILED IN THE 20<sup>TH</sup> CIRCUIT COURT FOR LEE COUNTY,  
16 FLORIDA, CASE NO. 01-8452-CA-JBR; PROVIDING AN EFFECTIVE DATE.  
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19 WHEREAS, Sections 373.083 (1) and 373.129, Florida Statutes, authorize the  
20 South Florida Water Management District to settle existing lawsuits,

21 WHEREAS, the Parties have been engaged in negotiations in an attempt to acquire  
22 the subject property without trial; and

23 WHEREAS, the Parties have been successful in presenting a proposed settlement  
24 to the Governing Board of the South Florida Water Management District; and,

25 WHEREAS, the terms of the proposed settlement are set forth on the attached  
26 document;  
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28 BE IT RESOLVED BY THE GOVERNING BOARD OF THE SOUTH FLORIDA  
29 WATER MANAGEMENT DISTRICT:  
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31 To authorize a settlement agreement for \$67,500.00, plus \$16,335.00 for attorney's  
32 fees and \$3,121.15 for expert fees and costs, for a condemnation action involving  
33 approximately 15 acres (Tract Nos. 003-674 and 003-676 – Stella Marciano) within the  
34 designated boundaries of the Critical CREW (Southern Corkscrew Regional Ecosystem  
35 Watershed) Project styled South Florida Water Management District v. Kennard W. Brown,

1 Jr., et al., filed in the 20th Circuit Court for Lee County, Florida, Case No. 01-8452-CA-  
2 JBR; providing an effective date.

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4 This Resolution shall take effect immediately upon adoption.

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6 **PASSED** and **ADOPTED** this \_\_\_\_\_ day of January, 2007.

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8 Approved:  
9 Legal Form Approved

SOUTH FLORIDA WATER MANAGEMENT  
DISTRICT, BY ITS GOVERNING BOARD

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11

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

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

13

Chairperson

14 (Corporate Seal)

ATTEST:

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

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Assistant Secretary

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<u>BUDGETED</u>				
\$ 13,000.00	PB04L0091430	404	580020	09003-674
Land	Internal Order No.	Fund	GL Acct No.	Tract No.

\$ 6,500.00	PB04L0101430	404	580020	09003-676
Land	Internal Order No.	Fund	GL Acct No.	Tract No.

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Budget Approval