

## LAND ACQUISITION EXECUTIVE SUMMARY

**PROJECT:** Kissimmee River Restoration and Headwaters Revitalization Project  
**COUNTY:** Osceola  
**SIZE:** 690.25 acres  
**TRACT:** 18200-010  
**PURPOSE:** Approve final purchase offer for voluntary acquisition of perpetual flowage and inundation easement and authorize eminent domain for the acquisition in the event that the final purchase offer is not accepted by the owner.  
**OWNER:** Bronsons, a Florida general partnership  
**APPRAISED VALUE:** \$1,518,500  
**FINAL OFFER:** \$1,746,275

**HIGHLIGHTS:** This land is located in Osceola County and is required for the Project. The District has been unsuccessful in negotiating the voluntary purchase of this tract. In an effort to bring this acquisition to finality, District staff is requesting authority to make a final written offer of \$1,746,275, 15% over appraised value. If the landowner fails to accept, approval of the Governing Board item will also grant authority to file condemnation action.

**CONSIDERATIONS:** This acquisition involves the acquisition of a perpetual flowage and inundation easement 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 and the upper chain of lakes to fluctuate in a manner that may impact certain lands including the subject lands. Acquisition of a perpetual flowage and inundation easement, comprising 690.25 acres, is a necessary part of the Project in Osceola County.

**FISCAL IMPACT:** The final purchase offer of \$1,746,275 is 15% over appraised value based on SFWMD approved appraisal dated November 12, 2009. Should the owner not accept the offer within 30 days, the District would initiate eminent domain proceedings. The final condemnation settlement cost of the subject land 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 a land interest containing 690.25 acres, more or less, in Osceola County, Kissimmee River Restoration and Headwaters Revitalization Project and approve funding with ad valorem (Capital Projects Okeechobee) and dedicated (Florida Forever Trust Fund) funds.

**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 and Capital Projects

\_\_\_\_\_ Date

| Tract No. | Owner                                   | Easement Acres | Appraised Value | Final Purchase Offer |
|-----------|---|----------------|-----------------|----------------------|
| 18200-010 | Bronsons, a Florida general partnership | 690.25         | \$1,518,500     | \$1,746,275          |

**Budgeted:**

| Dollars     | Fund                 | Fund Center | Functional Area | Commitment Item GL Account |
|-------------|----------------------|-------------|-----------------|----------------------------|
| \$1,746,275 | 404000 and/or 402000 | 3510144000  | FD01            | 580013                     |

Attachments: Resolution and map

Persons and entities for conflict check:  
 Bronsons, a Florida general partnership