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5 **SOUTH FLORIDA WATER MANAGEMENT DISTRICT**  
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7 **RESOLUTION NO. 2007- \_\_\_\_\_**  
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10 **A RESOLUTION OF THE GOVERNING BOARD OF THE SOUTH FLORIDA**  
11 **WATER MANAGEMENT DISTRICT TO APPROVE THE ACQUISITION OF LAND**  
12 **INTERESTS CONTAINING 262.01 ACRES, MORE OR LESS, FOR THE**  
13 **BISCAYNE BAY COASTAL WETLANDS ACCELER8 PHASE 1 PROJECT,**  
14 **CUTLER FLOW WAY COMPONENT, IN MIAMI-DADE COUNTY, IN THE**  
15 **AMOUNT OF \$4,975,000 AND ASSOCIATED COSTS FOR WHICH DEDICATED**  
16 **FUNDS (SAVE OUR EVERGLADES TRUST FUND) ARE BUDGETED,**  
17 **TOGETHER WITH STATUTORY COSTS AND ATTORNEY'S FEES IN THE**  
18 **TOTAL AMOUNT OF \$755,816 FOR WHICH DEDICATED FUNDS (CERP AD**  
19 **VALOREM FUNDS) ARE BUDGETED; PROVIDING AN EFFECTIVE DATE.**  
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21 **WHEREAS**, the Biscayne Bay Coastal Wetlands Acceler8 Phase 1 Project, Cutler Flow  
22 Way Component (hereinafter "Project"), will provide for redistribution of freshwater runoff from the  
23 watershed into Biscayne Bay, away from the canal discharges that exist today; and,

24 **WHEREAS**, the Project will provide a more natural and historic overland flow through  
25 existing and or improved coastal wetlands;

26 **WHEREAS**, by rehydrating these coastal wetlands with freshwater runoff from the  
27 watershed the project goals and objectives are met while providing for additional flood protection in  
28 the C-1 Basin;

29 **WHEREAS**, WRDA 2000, Title VI - Comprehensive Everglades Restoration Plan (CERP)  
30 Section 601(b)(1)(A) states: "Except as modified by this section, the Plan is approved as a  
31 framework for modifications and operational changes to the Central and Southern Florida Project  
32 that are needed to restore, preserve and protect the South Florida ecosystem while providing for  
33 other water-related needs of the region, including water supply and flood protection";

34 **WHEREAS**, the South Florida Water Management District is authorized to acquire land, or  
35 interests or rights in land, pursuant to Section 373.139, Florida Statutes;

36 **WHEREAS**, the South Florida Water Management District desires to acquire land interests  
37 containing 262.01 acres, more or less, for the Project, in Miami-Dade County, in the amount of  
38 \$4,975,000, as more particularly described on Exhibit "A" and as shown on a location map Exhibit  
39 "AA", which are attached hereto and made a part hereof;

40 **WHEREAS**, pursuant to Chapter 73, Florida Statutes, if a settlement is reached between a  
41 condemning authority and a property owner prior to condemnation lawsuit being filed, the property

42 owner who settles in lieu of condemnation shall be entitled to recover statutory costs and attorney's  
43 fees; and,

44 **WHEREAS**, the District will pay Seven Hundred Fifty-Five Thousand Eight Hundred Sixteen  
45 Dollars and 00/100 (\$755,816) for the owner's statutory costs and attorney's fees.

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

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50 **Section 1.** The Governing Board of the South Florida Water Management District hereby  
51 approves the acquisition of land interests containing 262.01 acres, more or less, for the Biscayne  
52 Bay Coastal Wetlands Acceler8 Phase I Project, Cutler Flow Way Component, in Miami-Dade  
53 County, in the amount of \$4,975,000 and associated costs for which dedicated Save Our  
54 Everglades Trust Funds are budgeted, together with statutory costs and attorney's fees in the total  
55 amount of \$755,816 for which dedicated Ad Valorem Funds are budgeted, as follows:

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Owners	Tract No.	Interest	Acres	Appraised Value	Purchase Price
Frank B. Bradshaw, III, as Trustee of the Frank B. Bradshaw, Jr. Share B QTIP Trust	GZ300-013	Fee	262.01	\$3,750,000	4,975,000
<b>Totals</b>			<b>262.01</b>	<b>\$3,750,000</b>	<b>\$4,975,000</b>

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Dollars	Fund	Funds Center	Funded Program	GL Acct #
\$4,975,000	412000	35101440000	P128Proj	589020
\$755,816	410000	35101440000	P128Proj	580022

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62 **Section 2.** The Governing Board of the South Florida Water Management District hereby  
63 authorizes the Chairman to execute the Agreement for Sale and Purchase.

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65 **Section 3.** This Resolution shall take effect immediately upon adoption.

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

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72 **ATTEST:**

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75 By: \_\_\_\_\_  
76 District Clerk/Secretary

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

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82 (Corporate Seal)

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

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86 **Approved as to form:**

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89 By: \_\_\_\_\_  
90 Office of Counsel

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