

1
2 **SOUTH FLORIDA WATER MANAGEMENT DISTRICT**
3

4 **RESOLUTION NO. 2009 - _____**
5

6 **A RESOLUTION OF THE GOVERNING BOARD OF THE SOUTH FLORIDA**
7 **WATER MANAGEMENT DISTRICT TO AUTHORIZE AN AMENDMENT TO**
8 **CONTRACT OT050802 WITH NEW HOPE SUGAR COMPANY AND CONTRACT**
9 **4600001039 WITH OKEELANTA CORPORATION TO REVISE THE**
10 **APPLICABLE TERMINATION LANGUAGE AND EXTEND THE TERMS BY TWO**
11 **YEARS FROM MARCH 31, 2009 TO MARCH 31, 2011, AND ADD AN**
12 **ADDITIONAL ONE ACRE TRACT TO CONTRACT OT050802; PROVIDING AN**
13 **EFFECTIVE DATE.**
14

15 **WHEREAS**, pursuant to Section 140-10, District Policies Code, whereby existing
16 agricultural leases may be renewed and the competitive bid process waived if the lessee and the
17 lease renewal meet certain conditions, it is the policy of the District to encourage responsible
18 lessees to remain on the leased premises beyond the original term of the lease until the project
19 commences, if possible; and
20

21 **WHEREAS**, the Governing Board of the South Florida Water Management District deems
22 it necessary, appropriate and in the public interest to authorize an amendment to Contract
23 OT050802 with New Hope Sugar Company, as to Parcel 2 of the Contract, and Contract
24 4600001039 with Okeelanta Corporation to revise the termination language and extend the terms
25 by two years from March 31, 2009 to March 31, 2011; and
26

27 **WHEREAS**, the District has been conveyed fee title to a one acre tract, identified as
28 Deferred Parcel T-6 (aka Tract No. V6-100-039), located in the aforementioned Parcel 2 and
29 within which there is a pump station used by New Hope Sugar Company in connection with
30 Parcel 2 and other lands also leased by New Hope Sugar Company; and
31

32 **WHEREAS**, the amendment to Contract OT050802 shall add the said one acre Tract V6-
33 100-039 to Parcel 2 and will reflect the fact that even at the March 31, 2011 termination of the
34 lease for Parcel 2, New Hope will retain the use of and the access to the pump station on Tract
35 V6-100-039 as long as New Hope Sugar Company is still leasing other adjacent District lands for
36 sugar cane farming.
37

38 **NOW THEREFORE, BE IT RESOLVED** by the Governing Board of the South Florida
39 Water Management District:
40

41 **Section 1.** The Governing Board of the South Florida Water Management District hereby
42 authorizes execution of an amendment to Contract OT050802 with New Hope Sugar Company,
43 as to Parcel 2 of the Contract, and Contract 4600001039 with Okeelanta Corporation to revise the
44 termination language and extend the term by two years from March 31, 2009 to March 31, 2011,
45 and, with respect to Parcel 2 of Contract OT050802, add a one acre tract owned by the District
46 and allow for New Hope Sugar Company's continued use of and access to said tract as long as
47 New Hope Sugar Company is still leasing other adjacent District lands for sugar cane farming.
48

49 **Section 2.** This Resolution shall take effect immediately upon adoption.
50
51
52
53
54

55 **PASSED** and **ADOPTED** this _____ day of _____, 2009.

56

57

58 **ATTEST:**

59

60

61 By: _____

62 District Clerk/Secretary

63

64

65

66

67 (Corporate Seal)

68

69

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

By: _____

Chair

70

71

72 **Approved as to form:**

73

74 By: _____

75 Office of Counsel

76