

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  
6 WATER MANAGEMENT DISTRICT TO APPROVE DECLARING SURPLUS LAND  
7 INTERESTS CONTAINING 10 ACRES, MORE OR LESS, PREVIOUSLY  
8 ACQUIRED AS PART OF THE C-43 BASIN STORAGE RESERVOIR PROJECT  
9 ENTRANCE PARCEL, IN HENDRY COUNTY, TOGETHER WITH AN ACCESS,  
10 EGRESS AND UTILITY EASEMENT, AND DONATING SAID LAND INTERESTS TO  
11 HENDRY COUNTY TO BE USED FOR AN EMERGENCY OPERATIONS CENTER,  
12 SUBJECT TO A REVERTER; APPROVE DECLARING SURPLUS, DISPOSAL OF,  
13 AND REMOVAL FROM THE ASSET RECORDS, ANY SUCH STRUCTURES AND  
14 IMPROVEMENTS DEEMED UNNECESSARY FOR THE STATED PURPOSE OF  
15 THE ORIGINAL LAND ACQUISITION; SUBJECT TO SATISFACTION OF CERTAIN  
16 REQUIREMENTS; PROVIDING AN EFFECTIVE DATE.  
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18 WHEREAS, the South Florida Water Management District has acquired the subject land for the  
19 C-43 Basin Storage Reservoir Project Entrance Parcel in Hendry County; and

20 WHEREAS, the South Florida Water Management District desires to declare surplus land  
21 interests containing 10 acres, more or less, previously acquired as part of the C-43 Basin Storage  
22 Reservoir Project Entrance parcel, in Hendry County, together with an access, egress and utility  
23 easement from Congen Road, and to donate said land interests to Hendry County to be used by Hendry  
24 County for an emergency operations center, subject to a reverter if the land ceases to be used for an  
25 emergency operations center, and associated costs and approve declaring surplus, disposal of, and  
26 removal from the asset records, any such structures and improvements deemed unnecessary for the  
27 stated purpose of the original land acquisition; and

28 WHEREAS, Department of Interior (DOI) provided federal funding to the District, and Florida  
29 Department of Environmental Protection (FDEP) provided state funding sources to the District, all in  
30 connection with the original acquisition of the subject land; therefore, upon receipt of approval by DOI,  
31 and FDEP, if required by the state funding source, of the conveyance of the subject land, provided such  
32 approvals do not contain conditions unacceptable to the District, the Governing Board has determined  
33 the approximate 10 acre parcel and access, egress and utility easement will not be required for present or  
34 apparent future use; and

35 WHEREAS, the South Florida Water Management District is authorized to donate land, or  
36 interests or rights in land to other governmental entities, pursuant to Section 373.056, Florida Statutes;  
37 and

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

40 **Section 1.** The Governing Board of the South Florida Water Management District hereby declares  
41 surplus and approves the donation of existing District land interests containing 10 acres, more or less,  
42 together with an access, egress and utility easement from Congen Road to Hendry County to be used by  
43 Hendry County for an emergency operations center as follows:

Owner	Tract No.	Interest	Acres	Appraised Value	Transaction
South Florida Water Management District	GX100-022	Fee	10	TBD	Donation
South Florida Water Management District	TBD	Easement		TBD	Donation

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**Section 2.** The approval of the donation by the Governing Board of the South Florida Water Management District and conveyance of the subject land to Hendry County is subject to approval by the Department of the Interior, provided such approval does not contain conditions unacceptable to the District.

**Section 3.** The approval of the donation by the Governing Board of the South Florida Water Management District and conveyance of the subject land to Hendry County is further subject to approval by FDEP if required by the funding source, provided such approval does not contain conditions unacceptable to the District.

**Section 4.** The donation shall be subject to a reverter to the District should the land cease to be used for an emergency operations center.

**Section 5.** The Governing Board of the South Florida Water Management District hereby further approves declaring surplus, disposal of, and removal from the asset records, any such structures and improvements deemed unnecessary for the stated purpose of the original land acquisition.

**Section 6.** The Governing Board of the South Florida Water Management District hereby authorizes the Chairman to execute the deed.

**Section 7.** This Resolution shall take effect immediately upon adoption.

**Section 8.** Pursuant to section 373.089(6), this Resolution has been passed by at least a two-thirds vote of the Governing Board

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

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

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

**ATTEST:**

\_\_\_\_\_  
District Clerk/Secretary

Approved as to form:

By: \_\_\_\_\_  
Office of Counsel