

41 **NOW THEREFORE, BE IT RESOLVED** by the Governing Board of the South Florida Water
 42 Management District that the acquisition by the District of the following land interests, in the area of
 43 Kissimmee River Restoration and Headwaters Revitalization Project, consisting of 2.80 acres, more or less,
 44 as shown on the map attached hereto as Exhibit "AA" and as more particularly described on attached Exhibit
 45 "A", hereinafter referred to as the "Easement Parcel", with respect to which the District will seek to acquire a
 46 perpetual flowage and inundation easement from the owner of the said land interests (the "OWNER")
 47 according to the provisions attached hereto as Exhibit "B", is found by the Governing Board of the District to
 48 be necessary to complete the Kissimmee River Restoration and Headwaters Revitalization Project and is in
 49 the public interest and for a public purpose:

50 The Easement Parcel with respect to which the District will seek to acquire a perpetual flowage and
 51 inundation easement is referred to as SFWMD Tract No. 18117-003 and consists of a total of 2.80 acres,
 52 more or less, lying in Polk County, Florida. In accordance with Section 73.015, Florida Statutes, the
 53 Governing Board of the South Florida Water Management District hereby authorizes and directs staff to make
 54 a final written offer to voluntarily purchase land interests containing a total of 2.80 acres, more of less, for the
 55 Kissimmee River Restoration and Headwaters Revitalization Project, in amounts no greater than as stated
 56 below, together with associated costs, as follows:

57

Tract No.	Owner	Easement Acres	Appraised Value	Final Purchase Offer
18117-003	Florida Power Corporation, a Florida corporation	2.80	\$98,280	\$113,022

58

59 **Budgeted:**

Dollars	Fund	Fund Center	Functional Area	Commitment Item GL Account
\$113,022	404000 and/or 402000	3510144000	FD01	580013

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61 **BE IT FURTHER RESOLVED** that the Governing Board of the South Florida Water Management
 62 District hereby approve the purchase of land interests, containing 2.80 acres, more or less, for the Kissimmee
 63 River Restoration and Headwaters Revitalization Project, in Polk County, in an amount not to exceed
 64 \$113,022, together with associated costs, upon acceptance of the above-referenced offer.

65 **BE IT FURTHER RESOLVED** that the Governing Board of the South Florida Water Management
 66 District hereby authorizes the Chairman to execute an Agreement for Sale and Purchase upon acceptance of
 67 any or all of the above referenced final purchase offer.

68 **BE IT FURTHER RESOLVED** that the Governing Board of the South Florida Water Management
69 District hereby approves utilization of ad valorem (Capital Projects Okeechobee) and dedicated (Florida
70 Forever Trust Fund) funds.

71 **BE IT FURTHER RESOLVED** by the Governing Board of the South Florida Water Management
72 District that upon rejection of the final purchase offer referenced above, a Legal Officer of the District is
73 hereby authorized, instructed, and directed to acquire land interests by eminent domain, to institute or cause
74 to be instituted eminent domain proceedings as may be necessary pursuant to Chapters 73 and 74, Florida
75 Statutes, to avail the District of all eminent domain powers and procedures authorized by Florida Statutes and
76 by rule of court, and to accomplish the acquisition described herein, including the authority to negotiate the
77 acquisition of the described property subject to the approval of the Governing Board. This Resolution shall
78 take effect immediately upon adoption.

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80 **PASSED** and **ADOPTED** this ____ day of _____, 2010.

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82 **ATTEST:**

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85 By: _____
86 District Clerk/Secretary

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

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90

91 (Corporate Seal)

92

93

By: _____
Chairman

94

95 **Approved as to form:**

96

97

98 By: _____
99 Office of Counsel

100