

**SOUTH FLORIDA WATER MANAGEMENT DISTRICT**

**RESOLUTION NO. 2007 - \_\_\_\_\_**

**A RESOLUTION OF THE GOVERNING BOARD OF THE SOUTH FLORIDA WATER MANAGEMENT DISTRICT REQUESTING REIMBURSEMENT FROM THE DEPARTMENT OF ENVIRONMENTAL PROTECTION FOR THE PURCHASE OF LAND INTERESTS CONTAINING 9.97 ACRES, MORE OR LESS, IN THE AMOUNT OF \$50,000 FROM SAVE OUR EVERGLADES TRUST FUND; AND ASSOCIATED COSTS; FOR THE EVERGLADES AGRICULTURAL AREA RESERVOIR PROJECT, COMPREHENSIVE EVERGLADES RESTORATION PLAN, (CERP) IN PALM BEACH COUNTY; PROVIDING AN EFFECTIVE DATE**

**WHEREAS**, that certain Cooperative Agreement between the District and the Florida Department of Environmental Protection dated November 1, 2001, requires submission of a Resolution of the Governing Board of the District to the Department advising about a proposed acquisition in the event the District requests release of funds from the Save Our Everglades Trust Fund for acquisition of such lands.

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

(1) It does hereby advise the Secretary of the Department of Environmental Protection of its intent to acquire fee title to 9.97 acres, more or less, of land in Palm Beach County, Florida, for the Everglades Agricultural Area Reservoir Project, Comprehensive Everglades Restoration Plan, (CERP). The District has a contract to purchase the parcel described below:

<b>Owner</b>	<b>Tract No.</b>	<b>Interest</b>	<b>Acres</b>	<b>Appraised Value</b>	<b>Purchase Price</b>
Emileine Gillespie	D7-100-143	Fee	9.97	\$50,000	\$50,000

The legal interest to be acquired is the fee simple estate. The lands are described in Exhibit "A" and as shown on a location map Exhibit "AA", both of which are attached hereto and made a part hereof.

(2) The purchase price for this parcel, taking into account the value of non-cash considerations, defects in title or outstanding interests of the lands to be acquired, is equal to the appraisal value, based on the certified appraisals that were used to determine the value of the lands to be purchased.

(3) The original source of the funds to be released from Save Our Everglades Trust Fund shall be General Revenue Funds.

(4) The lands being acquired have been reviewed for the presence of State Sovereignty submerged lands and the District has taken reasonable measures to avoid paying for sovereignty lands.

(5) This request for funds deposited into Save Our Everglades Trust Fund is consistent with the District's Five Year Plan of acquisition or the South Florida Forever Water Management District Work Plan,

as contained in Chapter 6, Volume II of the South Florida Environmental Report, last updated during a public hearing on last updated after a public hearing on December 14, 2006, as applicable, and filed with the Legislature and the Department of Environmental Protection, and is consistent with Sections 373.139, 373.470 and 373.59, Florida Statutes, as applicable.

(6) The funds requested shall be used only for the acquisition costs and pre-acquisition/ associated costs of the described lands.

(7) The lands being acquired shall be maintained in an environmentally acceptable manner.

(8) Should the District dispose of any or all of the interests acquired hereunder, all revenues derived there from will be used to acquire other lands for water management, water supply and the conservation and protection of water resources, within the boundaries of a CERP component.

(9) An environmental assessment will be completed, to the District's satisfaction, prior to Closing.

(10) The Executive Director or his designee is hereby authorized to request reimbursement of all expenses for lands and associated costs identified in this Resolution.

(11) This Resolution shall take effect immediately upon adoption.

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

**Legal Form Approved:**

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

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

(Corporate Seal)

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

**ATTEST:**

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