

## LAND ACQUISITION EXECUTIVE SUMMARY

**PROJECT:** Critical CREW  
**COUNTY:** Lee  
**SIZE:** 191.12 Acres (two parcels)  
**PURPOSE:** Critical CREW Project  
**SELLERS:** Helen Connone, Individually and as Trustee of The Connone Family Grantor A.B.C. Trust And Helen G. Connone, Individually and as Trustee of the Helen G. Connone Trust (1/2 interest) and Terry Gene Connone, Joyce Lynne Connone, Jill Leslie O'Keefe and Jack Lee Connone (1/2 interest)

**APPRAISED VALUE:** \$3,033,000 (Total for both tracts)  
**PURCHASE PRICE:** \$3,828,890 (Total for both tracts)

**HIGHLIGHTS:** This acquisition represents a critical milestone in completing the acquisition phase of the Critical CREW project. The larger Connone parcel connects the eastern and western areas of the project and will allow uninterrupted sheet flow over the northern halves of Sections 34, 33 and 32 prior to be intercepted by the Kehl canal and drained to the bay. This will assist in restoring over 900 acres of the project. The smaller Connone parcel, which fronts on Bonita Beach Road (see attached map) falls within the southern one-half of Section 34 that the Governing Board determined, was necessary for the Critical CREW project. Without these tracts, the Critical CREW project would have been restricted to planning the project in two phases. The District can now proceed with planning the Critical CREW project as a unified whole increasing engineering efficiency and reducing overall project costs.

**CONSIDERATIONS:** This mediated settlement is in lieu of condemnation. The landowner had documented, and intended to present at trial, land valuations that included a potential mining claim. This settlement ensures that the District will not be exposed to the greater potential cost at trial. The project involves acquisition of approximately 4,670 acres and restoration of historic sheet flow by removal of canal and road berms, home pads and ditches.

**FISCAL IMPACT:** The purchase price of the subject lands is \$3,828,890. Overall, this is 26% greater than the appraised value of \$3,033,000. Additionally, the District will pay a total not to exceed \$920,105.50 in attorney's fees and costs per Florida Statutes. All costs are to be funded through the Florida Forever Trust Fund and are included in FY11 Budget. Closing on these parcels will take place November 30, 2010.

**RECOMMENDATION:** That the Governing Board of the South Florida Water Management District approves the purchase of two land tracts containing 191.12 acres, more or less, for the Southern Corkscrew Regional Ecosystem Watershed Project ("Critical CREW Project") in Lee County, in the total amount of \$3,828,890, together with statutory costs and attorney's fees in the total amount not to exceed \$920,105.50 and all associated costs, for which Florida Forever Trust Fund are available subject to Governing Board approval of the FY11 Budget; and approve 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.

**Prepared by:** \_\_\_\_\_  
 Thomas W. Hanaway  
 Senior Professional-Acquisition  
 Land Acquisition Department

\_\_\_\_\_  
 Date

**Reviewed by:** \_\_\_\_\_  
 Ruth P. Clements  
 Director  
 Land Acquisition Department

\_\_\_\_\_  
 Date

**Approved by:** \_\_\_\_\_  
 Kenneth G. Ammon, P.E.  
 Deputy Executive Director  
 Everglades Restoration and Capital Projects

\_\_\_\_\_  
 Date

Attachments: Resolution and Map

Seller	Tract Nos.	Interest	Acres	Appraised Value	Purchase Price	% over appraised value	Attorney fees & costs
Connone Trusts and Connone Family	09005-231 and 09005-281	Fee	191.12	\$3,033,000	\$3,828,890	26%	\$810,105.50 (Statutory Attorney Fees)  Not to exceed \$110,000.00 (Statutory Costs)