SOUTH FLORIDA WATER MANAGEMENT DISTRICT

RESOLUTION NO. 2006 - _____

A RESOLUTION OF THE GOVERNING BOARD OF THE SOUTH FLORIDA WATER MANAGEMENT DISTRICT ADVISING THE DEPARTMENT OF ENVIRONMENTAL PROTECTION OF THE USE OF $2,766.60 FROM THE WATER MANAGEMENT LANDS TRUST FUND FOR THE 2005 PAYMENT IN LIEU OF TAXES TO HIGHLANDS COUNTY FOR ACTUAL AD VALOREM TAX LOSSES INCURRED AS A RESULT OF LAND PURCHASED BY THE DISTRICT, REQUESTING THE DEPARTMENT OF ENVIRONMENTAL PROTECTION TO REIMBURSE THE DISTRICT FOR THIS PAYMENT; PROVIDING AN EFFECTIVE DATE

WHEREAS, in 1992 the Legislature enacted amendments to Section 373.59, Florida Statutes, requiring water management district to make payments in lieu of taxes to qualifying counties for actual ad valorem tax losses incurred as a result of lands purchased by a water management district under the Preservation 2000 and/or Save our Rivers programs; and

WHEREAS, the Governing Board of the South Florida Water Management District (the "District") has sufficient funds in its annual operating budget for payments in lieu of taxes; and

WHEREAS, the County Commission of Highlands County submitted an application to the District on January 24, 2006, requesting payments in lieu of taxes for land acquired by the District in Highlands County under the Preservation 2000 and/or Save our Rivers programs; and

WHEREAS, the District has verified that the acreage, source of funds used for land acquisitions, and actual taxes lost by Highlands County, as indicated in the application, are accurate and appropriate; and

WHEREAS, the District has determined that Highlands County is qualified to receive payments in lieu of taxes; and

WHEREAS, the County Tax Collector for Highlands County has certified that the payment amount applied for is the average amount of actual taxes paid on the property for the three years immediately preceding the acquisition thereof by the District and that the amount certified is reasonably appropriate; and

WHEREAS, the Florida Department of Revenue has certified as correct Highlands County's respective millage rates and the actual taxes paid to the taxing authority for the three years immediately preceding the acquisition by the District of certain lands located in Highlands County and that the amount certified by the County in its application is reasonably appropriate; and

WHEREAS, the District has determined that is will make the payment in lieu of taxes to Highlands County and seek reimbursement for the payment from the Florida Department of Environmental Protection; and

WHEREAS, Section 62-402030(7), Florida Administrative Code, requires submission of a resolution of the Governing Board of the District to the Department of Environmental Protection requesting the release of funds from the Water Management Lands Trust Fund for payments in lieu of taxes;

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 utilize $2,766.60 from the Water Management Lands Trust Fund for payment to Highlands County in lieu of taxes made for actual ad valorem tax losses incurred by Highlands County for the year 2005 as a result of lands purchased by the District

(2) The Governing Board hereby requests the Florida Department of Environmental Protection to reimburse the District for the payment to Highlands County

(3) A copy of this resolution shall be furnished to the Florida Department of Environmental Protection

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

Dollars	Fund	Internal Order	G/L Account
$2,766.60	204000	AZ0000001430	541900

Budget Approved 7/7/06 Date

PASSED and **ADOPTED** this ____ day of August, 2006.

Legal Form Approved:

By: _____
Office of Counsel

SOUTH FLORIDA WATER MANAGEMENT DISTRICT, BY ITS GOVERNING BOARD

(Corporate Seal)

By: _____
Chair

ATTEST:

By: _____
District Clerk/Secretary