

LAND ACQUISITION EXECUTIVE SUMMARY

PROJECT:	Indian River Lagoon – South CERP Project, Allapattah Complex Natural Storage and Water Quality Area
COUNTY:	Martin
SIZE:	98.45 acres Fee; 5.41 acres access easement
SELLER:	Turnpike Dairy, Inc.
APPRAISED VALUE:	\$1,430,000 – Fee; \$52,500 – access easement
PURCHASE PRICE:	\$1,430,000 – Fee; \$52,500 – access easement

CONSIDERATIONS: The subject fee property, comprising approximately 98.45 acres, is located in western Martin County on Fox Brown Road and State Road 714 (Martin Highway). Property is part of the Allapattah Natural Lands and Water Quality component of the Indian River Lagoon – South CERP Project and is directly west of the District owned Allapattah Ranch.

Property acquisition will be contingent upon partnership with Martin County and the United States Department of Agriculture Wetlands Reserve Program. Martin County will contribute 50% of the fee acquisition price (\$715,000) with the maximum contribution to be funded by the District being approximately \$65,000. There remaining funds will be provided by the United States Department of Agriculture under its Wetlands Reserve Program. A funding agreement with Martin County regarding this acquisition was approved at the March Governing Board.

Also included is the District's acquisition of a 5.41 acre access easement that will provide improved access to previously acquired District owned lands within the Project. The District, at the owner's option, will either pay a purchase price of \$52,500 for the access easement or declare surplus and transfer to the owner, in fee, another 4.51 acre tract adjacent to the owner's remainder lands.

As part of the SFWMD's negotiations with the property owner, the parties were able to agree to the following acquisition terms:

Acquisition Price - \$1,430,000 for 98.45 acre fee tract – appraised value
\$52,500 for the 5.41 acre easement – appraised value

Interest Acquired – The District and Martin County will each acquire an undivided 50% interest in the 98.45 acre fee property. As the Department of Agriculture is providing funding, a conservation easement in favor of Department of Agriculture – Wetlands Reserve Program will be placed on the 98.45 acre fee property (Tract KE100-188) immediately prior to conveyance of fee title to the District and Martin County. The 5.41 acre access easement will be granted to the District only.

Purchase Terms – Seller may elect to remain on the fee property after closing to continue its beef cattle operation at market rent until the property is required for restoration. An additional 33.05 acres of land that is adjacent to the fee property and with

respect to which the District has a contract to purchase may be added to the lease, contingent upon the District closing on the additional property.

RECOMMENDATION: That the Governing Board of the South Florida Water Management District authorize entering into an Agreement for Sale and Purchase of the land interests containing 98.45 acres, more or less, in Martin County, for the Indian River Lagoon – South, CERP Project, Allapattah Complex Natural Storage and Water Quality Component, in the amount of \$1,430,000, for which CERP Ad Valorem funds (District maximum contribution of \$65,000) are budgeted and the remainder to be funded by Martin County and the federal Wetlands Reserve Program. That additionally, the Governing Board of the South Florida Water Management District approve the acquisition of land interests containing 5.41 acres, more or less, in Martin County, for the Indian River Lagoon – South, CERP Project, Allapattah Complex Natural Storage and Water Quality Area Component, in the amount of \$52,500, for which CERP Ad Valorem funds are budgeted; 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 acquisition of the aforesaid 98.45 acres, more or less; further approve declaring surplus and available for exchange and conveyance land interests containing 4.51 acres, more or less, in Martin County, together with any structures and improvements located thereon, without reservation of interests under Section 270.11, Florida Statutes; providing an effective date.

Prepared by: _____
Robert A. Schaeffer
Lead Professional-Acquisition
Land Acquisition and
Land Management Department

Date

Reviewed by: _____
Ruth P. Clements, Director
Land Acquisition and
Land Management Department

Date

Approved by: _____
Kenneth G. Ammon, P.E.
Deputy Executive Director
Everglades Restoration Resource Area

Date

Resolution and Map

Persons and entities for conflict check:
John Legg, Scott Legg, James Legg

Owner	Tract Nos.	Interest	Acres	Appraised Value	Purchase Price
Turnpike Dairy, Inc.	KE100-188	Undivided 50% fee interest subject to WRP conserv. easement	98.45	\$1,430,000 (w/o easement)	\$1,430,000
Turnpike Dairy, Inc.	KE 100-131	Access Easement	5.41	\$52,500	\$52,500*

*In lieu of Purchase Price, the easement interest may be acquired in exchange for District Tract No. KE100-206.