



SOUTH FLORIDA WATER MANAGEMENT DISTRICT

3301 Gun Club Road, West Palm Beach, Florida 33406 • (561) 686-8800 • FL WATS 1-800-432-2045 • TDD (561) 697-2574
Mailing Address: P.O. Box 24680, West Palm Beach, FL 33416-4680 • www.sfwmd.gov

LAND ACQUISITION EXECUTIVE SUMMARY

PROJECT:	Kissimmee River
TRACT:	19-103-804
COUNTY:	Highlands
SIZE:	1.72 Acres
PURPOSE:	Kissimmee River Restoration
SELLERS:	John J. and Nancy A. Leadingham
APPRAISED VALUE:	\$510,000
PURCHASE PRICE:	\$791,840
COSTS & ATTORNEY'S FEES:	\$136,960
OPTION/EXCHANGE TRACTS:	19-103-796, 19-103-797
COUNTY:	Highlands
OPTION CONSIDERATION:	\$ 79,500
OPTION SIZE:	5.10 Acres (2.16 with reserved flowage easement)

HIGHLIGHTS: Requesting approval of the purchase of land interests containing 1.72 acres, more or less, in fee, for the Kissimmee River Project, in the amount of \$791,840, and the payment of statutory costs and attorney's fees in the amount of \$136,960, and the surplus for conveyance, at the seller's option, land interests containing 5.10 acres, more or less, in consideration of \$79,500 applied against the purchase price, subject to the District's reservation of a flowage easement encumbering approximately 2.16 acres.

CONSIDERATIONS: Acquisition of fee simple interest, comprising 1.72 acres, is a necessary part of the Kissimmee River Project in Highlands County. The Project, which includes measures to reestablish the historic river channel and floodplain, will cause the water levels in the restored river to fluctuate in a manner that may impact certain lands including the subject property. The subject property is the sellers' homestead residence. It is located in the Faraway Subdivision residential subdivision. The subdivision borders the Kissimmee River and is located in southern Highlands County just south of U.S. 98 and east of Nine Mile Grade. In 1992, the District's Governing Board had voted in support of developing engineering solutions that would eliminate the need to acquire any residences south of U.S. 98. Subsequent to that, in 1995, Samuel E. Poole III, the District's Executive Director, provided a written commitment to area residents that because of these engineering solutions, no residences south of U.S. 98 would have to be purchased as a result of the Project. It was also in 1995 that the sellers were required, as part of the Project, to sell to the District their residence located on the Kissimmee River in the Riverwoods Subdivision, which is north of U.S. 98. Following that acquisition, the sellers chose the subject property to relocate and to build their new residence. Subsequently, the engineering solutions that would have eliminated the need for acquisition of residences south of U.S. 98 were not implemented. As a result the sellers' residence must again be acquired. This is, therefore, the second time that the sellers' have been required to sell their residence to the District because of the Project.

FISCAL IMPACT: The purchase price of the subject land is \$791,840 or approximately 55% above the approved appraised value. Costs are to be funded through Ad Valorem and Florida Forever Trust funds.

GOVERNING BOARD

Kevin McCarty, *Chair*
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Malcolm S. Wade, Jr.

EXECUTIVE OFFICE

Carol Ann Wehle, *Executive Director*

As an acknowledgment of the considerable amount that the purchase price exceeds the appraised value, the sellers have requested that all payments they may be entitled to under federal relocation be waived.

RECOMMENDATION: That the Governing Board of the South Florida Water Management District authorizes the fee acquisition of 1.72 acres located in Highlands County, at a purchase price of \$791,840 for the Project to be funded with Ad Valorem and Florida Forever Trust funds, and approve the payment of statutory costs and attorney's fees in the amount of \$136,960, and the surplus for conveyance, at the seller's option, land interests containing 5.10 acres, more or less, in consideration of \$79,500 applied against the purchase price, subject to the District's reservation of a flowage easement encumbering approximately 2.16 acres.

Prepared by: *Robert A. Schaeffer*
 Robert A. Schaeffer
 Lead Professional-Acquisition
 Land Acquisition Department
 Date: 6-15-2006

Reviewed by: *Ruth P. Clements*
 Ruth P. Clements
 Director
 Land Acquisition Department
 Date: 6/19/06

Approved by: *Kenneth G. Ammon* For KSA
 Kenneth G. Ammon, P.E.
 Deputy Executive Director
 CERP
 Date: 6.20.06

Owners	Tract No.	Interest	Acres	Appraised Value	Purchase Price
John J. and Nancy A. Leadingham	19-103-804	Fee	1.72	\$510,000	\$791,840
Totals			1.72	\$510,000	\$791,840

Owner	Tract No.	Interest	Acres	Appraised Value	Credit Against Purchase Price
South Florida Water Management District	19-103-796	Fee	2.94		
South Florida Water Management District	19-103-797	Fee subject to flowage easement	2.16		
Totals			5.10	\$79,500	\$79,500

Attachments: Resolution and map

Persons and entities for conflict check: None