

44 **WHEREAS**, to preserve SFWMD’s access to the Project, Creekside CDD will construct
45 and convey to SFWMD, in fee, an access road across Creekside CDD property for use until (i)
46 the new access road leading from State Road 70 (Okeechobee Road) to the Project is
47 dedicated as a public road, and (ii) the connector road across Project lands and the new bridge
48 across Ten Mile Creek are completed and accepted by SFWMD. The fee interest in the
49 temporary road will then revert back to Creekside CDD, and

50 **WHEREAS**, the District will also grant to Creekside the easements and/or rights of entry
51 necessary to allow Creekside and its employees, contractors and agents to enter upon District
52 property for the purpose of constructing the road and bridge and performing the other in-kind
53 services referenced above and set forth in the exchange agreement, including long term exotic
54 maintenance; and

55 **WHEREAS**, the appraisals of the interests to be exchanged are currently being reviewed
56 by District staff, but the parties have agreed that the value of the District lands to be exchanged
57 shall not exceed \$268,000 and the conservation easement to be conveyed by Creekside to the
58 District shall have a minimum appraised value not less than \$268,000, but not to exceed
59 \$365,000. Creekside shall also be responsible for all associated costs incurred by the parties in
60 conjunction with the exchange; and

61 **WHEREAS**, pursuant to Section 373.089(4), Florida Statutes, the District is authorized
62 to exchange lands or interests in lands for which title is vested in the District for other lands or
63 interests in lands, subject to terms and conditions approved by the Governing Board,

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

66 **Section 1.** The Governing Board of the South Florida Water Management District hereby
67 approves declaring surplus certain District land interests containing 2.43 acres, more or less, in
68 fee, located in Section 27, Township 35 South, Range 39 East, St. Lucie County, Ten Mile
69 Creek, together with the District’s interest in and privilege to mine and develop all phosphate,
70 minerals, metals and petroleum in, on or under said property, and conveying such lands to
71 Creekside Community Development District in exchange for a conservation easement over land
72 interests consisting of 33.14 acres for the Ten Mile Creek Project, in St. Lucie County, together
73 with certain in-kind services and associated costs, as follows:

74

Tract No.	Owners Name	Interest	Acres	Appraised Value	Purchase Price
GI-100-004	South Florida Water Management District	Fee	2.18	\$240,000	Exchange
GI-100-018		Fee	0.25	\$28,000	Exchange
GI-100-019	Creekside Community Development District	Easement	33.14	\$365,000	Exchange

75 **Section 2.** Consistent with the requirements of Section 373.089(6), Florida Statutes, the
76 Governing Board has determined that Tract Numbers G1 100-004 and G1 100-018 are no
77 longer needed for conservation purposes and has approved this resolution by at least a two-
78 thirds (2/3) vote.

79 **Section 3.** The Governing Board of the South Florida Water Management District hereby
80 authorizes the Chair to execute the Agreement for Exchange of Real Property setting forth the
81 terms and conditions for the above referenced exchange.

82 **Section 4.** This Resolution shall take effect immediately upon adoption.

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84 **PASSED** and **ADOPTED** this _____ day of _____, 2005.

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86 **ATTEST:**

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88 _____
89 District Clerk/Secretary

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95 (Corporate Seal)

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

96
97 By: _____
98 Chair

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101 **Approved as to form:**
102
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104 By: _____
105 Office of Counsel
106