

SOUTH FLORIDA WATER MANAGEMENT DISTRICT

RESOLUTION NO. 2006 - _____

A RESOLUTION OF THE GOVERNING BOARD OF THE SOUTH FLORIDA WATER MANAGEMENT DISTRICT REQUESTING REIMBURSEMENT FROM THE DEPARTMENT OF ENVIRONMENTAL PROTECTION FOR THE PURCHASE OF LAND INTERESTS CONTAINING 620.17 ACRES, MORE OR LESS, IN THE AMOUNT OF \$5,180,481.60 FROM SAVE OUR EVERGLADES TRUST FUND; AND ASSOCIATED COSTS; FOR THE ACCELER8 C-44 RESERVOIR/STORMWATER TREATMENT AREA PROJECT IN MARTIN COUNTY; PROVIDING AN EFFECTIVE DATE

WHEREAS, that certain Cooperative Agreement between the District and the Florida Department of Environmental Protection dated November 1, 2001, requires submission of a Resolution of the Governing Board of the District to the Department advising about a proposed acquisition in the event the District requests release of funds from the Save Our Everglades Trust Fund for acquisition of such lands.

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 that it has acquired fee title to 620.17 acres, more or less, of land in Martin County, Florida, for the Acceler8 C-44 Reservoir/Stormwater Treatment Area Project pursuant to District Resolution No. 2006-445. The District had contracts to purchase the parcels described below:

Owner(s)	Tract Nos.	Interest	Acres	Appraised Value	Purchase Price
GM Citrus, LLC	JE100-018	Fee	0.64	\$2,450,000.00	\$1,981,470.00
Good-Minton Citrus, LLC	JE100-019	Fee	153.56		
Mondschein, Philip, Trustee, et al	JE100-020	Fee	150.13	\$2,400,000.00	\$1,929,170.50
Raymond, John, Jr., et al	JE100-021	Fee	315.84	\$4,740,000.00	\$4,058,544.00
Totals			620.17	\$9,590,000.00	\$7,969,184.50

The legal interest acquired is the fee simple estate. The lands are described in Exhibit "A" and as shown on a location map Exhibit "AA", both of which are attached hereto and made a part hereof. The acquisition is 17% under the current appraised value.

(2) A previous request for reimbursement of \$3,095,000 from the Save Our Everglades Trust Fund was approved at the April 2006 District Governing Board meeting pursuant to resolution 2006-446.

(3) The original source of the funds to be released from Save Our Everglades Trust Fund was General Revenue Funds. A portion of the fee acquisition was funded through South Florida Water Management District Ad Valorem. Therefore, this request is for \$5,180,481.60 from Save Our Everglades Trust Fund. This represents \$4,874,184.50 for land and \$306,297.10 for attorney fees.

(4) The lands acquired have been reviewed for the presence of State Sovereignty submerged lands and the District has taken reasonable measures to avoid paying for sovereignty lands.

(5) This request for funds deposited into Save Our Everglades Trust Fund is consistent with the District's Five Year Plan of acquisition or the Florida Forever Water Management District Work Plan, last updated after a public hearing on December 14, 2005, filed with the Legislature and the Department, and is consistent with Sections 373.139, 373.470 and 373.59, Florida Statutes, as applicable.

(6) The funds requested will be used only for the acquisition costs and pre-acquisition/ associated costs of the described lands.

(7) The lands acquired shall be maintained in an environmentally acceptable manner.

(8) Should the District dispose of any or all of the interests acquired hereunder, all revenues derived there from will be used to acquire other lands for water management, water supply and the conservation and protection of water resources, within the boundaries of a CERP component.

(9) An environmental assessment was completed, to the District's satisfaction, prior to Closing.

(10) The Executive Director or his designee is hereby authorized to request reimbursement of all expenses for lands and associated costs identified in this Resolution.

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

PASSED and **ADOPTED** this _____ day of _____, 2006.

Legal Form Approved:

By: *Alu Lora 6/12/2006*
Office of Counsel

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

(Corporate Seal)

By: _____
Chair

ATTEST:

By: _____
District Clerk/Secretary

Exhibit "A"
Tract No. JE-100-018

A parcel of land lying in Section 3, Township 39 South, Range 39 East, Martin County, Florida, being more particularly described as follows:

For a point of reference, BEGIN at the Southwest corner of the Northwest quarter of Section 3; thence, North 00°12'52" East along the West line of the Northwest quarter of said Section 3, a distance of 160.11 feet; thence, South 89°51'09" East, a distance of 174.70 feet; thence, South 00°16'42" East, a distance of 159.53 feet to the South line of the Northwest quarter of said Section 3; thence, South 89°57'31" West along said South line of the Northwest quarter of Section 3, a distance of 176.07 feet to the West line of the Northwest quarter of said Section 3 and the POINT OF BEGINNING.

Containing 0.64 acres, per survey.

*Legal Description and acreage taken from Survey by Richard C. Laventure PLC
Certification No. 5209*

Folio: 33939000000004020000
GM Citrus

R:\Legals\C-44 STA\100-018.lgl
January 28, 2004
Revised: July 14, 2005

LEGAL DESCRIPTION

14 July 2005

FSR

Exhibit "A"
Tract No. JE-100-019

The East half of the Northwest quarter of Section 3, Township 39 South, Range 39 East, lying and being in Martin County, Florida. LESS and except the North 110 feet, thereof.

TOGETHER WITH:

The West half of the Northwest quarter of Section 3, Township 39 South, Range 39 East, lying and being in Martin County, Florida. LESS and except the North 110 feet, thereof.

Also LESS, a parcel of land lying in Section 3, Township 39 South, Range 39 East, Martin County, Florida, being more particularly described as follows:

For a point of reference, BEGIN at the Southwest corner of the Northwest quarter of Section 3; thence, North 00°12'52" East along the West line of the northwest quarter of said Section 3, a distance of 160.11 feet; thence, South 89°51'09" East, a distance of 174.70 feet; thence, south 00°16'42" East, a distance of 159.53 feet to the South line of the Northwest quarter of said Section 3; thence, South 89°57'31" West along said South line of the Northwest quarter of Section 3, a distance of 176.07 feet to the West line of the Northwest quarter of said Section 3 and the POINT OF BEGINNING.

Containing 153.56 acres, per survey.

*Legal Description and acreage taken from Survey by Richard C. Laventure PLC
Certification No. 5209*

Folio: 33939000000004020000
33939000000003040000
Good-Minton Citrus

R:\Legals\C-44 STA\100-019.lgl
January 28, 2004
Revised: July 14, 2005

LEGAL DESCRIPTION

14 July 2005

FSR

Exhibit "A"
Tract No. JE-100-020

The Northeast quarter of Section 3, Township 39 South, Range 39 East, Martin County,
Florida.

LESS and EXCEPT
The North 110 feet and the East 55 feet thereof.

Containing 150.13 acres, per Martin County tax rolls.

Folio: 033939000000001080000
Mondschein, Philip and Leonard, Trustees

R:\Legals\C-44 STA\100-020.lgl
December 28, 2004

LEGAL DESCRIPTION
28 DEC 2004
SMS

Exhibit "A"
Tract No. JE-100-021

All of Section 3, Township 39 South, Range 39 East, Martin County, Florida.

LESS

The West half and the East half of the Northwest quarter of Section 3, Township 39 South, Range 39 East, Martin County, Florida and less the West half and the east half of the Northeast quarter of Section 3, Township 39 South, Range 39 East, Martin County, Florida.

ALSO LESS

The South 25 feet and the East 55 feet of the South half of said Section 3.

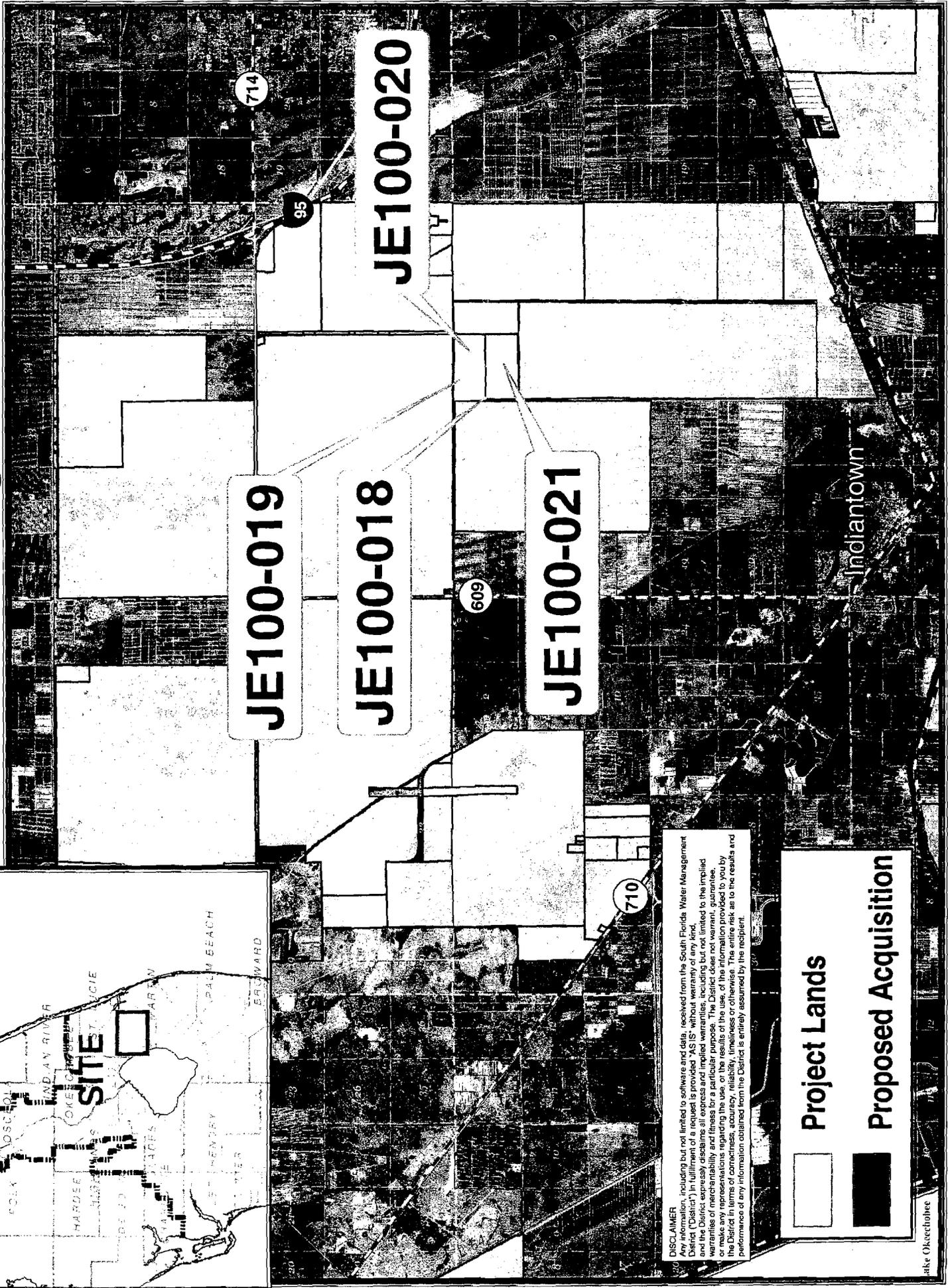
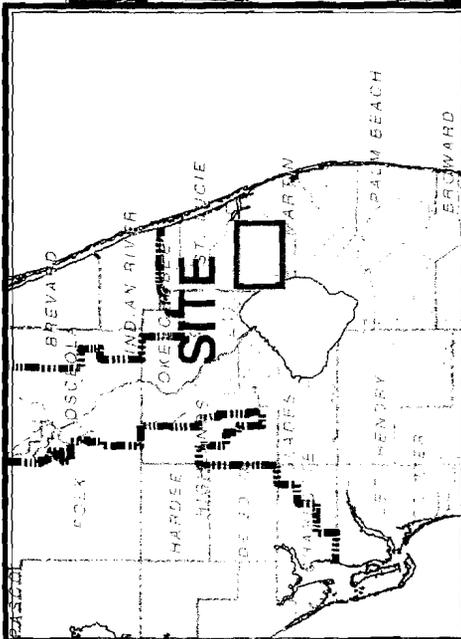
Containing 315.84 acres, per Martin County tax rolls.

Folio: 033939000000005090000
Raymond, John Jr. and Mondschein, Philip, Trustees

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December 28, 2004

LEGAL DESCRIPTION
28 DEC 2004
SMS

C-44



DISCLAIMER
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	Project Lands
	Proposed Acquisition