

EXECUTIVE SUMMARY

Approve an Agreement for Sale and Purchase for 0.678 acres under the Conservation Collier Land Acquisition Program, at a cost not to exceed \$898,000 (Karen).

OBJECTIVE: Request approval of the attached Agreement for Sale and Purchase (Agreement) between the Board of County Commissioners (Board) and Harvey N. Karen and Lisa M. Karen (Sellers).

CONSIDERATIONS: On January 23, 2007, Agenda Item 10A, the Board approved the Conservation Collier Land Acquisition Advisory Committee (CCLAAC) recommended Active Acquisition List, with changes, and directed staff to actively pursue acquisition of the properties under the Conservation Collier Program.

The Sellers' property contains a total of 0.678 acres and is located on Marco Island. This parcel is adjacent to the existing Conservation Collier Otter Mound Preserve. In accordance with the approved Conservation Collier Purchasing Policy, the purchase price of \$886,500 was based upon the average of two independent, state-certified general real estate appraisers, one giving value at \$884,000 and the other at \$889,000.

The attached Agreement provides that should the County elect not to close this transaction for any reason, except for default by the Sellers, the County will pay the Sellers \$4,432.50 in liquidated damages.

The CCLAAC approved this transaction on April 9, 2007, and voted to recommend Board approval and execution of the attached Agreement.

Pursuant to Ordinance 2003-63, Section 13(8), a Project Design Report for the property is provided herewith.

The Agreement has been reviewed and approved by the County Attorney's Office.

FISCAL IMPACT: The total cost of acquisition will not exceed \$898,000 (\$886,500 for the property, \$6,500 for the appraisals, and approximately \$5,000 for the title commitment, title policy, and recording of documents). The funds will be withdrawn from the Conservation Collier Trust Fund (172). As of April 9, 2007, property costs for Conservation Collier properties, including this property and those under contract, total \$44,424,533.

GROWTH MANAGEMENT IMPACT: Fee simple acquisition of conservation lands is consistent with and supports Policy 1.3.1(e) in the Conservation and Coastal Management Element of the Collier County Growth Management Plan.

LEGAL CONSIDERATIONS: The Conservation Collier Ordinance (2002-63) provides a legal framework for property acquisition for the Conservation Collier Program. The process for acquiring this property falls within the legal framework of Ordinance 2002-63.

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RECOMMENDATION: Staff is recommending that the CCLAAC:

1. Approve the attached Agreement; and
2. Recommend to the Board approval and authorization for the Chairman to execute the Agreement on behalf of the Board.

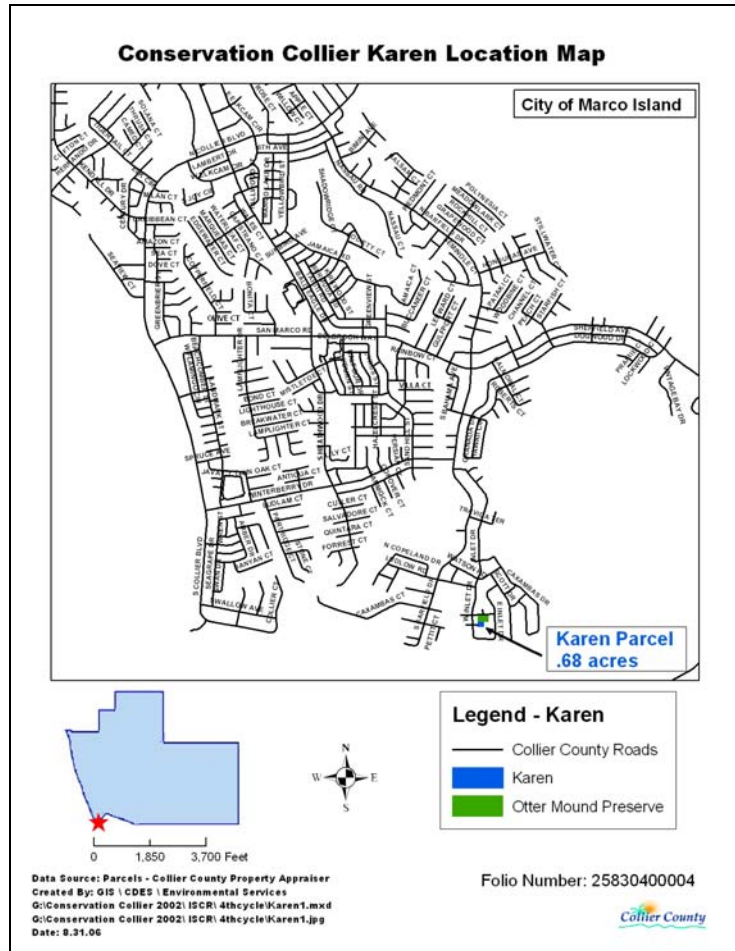
PREPARED BY: _____ **DATE:** _____
Cindy M. Erb, Property Acquisition Specialist, Sr.
Real Estate Services/ Facilities Management Department

REVIEWED BY: _____ **DATE:** _____
Toni A. Mott, Interim Manager
Real Estate Services/ Facilities Management Department

REVIEWED BY: _____ **DATE:** _____
Alexandra J. Sulecki, Coordinator
Conservation Collier Program

REVIEWED BY: _____ **DATE:** _____
Skip Camp, Director
Facilities Management Department

Conservation Collier Land Acquisition Program
Project Design Report
 Date: March 27, 2007



Property Owner(s): Harvey and Lisa Karen

Folio(s): 25830400004

Location: City of Marco Island, Caxambas Block 9. Parcel G

Size: 0.68 acres

Appraisal/Offer Amount: \$886,500

History of Project:

Received application	Selected for the Active Acquisition List by CCLAAC	Approved for purchase by BCC	Purchase offer made to owners	Offer Accepted
Sept 14, 2006	December 11, 2006	January 23, 2007	March 15, 2007	March 19, 2007

Purpose of Project: Conservation Collier

Program Qualifications: This site met 4 out of 6 initial screening criteria, including presence of native habitat, having human resource values, biodiversity and connectivity, as it is directly connected to an existing Conservation Collier Preserve – the Otter Mound Preserve. The two criteria not met were water resource values and it being within another agency boundary. The parcel contains a habitat listed by the Conservation Collier ordinance as unique and endangered and of highest preference for acquisition – tropical hardwood hammock. An archeological survey and assessment done by the Archeological and Historical Conservancy in 2002 on the adjacent Otter Mound Preserve property identified an undisturbed shell midden and has determined that “highly important undisturbed archeological strata and features occur on this parcel.” The Karen parcel contains the same features as the Otter Mound site, and is part of a larger known archeological site of 70+ acres listed by the Florida Division of Historical Resources, known as the Caxambas Point Shell Midden, having a Florida Master Site File number of 8CR107. There is strong community support for acquisition of these parcels, including the City of Marco Island (approved a Conservation Collier purchase 9/5/06 – Resolution 06-30). The Karen parcel will be consolidated into the Otter Mound Preserve and an existing Interlocal Agreement for management of the Otter Mound Preserve will apply. Marco Island Historical Society has agreed to provide limited management assistance for Otter Mound Preserve and a local ecotourism business owner has also indicated support. This parcel was platted for residential development and as such was highly vulnerable to development. See the Initial Criteria Screening Report for full criteria evaluation.

Projected Management Activities: The Karen property will be joined with the existing Otter Mound Preserve. Activities anticipated include removal of prohibited exotic plant species and development and maintenance of a low impact trail that will join with the trail already established on the adjacent Otter Mound Preserve. An Interim Management Plan has already been developed and approved by the Board of County Commissioners for the Otter Mound Preserve. A Final Management Plan for the Otter Mound Preserve is due by the end of June 2007. The Karen parcel will be included in that plan. The site will be appropriately used for recreational and educational opportunities associated with its environmental, archeological and historic attributes.