

## **Conservation Land Bank Donations**

Collier Soil and Water Conservation District is accepting donations of land or other assets. Depending on the agreement, the land may be retained by the CSWCD to protect its natural resources or it may be sold and the proceeds used to acquire or manage other lands with unique natural resources. The donor may benefit by claiming a charitable contribution on income taxes, reduced estate taxes, and in other ways. Landowners may donate full or partial interest, e.g., an easement in property to the CSWCD for conservation purposes. Donated lands may be incorporated into a mitigation bank, scientific and natural area, or other management unit. CSWCD also accepts lands without natural resource value, such as improved real estate, with the understanding that the CSWCD will exchange it for land suitable for natural resource purposes.

Examples of critical habitat include important wetlands, panther habitat, undisturbed plant communities, habitat for rare plant and animal species, native prairie and grasslands, spawning and reproduction areas for fish, and water sources.

CSWCD protects land through acquisitions, gifts of land, management agreements, conservation easements, cooperation with state and local units of government, and enrollment of private landowners in a voluntary registry program.

CSWCD seeks not only land with critical habitat for rare and endangered species or ecosystems, but also trade lands that could be sold and the proceeds used to purchase or manage critical habitat.

### Contact:

Kim Bucceri, Administrator by Email at: [cswcd@swfla.rr.com](mailto:cswcd@swfla.rr.com); write: Collier Soil and Water Conservation District, Agricultural Center, 14700 Immokalee Road, Naples, Florida 34120; Phone: (239) 455-4100 or FAX: (239) 455-2693

# COLLIER SOIL AND WATER CONSERVATION DISTRICT

## Land and Real Property Transfer Procedure

### Contents

Paragraph	Title
1.	Purpose.....2
2.	Information to be provided by Property Donors.....2
3.	Management information.....3
4.	Valuation and financial information.....4
5.	Actions.....4
	Checklist.....4
	Schedule of Asset Transfers.....5

1. Purpose. This policy is to assist property donors transferring land and real property or assets to Collier Soil and Water Conservation District (CSWCD).
2. Information to be provided by Property Donors. The information and material set out below will help ensure that all land and real property management issues have been identified and addressed prior to land or property transfer and that CSWCD is able to undertake ongoing management of the land or property.

Following this guideline will enable a full assessment of issues affecting the land or property and any immediate work/actions that need to be undertaken. It will also ensure that CSWCD is not left exposed to required actions not undertaken due to lack of knowledge.

Where a property donor has put in place some form of occupancy agreements with third parties, these arrangements must be fully documented and any commitments clearly outlined.

Upon receiving the request to transfer land or property, CSWCD will assess the information provided, arrange an inspection of the property, complete a property evaluation and negotiate a transfer date with the property donor.

- a. The transfer will become effective after it has been confirmed in writing by both the property donor (see attachment) and CSWCD. The terms of transfer are to include the agreed date of transfer and any associated conditions.
- b. To facilitate the land or property transfer, the following information should be provided.
  - (1) Property identification
    - (a) Suburb, Block, Section or District identifiers should be provided along with street address and common use name if applicable.
    - (b) Where this is not appropriate, a detailed map showing the precise boundaries of the land or property being transferred is to be provided, e.g., Property Appraiser Site Map, etc.
  - (2) Florida Land Use, Land Cover Classification System (FLUCCS) evaluation.
  - (3) Uniform Monitoring and Assessment Method (UMAM) evaluation.
  - (4) Exotics and Vegetation Detail evaluation.
- c. Resolution of outstanding financial matters
  - (1) Property Donors are to ensure that all debts associated with the property, e.g., electricity, telephone, gas, water, cleaning or waste collection, taxes, etc., have been paid up to date by the property donor.
  - (2) CSWCD is not responsible for accounts or services pre-dating the transfer date.
  - (3) Property Donors are responsible for all transfer costs.
  - (4) Liability for any current legal actions, etc., remains with the property donor.
- d. Property information  
To ensure that donated property management continues without interruption, all current documents (including electronic files) relating to the property should be transferred. Where this is not possible copies of all relevant material that relate to the management of or activities undertaken on the property should be provided to CSWCD.
- e. If the site contains a building/structure, etc., property donors shall supply the following information:
  - (1) gross floor area and net floor area
  - (2) current building plans;
  - (3) any reports that are especially relevant to the property, and
  - (4) any planning and/or heritage issues associated with the property.
- f. Information should be supplied on any environmental issues including:
  - (1) hazardous materials on the site, e.g., asbestos, PCBs;
  - (2) any associated storage tanks, e.g., oil or fuel;
  - (3) other contamination issues, and

- (4) any vermin infestation.
  - g. Confirmations that appropriate weed management control and all bushfire fuel reduction activities are up to date.
  - h. Identify current land use (and any overlays) as shown on Property Appraiser Records.
  - i. Details of any planning restrictions on the site that affect tenure or use.
3. Management information
- a. Copies of management plans and condition audits relating to the property. If works identified in the audit report have not been completed, a statement of reasons for not undertaking the work should be provided.
  - b. If a FLUCCS, UMAM and Exotics and Vegetation Detail evaluation are not available they will be required as a condition of transfer at property donors expense.
  - c. The property is to be transferred in an adequate state of repair.
  - d. Details of any land use permits or contracts expected to extend beyond the anticipated transfer date.
  - e. Existing tenants / tenancy agreements
    - (1) Details of any existing contractual tenancy agreements both formal and informal. If tenanted, the property should provide a copy of the current tenancy agreement including a space allocation plan of the tenancy.
    - (2) Property donors should notify any tenants that the property is to be transferred and that the existing conditions of the tenancy agreement may change after the current agreement expire.
    - (3) Property donors should advise tenants that following the date of transfer, payment for rent is to be made to CSWCD.
  - f. Where CSWCD has accepted land subject to a license or some form of usage rights, confirmation that all payments due under the agreement are up to date, and there are no liabilities accruing to the county under the agreement. Note: Property donors are responsible for the collection of any outstanding rents up to the date of transfer.
4. Valuation and financial information
- a. Information on the value of the property if not in the Property Appraisers Listing.
  - b. A copy of the most recent valuation report for the property. Where the 'fair value' method has been used, the asset valuation is to be based on the property's current permitted land use.
  - c. The value that the property is currently insured for.
5. Actions
- a. When a transfer date has been agreed the attached schedule of asset transfers should be completed and signed by the parties.
  - b. Property donors should identify any cash transfers required to enable works be undertaken or completed in the financial year as mutually agreed between the property donor and CSWCD.

## Checklist

### Property Transfer

- Signed transfer form (attached) including the Suburb, Block and Section or District, street address and common use name if applicable and/or a detailed map showing the boundaries of the site being transferred.
- Completed FLUCCS evaluation
- Completed UMAM evaluation
- Completed Exotics and Vegetation Detail evaluation
- Summary of issues relating to the property/site including clarification, e.g., asbestos identification, hazardous spill, etc., have resolved.

### Property Information

- All current files or copies of files relating to the site management should be transferred to the receiving agency.
- Copies of the most recent reports undertaken concerning the site including advice relating to works undertaken as identified in the reports.
- Land use (and any overlays).

### Leases / Sub Leases / Licences / Agreements

- The original crown lease for the block if one exists.
- Copies of any existing licence / tenancy agreements both formal and informal.
- An electronic spreadsheet / table showing the tenants names, lease commencement and termination dates and their contact numbers.

### Contracts

- Copies of mechanical services maintenance contracts, cleaning contracts, fire management contracts, security, washroom services, pest control and any other contracts that are in place. An electronic spreadsheet / table showing the service contractor's names and contact numbers should also be provided.

### Finance

- No outstanding debts associated with the property at the time of the transfer.
- Copy of the last accounts receivable invoice to tenants including the rent period and invoice where applicable.
- Copy of property donor asset register that shows the value of the asset, the depreciation value, depreciation rate, if appropriate.
- Identify any cash transfers required to enable works to be undertaken or completed to permit property transfer.

### Responsibilities of Property Donor

- Make change of address notifications so that future electricity, water and gas accounts are sent to CSWCD.
- Notify other suppliers, e.g., security companies, etc., that from the transfer date invoices are to be sent to CSWCD.
- Notify tenants the property is being transferred and from the transfer date rents are to be paid to the receiving agency.
- Hand over keys / security cards (if applicable) to CSWCD.

Schedule of Asset Transfers  
ARISING FROM NORMAL OPERATIONS

TRANSFERRING AGENCY:	
RECEIVING AGENCY:	
DATE OF TRANSFER:	

THE FOLLOWING ASSET / LIABILITIES HAVE BEEN TRANSFERRED:

DESCRIPTION / ASSET NAME	ASSET VALUE (Capital Value)
Comprising:	
Land	
Buildings	
- Accumulated Depreciation	
Leasehold Improvements	
- Accumulated Depreciation	
Property Plant and Equipment	
Other – (Please Specify)	

Current insured value	
-----------------------	--

Financial Details	Previous Year \$'000	Current Year \$'000
Total full year revenue		
Total full year expenses - comprising		
Utilities		
Repairs & Maintenance		
Other works and expenses		

	Transferring Agency	Receiving Agency
Signature		
Name		
Position		

Witness	
Date	

## COLLIER SOIL AND WATER CONSERVATION DISTRICT

### Transfer Fees Due on Acceptance of Land or Property Donation

Upon the acceptance of donated land or property, the donor will pay a Transfer Fee of \$400.00 per acre to Collier Soil and Water Conservation District (CSWCD).

A reduced Transfer Fee is available when the land or property donor assigns existing or future mitigation credits to CSWCD.

Certain deed transfers qualify for a single Transfer Fee payment of \$1,000 and all closing fees based on an independent jurisdictional wetland determination evaluation in the following Collier County areas:

- Wetland property in Horsepen Strand or Winchester Head; and
- Wetland property in North or South Belle Meade.

All other land or properties shall require a current, within three months (90-calendar days), Florida Land Use, Cover and Forms Classification System (FLUCFCS); Florida Natural Areas Inventory (FNAI); Universal Mitigation Assessment Methodology (UMAM), and Exotics and Vegetation Detail evaluations.

**COLLIER SOIL AND WATER CONSERVATION DISTRICT  
PROPERTY EVALUATION CRITERIA**

**1. For (A) property outside Horespen Strand Conservation (HSCA). Is the property a wildlife habitat area or habitat corridor? Or, does the parcel provide a linkage to a larger habitat system?**

**Points**

- 1 Property contains little or no habitat for native species.**
- 2 Property contains common habitat for species such as field mice, robins, crows, non-migratory waterfowl, coyotes, or deer.**
- 3 Property contains important habitat for hawks, eagles, migratory waterfowl, or uncommon plant species but does not provide linkage to an existing wilderness habitat system or corridor to a water source.**
- 4 Property contains non-wilderness habitat for small and large species and provides linkage to an existing diversified wilderness habitat system with water sources.**
- 5 Property contains significant natural resources providing a diversity of wilderness habitats for small and large species and provides needed water resources.**

**Maximum total points, 5 OR**

**(B) For property within HSCA, does the property preserve an existing wildlife habitat or add to an existing habitat?**

**Points**

- 1 Property contains no wildlife habitat for native species but there is opportunity for habitat re-establishment.**
- 2 Property contains wildlife habitat for common birds and animals.**



**3 Property contains wildlife habitat potential for small and large wildlife and provides linkage to a similar habitat system or corridor.**

**4 Property contains priority wildlife habitat for small and large wildlife but does not provide a linkage to an existing priority wildlife habitat system or corridor.**

**5 Property contains priority wildlife habitat for small and large wildlife and provides a linkage to an existing significant and diversified wildlife habitat system or corridor.**

**Maximum total points, 5**

**2. Does the North or South Belle Meade property contain Riparian/Wetland habitat and/or provide access to water systems including lakes, streams, rivers, ponds and/or wetlands?**

**Points**

**0 Property contains no wetland, seasonal water or shoreline access, or protection.**

**1 Property contains only seasonal wetlands, water or shoreline access, or protection.**

**2 Property provides less than 150' of permanent wetland or shoreline access or protection.**

**3 Property provides more than 150' of permanent wetland or shoreline access for wildlife but less than 1,000 ft.**

**4 Property provides 1,000' or more of wetland or shoreline access for wildlife to a body of water.**

**5 Property provides 1,000' or more of wetland or shoreline access for wildlife and provides human access to a body of water OR is an important in-holding to an existing.**

**Maximum total points, 5**

**3. Does the North or South Belle Meade property have the potential to meet currently deficient open space needs in the area?**

**Points**

**0 No or low need in area.**

**1 There already exists open spaces within the general area and the property does not provide needed expansion.**

**2 There is need for open space within the area but the property in itself does not provide enough unique natural features to meet this need.**

**4 Significant need met by acquisition and the property contains unique natural features.**

**5 Need clearly demonstrated, and property meets Park & Open Space Plan Policies or stated in an adopted long-range plan.**

**Maximum total points, 5**

**4. Does this property provide a critical link in an established or planned open space, park, or trail system?**

**Points**

**0 Property has no relation to the existing open space, park or trail system.**

**3 Property adds to an established open space, park or trail system.**

**5 Property provides for the completion or critical linkage in an open space, park or trail system.**

**Maximum total points, 5**

**5. (A) For property outside of Horsepen Strand Conservation Area; North and South Belle Meade, does the property provide:**

**Points**

**0 < 1.0 acres.**

- 1 > 1.0 to 2.5 acres.
- 2 > 2.5 to 10.0 acres.
- 3 > 10.0 acres or more

Maximum total points, 3 OR

**(B) For property within Horsepen Strand Conservation Area; North and South Belle Meade Area; does it provid:**

**Points**

- 1 < 1.5 acres.
- 2 > 1.5 to 5.0 acres.
- 3 > 5.0 to 20 acres.
- 4 > 20 acres or more.

Maximum total points, 4

**6. Does the property currently provide a buffer between urban, suburban or rural fringe areas?**

**Points Range 0 or 5 Points**

**0 Property does not serve as a community separator or green space between developments.**

**5 Property separates natural areas or rural lands from existing urban or suburban development and similar development will likely occur in the near future on the property.**

Maximum total points, 5

**7. Does the property have accessibility and visibility from major urban areas, arterials, and/or highways?**

**Points Range 0 to 5 Points**

**1 Property is not visible or accessible from a public thoroughfare.**

**5 Property is both accessible and visible via major highway or arterial.**

**Maximum total points, 5**

**8. Does the property contain any liabilities that will incur significant costs for exotics removal, clean up, etc.?**

**4 Points**

**0 Potentially hazardous waste site or environmental problem present for which CSWCD must assume responsibility.**

**1 Property contains structures of value that provide no use to the public.**

**2 Existing structures are of no value and must be torn down.**

**4 No costs for removal of dilapidated structures, metal debris, slash piles, etc., or restoration of the property needed.**

**Maximum total points, 4**