

## **EXECUTIVE SUMMARY**

**Approve a Statutory Deed for approximately 12.5 acres under the Conservation Collier Land Acquisition Program, at a cost not to exceed \$65,000. (Fleischmann North now known as Freedom Park).**

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**OBJECTIVE:** Request approval of the attached Statutory Deed (Deed) between the Board of County Commissioners (Board) on behalf of the Transportation Division (Transportation) to the Board on behalf of the Conservation Collier Program (Program).

**CONSIDERATIONS:** On January 27, 2004, Agenda Item 10A, the Board approved a Conservation Collier Land Acquisition Advisory Committee (CCLAAC) recommended Cycle I - Active Acquisition List, (AAL) with changes, and directed staff to actively pursue acquisition of the properties under the Program. One of the changes was to add the undetermined acreage of wetlands on the property formerly known as the Fleischmann North parcel (Property).

In April 2004, Transportation purchased the property formerly known as the Fleischmann North parcel consisting of 45.24 acres for the development of the Gordon River Water Quality Park Project (Project). This Project is now known as Freedom Park.

At the December 2006 CCLAAC meeting, the CCLAAC made the recommendation to place this Property on the "C" list since they were advised that the wetlands would most likely be necessary for mitigation for the Project. On January 23, 2007, Agenda Item 10A, the Board approved the Cycle 4 – AAL with changes, and directed staff to actively pursue acquisition of the properties under the Program. One of the changes was to add the Property to the "A" list.

On October 9, 2007, Agenda Item 16B3, the Board approved a Deed of Conservation Easement to South Florida Water Management District (SFWMD) to comply with Transportation's Permit No. 11-00820-S requirements for the development of the Project. The Deed of Conservation Easement is recorded in the Official Public Records of Collier County at Official Records Book 4292, Page 3317.

On January 29, 2008, Agenda Item 10F, the Board approved the current AAL which provides for the Property to remain as an "A" parcel.

The purchase of the Property by Conservation Collier will enable management partnership of the Property between Transportation, Parks and Recreation and Conservation Collier. This management plan is consistent with the management plan that was submitted for the Florida Community Trust grant.

Pursuant to Ordinance 2007-28, an in-house appraisal by Real Property Management's staff values the 12.5 acre parcel at \$56,300.

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

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

**FISCAL IMPACT:** The total cost of acquisition will not exceed \$65,000 (\$56,300 for the property, \$8,600 survey services, and approximately \$100 for recording of documents). The funds will be withdrawn from the Conservation Collier Trust Fund (172) and will be deposited in Fund 325 Gordon River Water Quality Park Project (Project No. 510185).

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**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 (2007-65) 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 2007-65.

**RECOMMENDATION:** Staff is recommending that the CCLAAC:

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

**PREPARED BY:** \_\_\_\_\_ **DATE:** \_\_\_\_\_  
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Real Property Management/Facilities Management Department

**REVIEWED BY:** \_\_\_\_\_ **DATE:** \_\_\_\_\_  
Toni A. Mott, SR/WA, Interim Manager  
Real Property Management/ Facilities Management Department

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

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