

EXECUTIVE SUMMARY

Approve an Agreement for Sale and Purchase for 1.14 acres under the Conservation Collier Land Acquisition Program, at a cost not to exceed \$11,600 (Avatar).

OBJECTIVE: Request approval and execution of the attached Agreement for Sale and Purchase (Agreement) between the Board of County Commissioners (Board) and Avatar Properties, Inc.

CONSIDERATIONS: On December 15, 2003, the Avatar Properties, Inc. parcel was ranked and placed on the pending Active Acquisition List by the Collier Conservation Land Acquisition Advisory Committee (CCLAAC) as one of the properties within Golden Gate Estates, Unit 53. On January 27, 2004, Agenda Item 10A, the Board approved the Active Acquisition List, with changes, and directed staff to actively pursue acquisition of the properties under the Conservation Collier Program.

The Avatar Properties, Inc. parcel, as referred to on the Acquisition List, contains 1.14 acres and is located within Golden Gate Estates, Unit 53. In accordance with the approved Conservation Collier Purchasing Policy, the purchase price of \$10,700 was based upon one independent, state-certified general real estate appraiser.

The attached Agreement for Sale and Purchase provides that should the County elect not to close this transaction for any reason, except for default by Avatar Properties, Inc., the County will pay Avatar Properties, Inc. \$107 as liquidated damages.

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 \$11,600 (\$10,700 for the property, \$250 for appraisals, \$250 for the Environmental Task Audit I, and approximately \$400 for title commitment, title policy, and recording of documents). The funds will be withdrawn from the Conservation Collier Trust Fund (172). As of July 12, 2004 property costs for Conservation Collier properties under contract, including this property, total \$23,927,200.

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.

RECOMMENDATION: Staff is recommending that the CCLAAC:

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

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**Conservation Collier – Agreement for Sale
and Purchase – Avatar Properties, Inc.**

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PREPARED BY: _____ **DATE:** _____
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Real Estate Services
Facilities Management Department

REVIEWED BY: _____ **DATE:** _____
Charles E. Carrington, Jr., SR/WA, Manager
Real Estate Services
Facilities Management Department

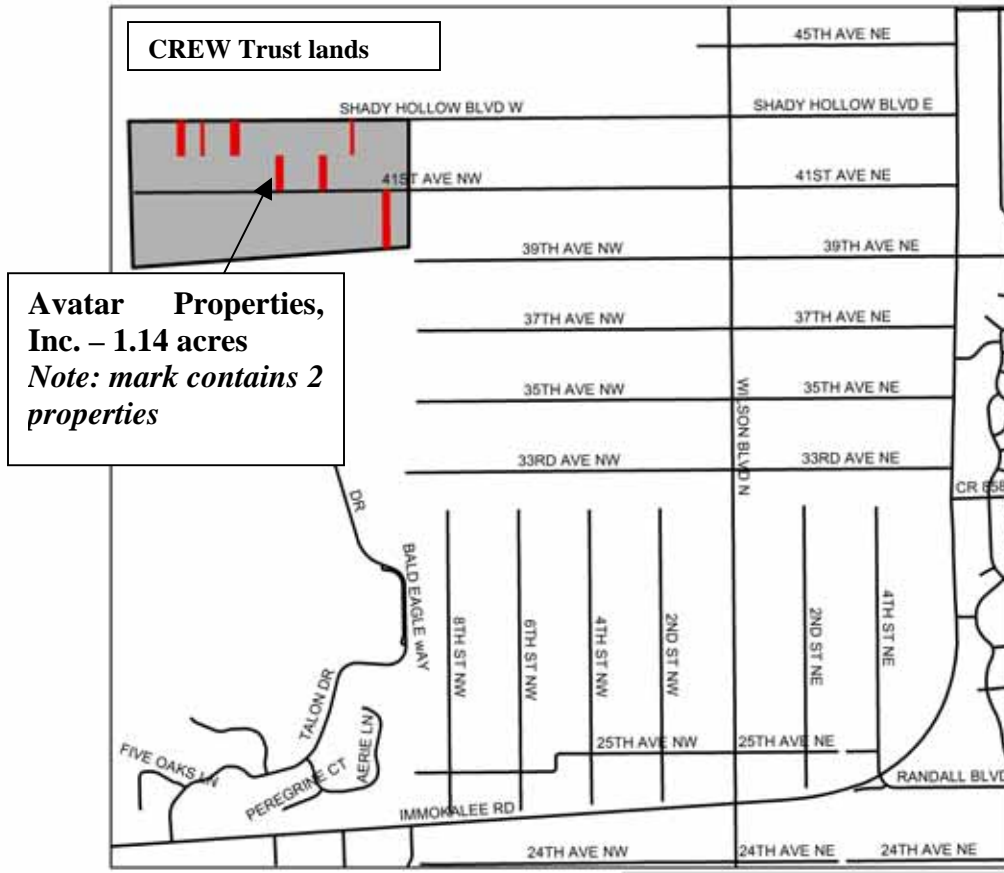
REVIEWED BY: _____ **DATE:** _____
Alexandra J. Sulecki, Coordinator
Conservation Collier Program

REVIEWED BY: _____ **DATE:** _____
William D. Lorenz, Jr., P.E., Director
Environmental Services Department

Conservation Collier Land Acquisition Program Project Design Report

Date: June 22, 2004

Conservation Collier North Golden Gate Estates Unit 53 Location Map



Property Owner: Avatar Properties, Inc.

Folio(s): 39492320000

Location: North Golden Gate Estates Unit 53, W 75FT of E 150FT of Tract 26

Size: 1.14 acres

Appraisal/Offer Amount: \$10,700

History of Project:

Received application	Selected for the "A" category, #1 priority, on the Active Acquisition List by CCLAAC	Approved for purchase by BCC	Purchase offer made to owners	Offer Accepted
8/6/03	12/15/03	1/27/04	4/19/04	5/3/04

Purpose of Project: Conservation Collier

Program Qualifications:

This is one of a number of parcels approved for acquisition that are part of a larger, multi-parcel, multi-owner project known as the North Golden Gate Estates (NGGE) Unit 53 Project. These parcels were considered in context of the whole project. The following identifies the ecological value, significance for water resources, human values and aesthetics, vulnerability to development and management potential for this project.

Native habitat present over the whole unit is wetland hardwood forest, with a substantial portion of that being dominated by cypress and red maple swamp and the remainder by native and exotic re-growth over an historic farm field. Although the unit has been platted for development, at present there are no homes, streets are unpaved and there is no electric service. A search of county records, updated at the time of this writing, shows no construction permits other than one for a fence have been issued or under review. Soils, hydrology and extant plant species indicate that the entire unit is a seasonal wetland, with surface water present during rainy season and moist conditions existing during dry season (excepting drought conditions when water tables may receded lower). The area contributes moderately to Lower Tamiami aquifer recharge (7-14 inches per year) and wetland dependant bird species were observed on site. A native terrestrial orchid species state listed as Threatened, Wild Coco (*Eulophia alta*) and a fern species, Royal fern (*Osmunda regalis*) listed by the state as Commercially exploited were observed in abundance. No listed wildlife species were observed, however, the entire unit is considered part of Primary Zone panther habitat by the U.S. fish and Wildlife Conservation Commission and Black bear are known to inhabit adjoining public lands.

This entire area is connected with South Florida Water Management District (SFWMD) lands which are known as the Corkscrew Regional Ecosystem Watershed, separated into CREW Trust conservation lands and the Audubon Corkscrew Sanctuary. Acquisition of NGGE Unit 53 would enhance, protect, buffer both areas and and provide access to CREW Trust lands.

In regards to human values and aesthetics, conservation of this area would offer multiple opportunities for land-based natural resource recreation including potential for hunting if enough parcels can be acquired.

As to vulnerability, this area is zoned for single-family residences and although none have been built to date, permits could be pulled at any time.

In regards to management, once a group of contiguous parcels can be acquired, there is potential for a management partnership with the neighboring CREW Trust. Management would primarily consist of exotic removal and maintenance of existing unpaved roads to provide access to CREW trails. Expansion of trails into these lands is contemplated over time. See the Initial Criteria Screening Report for full criteria evaluation.

Projected Management Activities:

Removal of exotic plants, construction of trails, parking and placement of fencing and signage are projected management activities, but these would not be done until more contiguous properties are acquired.