



## Agenda Item Summary

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**File #: 25-00025**

**Agenda Date: 1/14/2025**

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**Agenda Item Name:**

**Watermelon Pond - Johnson Tract Option Contract to Purchase Real Property**

**Presenter:**

Andi Christman, Environmental Program Manager – Environmental Protection Dept., (352) 264-6803

**Description:**

Staff Requests the Board of County Commissioners (BoCC) approve and exercise the attached Option Contract to Purchase the 30-acre Watermelon Pond - Johnson property from George W. Johnson through the Alachua County Forever program.

The execution of this Contract to purchase Real Property, is the final BoCC action on the acquisition of this project.

**Recommended Action:**

1. Approve and authorize the Chair to exercise the Watermelon Pond - Johnson Option Contract to purchase Real Property, subject to the County's rights to conduct due diligence inspections and notice Seller of Title Defects and Environmental Defects as set forth in the Contract;
2. Approve the acquisition subject to the non-permitted title exceptions #5, #6, #7, #8, #9, & #10, subject to the concurrence of the County Manager and the closing attorney;
3. Authorize staff to execute additional documents as necessary to close the transaction; and
4. Approve the attached budget amendment authorizing the expenditure of funds for due diligence and associated closing costs.

**Prior Board Motions:**

On August 13, 2024, the BoCC placed Watermelon Pond – Johnson property on the Active Acquisition List (Full Price List).

On June 28, 2022, the BoCC adopted Resolution 22-66 amending the process for selecting and acquiring Environmentally Significant Lands purchased using Wild Spaces and Public Places local government infrastructure surtax proceeds. This authorizes the acquisition of lands through fee simple and less-than-fee means and provides the process for such.

**Fiscal Note:**

The attached Journal Entry requests \$308,990 to complete this acquisition (Exhibit 7).

WSPP – Land Acquisition (Capital Expense) = \$240,000  
Fund#: 140.41.4160.537.61.00 – 6194101 Watermelon Pond - Johnson  
&  
General Operating & Due Diligence (Operating Expense) = \$40,900  
Fund #: 140.41.4160.537.31.00 - 6184160

Please see Exhibits 7 (Budget Amendment) & 8 (Acquisition and Stewardship Costs) for additional details.

**Strategic Guide:**  
Environment

**Background:**

Staff has negotiated the attached Watermelon Pond - Johnson Option Contract to Purchase Real Property (Option), Exhibit 1, and it was executed by the Manager on January 8, 2025. The Option requires transmittal of a signed Notice of Exercise of Option by the BoCC Chair, to the Sellers by January 31, 2025, the date the option period ends. (Exhibit 1)

During the Inspection Period, the County shall have 120 days after the BOCC exercises its Option to conduct all due diligence on the property. The County may exercise its rights to resolve any due diligence matters pursuant to the terms of the contract within those 120 days and to extend the closing date if necessary.

The Johnson property is located in southwestern portion of Alachua County, 6.5 miles south of the City of Newberry and 7.6 miles west of the City of Archer. The Johnson parcel is about 1,000 feet east of the Gilchrest / Alachua County boundary line, and the parcel is approximately ¼ mile west and ½ mile north of Goethe State Forest.

The Johnson tract is within the Alachua County Forever Watermelon Pond Project Area and the Watermelon Pond Strategic Ecosystem.

There are two main natural community types on the property: sandhill and successional hardwoods, in good to fair condition. Sandhill was historically widespread on well-drained sands throughout the Southeastern U.S. and was once a major part of an extensive mosaic of longleaf pine dominated natural communities. This longleaf pine ecosystem has experienced an over 98 percent decline in acreage throughout its range, and is considered critically endangered. In Alachua County, the Watermelon Pond area provides the opportunity to protect sandhill of good to high quality, along with the associated rare, threatened and endangered species that are found in the habitat. The Johnson parcel has an overstory that consist of mature longleaf pine trees with natural regeneration occurring, with a wide range of native species diversity in the mid-story and groundcover and it's exciting to have the opportunity to protect and restore it.

No invasive species were observed during the Johnson site visit. Additional information can be found in the attached property evaluation. (Exhibit 3 & 4)

There are no Permitted Exceptions in the Johnson Option Contract, but these non-standard Title Exceptions are noted: (#5, #6, #7, #8, #9, & #10):

# 5. Easement for ingress and egress contained in warranty deed recorded May 25, 1978 in O.R.

Book 1138, Page 495, Public Records of Alachua County, Florida (as to EASEMENT INTEREST 2)

# 6. Terms and conditions of the ingress and egress easement contained in instrument recorded in O.R. Book 1138, Page 496, Public Records of Alachua County Florida. (as to EASEMENT INTEREST 1)

#7. Easement for ingress and egress contained in warranty deed recorded May 25, 1978 in O.R. Book 1138, Page 497, Public Records of Alachua County, Florida

#8. Terms and conditions of the ingress and egress easement contained in instrument recorded in O.R. Book 1138, Page 498, Public Records of Alachua County Florida.

#9. Terms and conditions of the ingress and egress easement contained in instrument recorded in O.R. Book 1138, Page 499, Public Records of Alachua County Florida. (as to EASEMENT INTEREST 2)

#10. Right of way easements contained in Grants of Easement recorded August 15, 1979 in O.R. Book 1227, Page 193, as affected by Road Maintenance Agreements recorded in O.R. Book 2092, Page 333, O.R. Book 2092, Page 335 and O.R. Book 2092, Page 337, together with terms and conditions contained in said Easement and Agreements, Public Records of Alachua County, Florida. (as to PARCEL and EASEMENT INTEREST 1)

Some of the title exceptions are expected to be deleted prior to closing based on additional title examination or the survey. (Exhibit 5)

Legal and functional access on the Johnson parcel for the County is provided through an access easement over a private road on the Dumford & Palmer tract (02697-002-000). Note, the landowners of the Dumford & Palmer tract have recently accepted an offer from the Alachua Forever office to purchase their land. The Dumford & Palmer parcel has road frontage on County Road SW 282nd Street.

A boundary survey and phase I environmental assessment are the next steps of due diligence that will be initiated after the Option is Exercised by Alachua County. Closing transactions would occur once there has been a determination by the County Manager that there are no title, survey, or environmental defects.

Comp Plan Reference:

Acquiring the Watermelon Pond - Johnson Tract fulfills multiple objectives endorsed within the Alachua County Comprehensive Plan. Specifically, Policy 6.0 Land Conservation Program within the Conservation and Open Space Element, states "Establish and maintain a land conservation program for the purchase, preservation, and management of natural areas and open space to complement the regulatory approaches identified in other section of this element."