



## Agenda Item Summary

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**File #: 25-00122**

**Agenda Date: 2/11/2025**

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**Agenda Item Name:**

**Watermelon Pond – Eichhorn 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 10-acre Watermelon Pond - Eichhorn property from Julia M.L. Eichhorn 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 - Eichhorn 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; and
2. Delegate to the County Manager the authority to decide whether to accept or reject title exceptions (#6, #9, #10, #11, #12, #13, #14 & #15) based on the County Manager's evaluation as to whether said title exceptions will substantially impair the County's proposed use of the property; and
3. Delegate to the County Manager the authority to decide whether to close the acquisition subject to title exceptions (#6, #9, #10, #11, #12, #13, #14 & #15) based on the County Manager's evaluation as to whether said title exceptions will substantially impair the County's proposed use of the property; and
4. Authorize staff to execute additional documents as necessary to close the transaction; and
5. Approve the attached budget amendment authorizing the expenditure of funds for due diligence and associated closing costs.

**Prior Board Motions:**

On September 10, 2024, the BoCC placed Watermelon Pond – Eichhorn 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 \$159,061 to complete this acquisition (Exhibit 6).

WSPP – Land Acquisition (Capital Expense) = \$125,000

Fund#: 140.41.4160.537.61.00 – 6194101 Watermelon Pond – Eichhorn

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Fund #: 021.41.4160.537.61.00 – 6184160 Watermelon Pond – Eichhorn

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General Operating & Due Diligence (Operating Expense) = \$19,601

Fund #: 140.41.4160.537.31.00 - 6184160

Please see Exhibit 6 (Budget Amendment) & Exhibit 7 (Acquisition and Stewardship Costs) for additional details.

**Strategic Guide:**

Environment

**Background:**

Staff has negotiated the attached Watermelon Pond – Eichhorn Option Contract to Purchase Real Property (Option), Exhibit 1, and it was executed by the Manager on February 03, 2025. The Option requires transmittal of a signed Notice of Exercise of Option by the BoCC Chair, to the Sellers by February 28, 2025, the date the option period ends. (Exhibit 1)

During the Inspection Period, the County shall have 45 days after the BOCC exercises its Option (Exhibit 2) 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 45 days and to extend the closing date if necessary.

The Eichhorn property (ACPA Tax Parcel: 02697-003-000) totaling 10 acres 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 parcel is about 800 feet east of the Gilchrest / Alachua County boundary line, and the parcel is across County Road 337 to the west and ½ mile north of Goethe State Forest.

The Eichhorn tract is within the Alachua County Forever Watermelon Pond Project Area and 99% of the parcel falls within the Watermelon Pond Strategic Ecosystem. There is one natural community type on the property: sandhill, in good to fair condition. Sandhill is a globally imperiled natural community, with a limited footprint in Alachua County. In addition to extremely high species richness and diversity, the deep sandy soils provide important aquifer recharge, making the opportunity to protect and restore it extremely valuable. The Eichhorn parcel has an overstory that consist of mature longleaf pine trees with natural regeneration occurring, with a wide range of species diversity in the mid-story and groundcover. Minimal invasive species were observed during the Eichhorn site visit. Additional information can be found in the attached property evaluation. (Exhibit 3 & Exhibit 4)

There are no Permitted Exceptions in the Eichhorn Option Contract, but these non-standard Title Exceptions are noted: (#6, #9, #10, #11, #12, #13, #14 & #15):

#6. Easement along the south 12 feet in instrument recorded April 18, 2008, under O.R. Book 3773,

# 7. [DELETED]

#8. [DELETED]

#9. 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)

#10. Terms and conditions of the ingress and egress easement contained in instrument recorded in O.R. Book 1227, Page 193, Public Records of Alachua County, Florida. (as to EASEMENT INTEREST 2)

#11. 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 3)

#12. Terms and conditions of the ingress and egress easement contained in instrument recorded in O.R. Book 1138, Page 497, Public Records of Alachua County, Florida. (as to EASEMENT INTEREST 2)

#13. 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 3)

#14. 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 EASEMENT INTEREST 2)

#15. Rights of others in and to the use of roads crossing a portion of the Land. (as to EASEMENT INTERESTS 1, 2 and 3)

Some of the title exceptions benefit the Eichhorn property, and some are expected to be deleted prior to closing based on additional title examination or the survey. (Exhibit 5)

Legal and functional access starts from County Road 337 / SW 282nd Street and across cross the adjacent Dumford & Palmer parcel and then the Johnson parcel via recorded easements (titles exceptions #9, #10, #11, #12, 13, & 14). The Johnson parcel is under contract with Alachua County, and it's anticipated that the Dumford & Palmer parcel will soon be under contract with Alachua County.

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 – Eichhorn 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.”