



Agenda Item Summary

File #: 25-00042

Agenda Date: 6/24/2025

Agenda Item Name:

Watermelon Pond - Hawkins 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 80-acre Watermelon Pond - Hawkins property from Gary D. Hawkins 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– Hawkins 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 (#5, #6, & #8) 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 (#5, #6, & #8) 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 - Hawkins 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 \$1,017,368 to complete this acquisition (Exhibit 7).

WSPP – Land Acquisition (Capital Expense) = \$877,500

Fund #: 140.41.4160.537.61.00 – 6194101 Watermelon Pond - Hawkins

&

General Operating & Due Diligence (Operating Expense) = \$47,380

Fund #: 140.41.4160.537.31.00 - 6184160

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

Strategic Guide:

Environment

Background:

Staff has negotiated the attached Watermelon Pond - Hawkins Option Contract to Purchase Real Property (Option), Exhibit 1, and it was executed by the Manager on June 17, 2025. The Option requires transmittal of a signed Notice of Exercise of Option by the BoCC Chair, to the Sellers by July, 31, 2025, the date the option period ends. (Exhibit 1)

The 80-acre Hawkins property is two ACPA tax parcels: 02711-006-002 (Parcel A), and 02711-000-000 (Parcel B). 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. A phased closing process will be utilized, in which closing on Parcel A will be completed, and closing on Parcel B will occur no later than 180 days after the Parcel A closing. The Seller's residence/homestead is located on Parcel B, and phased closing will enable the Seller to acquire a new residence elsewhere. All closing documents shall be delivered at the Parcel A closing, but the documents and payment for Parcel B will be held in escrow until the final closing date.

The Hawkins property is located in southwestern Alachua County, south of Newberry and west/southwest of Archer, in the Watermelon Pond ACF Project Area and the southeast corner of the property has connectivity with parcels within the Watermelon Pond Preserve which is managed by Alachua County.

Upland communities include sandhill, xeric hammock, sinkholes, planted pine, and successional hardwood hammocks. The west side of the property is predominantly sandhill/ former sandhill, in fair condition, with longleaf pine and turkey oak and patches of intact groundcover. Historic aerial imagery indicates the sandhill was once more expansive, interspersed with pockets of hardwoods. Xeric and successional hardwood hammocks are a component of the landscape here, especially on the eastern parcel, but the current hardwood community cover is far more extensive and has encroached into the former sandhill, due to lack of fire. The planted pine areas are mostly longleaf and some loblolly, some with an open understory of pasture grasses and some with a midstory of successional oaks and little groundcover. There are two improved pastures totaling approximately 8 acres to the north and west of the homestead. The homestead consists of a mobile home and shed/polebarn outbuildings which will

remain onsite, and are proposed for use as a law enforcement residence to increase site security and monitoring of the County's Watermelon Pond Preserve.

The property contains 4.2 acres (approximately half) of an 8.6-acre marsh lake which crosses the northern boundary into an adjacent property. The marsh edge is populated with maidencane, meadow beauties, and several species of St. John's wort. A sandhill upland lake adjacent to the marsh has potential connectivity to the aquifer, based on landowner accounts, but this was not verified by staff.

The site contains numerous active gopher tortoise burrows, and the landowner also regularly observes a variety of other wildlife including fox squirrels, deer, turkey, and a variety of other bird, snake and small mammal species. An established population of non-native bamboo was found on the western parcel covering approximately 1.5 acres. Additional information can be found in the attached property evaluation. (Exhibits 3 & 4)

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

5. Road Grade Crossing Agreement as recorded in O.R. Book 1925, Page 2584; as corrected in O.R. Book 1970, Page 694, Public Records of Alachua County, Florida.

6. [REVISED] Easement in favor of Central Florida Electric Cooperative, Inc., as recorded in O.R. Book 2002, Page 1010, Public Records of Alachua County, Florida. [*To be deleted upon revision and replacement with an approximately 30' wide utility corridor easement.*]

8. Coverage is excepted as to riparian and littoral rights; the possible right of the public to use beach area and/or waterways; and any Land insured herein that was formerly or is currently submerged, including any filled lands, artificially exposed lands, and lands accreted to such lands, for the rights of the United States Government and the State of Florida. If the Navigational Servitude Endorsement is attached to this policy and made a part hereof, the coverage afforded thereby shall not extend to any portion of the Land subject to a claim of ownership by the State of Florida by right of sovereignty. Commitment exception #3 is hereby deleted in its entirety.

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

Access to the Hawkins Tract is via easement over private roads from U.S. Highway 27/41. The access is fully functional for land management activities. Public access as may be appropriate can be provided by way of staff-guided tours. Alachua County's ownership of the King, Ferran, Warny, and Sheffield parcels acquired in 2006, 2008, 2021, and 2024 respectively, relies on the same access road.

A Boundary Survey and Phase I Environmental Assessment (ESA), and mobile home inspection 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 - Hawkins 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.”