



Agenda Item Summary

File #: 25-00469

Agenda Date: 7/8/2025

Agenda Item Name:

Lochloosa Creek Flatwoods - Weyerhaeuser Tract Purchase and Sales Agreement to Purchase Real Property

Presenter:

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

Description:

Staff Requests the Board of County Commissioners (BoCC) approve and execute the Purchase and Sale Agreement to purchase the 133.99-acre Lochloosa Creek Flatwoods – Weyerhaeuser property from Weyerhaeuser NR Company through the Alachua County Forever program.

This agreement is a triparty contract between Alachua County, Alachua Conservation Trust, and Weyerhaeuser NR Company in which Alachua County acquires a parcel within Alachua County, and Alachua Conservation Trust acquires an adjacent parcel within Putnam County. 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 execute the Lochloosa Creek Flatwoods – Weyerhaeuser Purchase and Sales Agreement to purchase Real Property, including the Exhibit C License to Cut Timber, 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 #7, #8, and #9 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 #7, #8 and #9 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; and
6. Authorize the incorporation of Alachua County Parcel # 19315-000-000 into the existing

Cooperative Management Agreement for Little Orange Creek; and

7. Approve and authorize the Chair to execute the amendment to the existing Cooperative Management Agreement for Little Orange Creek for addition of the Weyerhaeuser parcel.

Prior Board Motions:

On May 24, 2005, the BoCC placed Lochloosa Creek Flatwoods – Weyerhaeuser property on the Active Acquisition List (Full Price List).

On December 13, 2011, the BoCC approved the Cooperative Management Agreement for Little Orange Creek. Where Alachua Conservation Trust was authorized to act as primary manager of the County’s property, within Little Orange Creek Preserve.

On June 10, 2014, the BoCC approved the Memorandum of Understanding for the Little Orange Creek Management Cooperative (LOCMaC) between Alachua County, Alachua Conservation Trust, City of Hawthorne, Conservation Trust of Florida, Friends of Little Orange Creek and Putnam Land Conservation.

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 \$791,078, to complete this acquisition. (Exhibit 5)

WSPP – Land Acquisition (Capital Expense) = \$669,950 (+10% contingency)

Fund#: 041.41.4160.537.61.00 – 6194101 Lochloosa Creek Flatwoods – Weyerhaeuser
&

Fund#: 021.41.4160.537.61.00 – 6184160 Lochloosa Creek Flatwoods – Weyerhaeuser
&

General Operating & Due Diligence (Operating Expense) = \$49,212 (+10% contingency) Fund #:
041.41.4160.537.31.00 6184160 and Fund#: 021.41.4160.537.61.00 – 6184160.

Please see Exhibits 5 (Budget Amendment) & 6 (Acquisition and Stewardship Costs) for additional details.

Strategic Guide:

Environment

Background:

Little Orange Creek Preserve and Nature Park is a 2,883 acre cooperative land conservation project between Alachua County, Alachua Conservation Trust and the City of Hawthorne, with funding and support from the Florida Communities Trust, North American Wetlands Conservation Act, Putnam Land Conservancy, and the Conservation Trust for Florida. Alachua County and Alachua Conservation Trust (ACT) are partnering as buyers to acquire a key inholding within the preserve owned by Weyerhaeuser NR Company. Consisting of two parcels (parcel 19315-000-000 in Alachua County, and parcel 30-10-23-0000-0040-0000 in Putnam County), this land acquisition project will fill an existing gap within the preserve’s footprint. Alachua County can only purchase land within Alachua County, therefore, ACT is serving as a partner in this acquisition in 2 ways:

1. ACT will purchase the Weyerhaeuser's Preserve inholding parcel in Putnam County.
2. ACT will continue to serve as preserve manager of the entirety of Little Orange Creek Preserve. The Weyerhaeuser parcel will be added to the existing Cooperative Management Agreement for the preserve through an amendment.

Alachua County Forever program staff and Alachua Conservation Trust have negotiated the attached Lochloosa Creek Flatwoods – Weyerhaeuser Purchase and Sales Agreement (PSA) to Purchase Real Property. (Exhibit 1)

During the Inspection Period, the buyers shall have 120 days after the BOCC executes the PSA 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.

The PSA includes a Timber Reservation for Weyerhaeuser on both the Alachua County and Putnam County parcels. The majority of the Alachua County parcel was harvested in 2022 of merchantable pine trees, and Weyerhaeuser has reserved the right to harvest the approximately 22 acres of pine remaining on the parcel (stand 57 & stand 92), after the property has been sold to Alachua County. The PSA stipulates that Weyerhaeuser has 12 months after the recording of the Deed to harvest the timber, with one wet weather option to extend the terms for no more than six months. This timber harvest will be accomplished through the "License to Cut Timber" located in the PSA's "Exhibit C".

The Weyerhaeuser parcel is located in eastern Alachua County, on the eastern edge of the City of Hawthorne, on the north side of State Road 20 (Hawthorne Road). The ownership consists of one parcel (ACPA Tax Parcel: 19315-000-000) totaling approximately 133.99 acres, bordered to the north and west by parcels within Little Orange Creek Preserve owned by the City of Hawthorne. The primary focus of this acquisition is to fill in the private in-holding within the preserve, ensuring efficient land stewardship, and buffering the natural resources onsite from external impacts. Alachua Conservation Trust will incorporate the 133.99-acre Weyerhaeuser property into the management of Little Orange Lake Preserve.

The Weyerhaeuser parcel also falls within multiple conservation corridors and project areas, including: the ACF Lochloosa Creek Flatwoods project area, the Little Orange Creek Strategic Ecosystem, and the Florida Forever - Little Orange Creek Conservation Corridor.

The natural community types on the property include: former sandhill, scrubby flatwoods, pine plantation, all in fair condition. As indicated above, just over 100 acres of the 133.99 acres property was logged in 2022 and planted with slash pine seedlings, so the majority of the property currently lacks widespread mature tree canopy.

A very low density of invasive species was observed during the site visit. Additional information can be found in the attached property evaluation and maps. (Exhibit 2 & 3)

The management of the parcel will be undertaken by Alachua Conservation Trust, under the Amendment to the 2011 Cooperative Management Agreement for Little Orange Creek. Where Alachua Conservation Trust was authorized to act as primary manager of the County's property, within Little Orange Creek Preserve. (Exhibit 7 & 8)

Standard title exceptions are permitted in the Weyerhaeuser PSA relating to liens for taxes and other

governmental charges, land use building and zoning laws, riparian and navigable waterway rights, and potential for indefinite locations of creeks, rivers and streams changing over time. These exceptions are standard to conservation land acquisitions through the Alachua County Forever program.

Three non-standard Title Exceptions are noted: (#7, #8 & #9):

7. Ordinance No. 2006-21 recorded in Book 3401, Page 533. (City of Hawthorne Urban Services Boundary Annexation)

8. Ordinance No. 2006-30 recorded in Book 3425, Page 684. (City of Hawthorne Urban Services Boundary Annexation – valorem tax & assessments)

#9. Easement as set out in Special Warranty Deed recorded in Book 4034, Page 1471. (60' wide access easement City of Hawthorne running North/South to provide access to the City-owned portion of the Little Orange Creek Preserve to the north of the parcel under consideration here.)

Some of the title exceptions are expected to be deleted prior to closing based on additional title examination or the survey. (Exhibit 4)

Legal access for the County is provided to the Weyerhaeuser parcel through its southern boundary line along State Road 20 / SE Hawthorne Road.

A boundary survey and phase I environmental assessment are the next steps of due diligence that will be initiated after the Purchase and Sale Agreement is executed 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 Lochloosa Creek Flatwoods – Weyerhaeuser 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.”