

RESOLUTION 20-

A RESOLUTION BY THE BOARD OF COUNTY COMMISSIONERS OF ALACHUA COUNTY, FLORIDA, ACCEPTING THE DONATION OF REAL PROPERTY; AUTHORIZING THE EXECUTION OF DOCUMENTS TO EFFECTUATE THE CONVEYANCE; DESIGNATING THE PROPERTY AS A PRESERVE UNDER THE ALACHUA COUNTY FOREVER PROGRAM, NAMING THE PROPERTY THE “LUNDGREN NATURE PRESERVE,” AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, Section 125.01, Florida Statutes, grants to counties the power to provide parks, preserves, playgrounds, recreation areas, libraries, museums, historical commissions, and other recreation and cultural facilities and programs; and

WHEREAS, Said Statute authorizes the purchase or lease and sell or exchange of real property as necessary or incident to carrying out such powers enumerated; and

WHEREAS, Dr. Dale Lundgren & Mrs. Helen Lundgren (the “Lundgrens”) own approximately 236 acres of real property in Alachua County shown in Exhibit “A,” attached hereto and incorporated by reference (the “Property”); and

WHEREAS, the Lundgrens have spent decades of effort and personal finances to acquire the several parcels that make up their Property along the Santa Fe River in northeast Alachua County; and

WHEREAS, the Lundgrens have managed and cared for the Property with a land conservation ethic motivated by a love for the Property’s natural qualities, its place as a home for wildlife, and its connection to the Santa Fe River; and

WHEREAS, the Lundgrens desire to donate their beloved Property to Alachua County subject to a conservation easement held by Alachua Conservation Trust (ACT) through the Alachua County Forever Program for the specific purpose of conserving the property forever in its natural condition and for use of the Property by Alachua County as a nature preserve with the opportunity for passive nature-based public recreation; and

WHEREAS, the Lundgrens desire the public’s nature-based recreation of the Property to function in concert with possible public environmental education programs occurring on the adjacent 20 acres of property being donated to ACT (also shown in Exhibit “A”); and

WHEREAS, the donation of the Property is predicated on its use as a protected nature preserve with the opportunity for passive nature-based, public recreation; and

WHEREAS, the Lundgren’s will reserve to themselves a life estate on the 20 acres of adjacent land they are donating to ACT and will assist ACT land managers as ACT volunteers within ACT’s conservation easement area; and

WHEREAS, the Lundgrens will donate their Property to Alachua County subject to ingress and egress easements for the Lundgrens and their immediate family members (Kathryn Schanuth, David Schanuth, and Jimmie Lundgren) who own neighboring parcels for the purpose of providing ingress and egress to and from their respective properties; and

WHEREAS, the donation has been reviewed pursuant to the Alachua County Donation Policy and received a positive recommendation from the Donation Acceptance Committee on February 3, 2020;

NOW THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF ALACHUA COUNTY, FLORIDA THE FOLLOWING:

1. The Board finds, determines, and declares that the recitals in the preamble are true and correct, and hereby incorporates them by reference.
2. Upon transfer of title of the Property to Alachua County, the Property shall be designated as a "Preserve" under the Alachua County Forever program for the protection and management of water resources, wildlife habitats and as a natural area for resource-based recreation, and as soon as possible after such designation, the Property shall be added to "Alachua County's Registry of Protected Public Places."
3. After title of the Property has been conveyed to the County, the Property shall be named the "Lundgren Nature Preserve."
4. The County Manager is authorized to effect the expenditure of funds for due diligence and associated closing costs as may be necessary to examine the title and physical condition of the Property.
5. The Board authorizes the acceptance of a deed of gift of the Property at the discretion of the County Manager after review of the due diligence reports.
6. The Chair is authorized to execute any documents, approved by the County Attorney, needed to complete this conveyance, and authorizes that the County shall accept ownership of the Property subject to a conservation easement held by ACT and subject to ingress and egress easements in favor of Dale and Helen Lundgren, Kathryn Schanuth, David Schanuth, and Jimmie Lundgren.

This resolution shall take effect immediately upon its adoption.

DULY ADOPTED in regular session, this ____ day of _____, 2020

ATTEST: (SEAL)

J.K. "Jess" Irby, Esq.
Clerk of Court

BOARD OF COUNTY COMMISSIONERS OF ALACHUA COUNTY, FLORIDA

By : _____
Robert Hutchinson, Chair

APPROVED AS TO FORM



David Forziano for Sylvia Torres
Alachua County Attorney

Exhibit "A"

