

By Senator Baxley

12-00876-18

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1 A bill to be entitled
2 An act relating to water management district surplus
3 lands; amending s. 373.089, F.S.; revising the
4 circumstances when a water management district must
5 publish its intention to sell surplus lands; revising
6 the process for selling certain lower valued surplus
7 lands; defining the term "adjacent property owners";
8 providing an effective date.

9
10 Be It Enacted by the Legislature of the State of Florida:

11
12 Section 1. Subsections (3) and (8) of section 373.089,
13 Florida Statutes, are amended to read:

14 373.089 Sale or exchange of lands, or interests or rights
15 in lands.—The governing board of the district may sell lands, or
16 interests or rights in lands, to which the district has acquired
17 title or to which it may hereafter acquire title in the
18 following manner:

19 (3) Before selling any surplus land, or interests or rights
20 in land, the district shall publish a notice of intention to
21 sell in a newspaper published in the county in which the land,
22 or interests or rights in the land, is situated once each week
23 for 3 successive weeks, three insertions being sufficient. The
24 first publication of the required notice must occur at least 30
25 days, but not more than 360 days, before any sale is approved by
26 the district and must include a description of lands, or
27 interests or rights in lands, to be offered for sale.

28 (8) (a) If a parcel of land is no longer essential or
29 necessary for conservation purposes and is valued at \$25,000 or

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30 less as determined by a certified appraisal obtained within 360
31 days before the effective date of a contract for the sale, as
32 specified in subsection (1), the governing board may determine
33 that the parcel of land is surplus and may offer to sell it to
34 the adjacent property owners. If the governing board elects to
35 offer for sale the parcel to adjacent property owners pursuant
36 to this subsection, the governing board must publish the notice
37 of intention to sell ~~must be published~~ as required under
38 subsection (3), one time only, ~~and~~. the governing board must
39 ~~shall~~ send the notice of intention to sell the parcel to
40 adjacent property owners by certified mail and publish the
41 notice on its website. For the purpose of this subsection, the
42 term "adjacent property owners" means those owners whose
43 property abuts the parcel.

44 (b) Fourteen days after publication of such notice, the
45 district may sell the parcel to an adjacent property owner or,
46 if there are two or more owners of adjacent property, accept
47 sealed bids and sell the parcel to the highest bidder or reject
48 all offers.

49 (c) If the parcel is not sold to an adjacent property owner
50 pursuant to paragraph (b), the district may sell the parcel at
51 any time to the general public for the highest price obtainable
52 ~~Thirty days after publication of such notice, the district shall~~
53 ~~accept sealed bids and may sell the parcel to the highest bidder~~
54 ~~or reject all offers.~~

55
56 If the Board of Trustees of the Internal Improvement Trust Fund
57 declines to accept title to the lands offered under this
58 section, the land may be disposed of by the district under the

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59 provisions of this section.

60 Section 2. This act shall take effect July 1, 2018.