

Island offer in writing

The County Commission will vote Tuesday on a proposed contract from the Conservation Fund, which is handling negotiations over the Lost Tree islands.

By Henry A. Stephens
staff writer

The Indian River County Commission on Tuesday will consider putting tax money where its mouth is in a \$15 million bid for the Lost Tree Village Corp.'s islands.

"This is the contract we will be sending to Lost Tree as they requested," Assistant County Administrator Joe Baird said Friday.

For more than a year, county officials have discussed a possible \$15 million purchase of the islands in the Indian River.

And in all that time, Lost Tree officials have declined to say whether they would accept any offer, saying that they would only look at one if the commission voted for it.

The county's offer, first discussed in July 2001, includes \$8 million in environmental bond money, plus \$1 million each from Vero Beach and Indian River Shores and up to \$6 million from the Florida Communities Trust.

So far, the Vero Beach City Council and the Indian River Shores Town Council have both endorsed a proposed contract from the Washington, D.C.-based Conservation Fund, which is handling negotiations. The County Commission's vote is scheduled for a public hearing Tuesday.

The islands have been the

CONTRACT PROPOSAL

Lost Tree islands contract proposal:

- A \$15 million purchase price for 505 acres, 235 acres of which are upland. The property would consist of the six main islands, McCuller's Point and six smaller adjacent islands.
- A \$10,000 good-faith deposit as the county checks out the property.
- A "bargain sale" acknowledgment to allow Lost Tree to claim the sale as a charitable contribution on its federal tax forms.
- A threat of condemnation to allow Lost Tree to seek tax relief.
- A settlement provision in which Lost Tree must drop its various court cases, such as a \$100 million claim alleging illegal zoning restrictions by Vero Beach and Indian River Shores.

center of contention since the late 1980s, when the developers of John's Island first proposed to build bridges and homes on the three so-called "inner" islands, those closest to the barrier island.

Other plans, proposed by Lost Tree to the state in early 2001 and later withdrawn, included a golf course on the larger, "outer" islands, closer to the mainland.

County Commissioner Ken Macht said Friday he plans to vote against making an offer — despite suggesting a \$15 million deal to the Land Acquisition Advisory Committee, which he chairs, in July 2001.

It's too early to make an offer, he said, before courts rule on whether the islands can be developed at a residential density, rather than a conservation density, and whether Lost Tree can build a bridge to the islands from Silver Shores Road.

Appraisals have since placed the islands' maximum approved purchase price at \$6.5 million, \$9 million or \$16.2 million, depending on possible court rulings.

If courts support the lower values, Macht said, "We

would be spending \$15 million of tax money on property worth absolutely nothing."

Meanwhile, he said, the \$15 million price was never his idea.

He said some members of the Civic Association of Indian River County connected him with Lost Tree President Charles Bayer Jr. in July 2001 and assured him Bayer would agree to \$15 million.

Bayer never confirmed such a figure.

"I will consider any offer," he said in July 2001. "I gave him (Macht) no indication I'd accept anything... I told him that any offer that any (government) makes has to be voted on by everyone."

That was because, Bayer said, he recalled thinking he had a \$10.5 million deal with the county in 1988, based on work by the late Commissioner Carolyn Eggert. But the full commission rejected that offer, partly because it didn't go through the land committee.

Macht said the \$15 million figure has outlasted his original idea.

"And to call this a negotiation is ridiculous when our cards are already on the table," he said.