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GOOD MORNING!

Lost Tree deal appears to be in sight

After several months of negotiations, the public purchase of the islands could come to fruition.

By James Kirley
staff writer

Three local governments are poised to give a first-ever written offer for public purchase of Lost Tree Village Corp.'s Indian River islands early next week.

"I'm hopeful," said Matt Sexton, director of Florida real estate for

The Conservation Fund.

That not-for-profit corporation has been negotiating a deal for Indian River County with Lost Tree for several months. The contract and agreement scheduled for consideration by county, Vero Beach and Indian River Shores elected officials Monday and Tuesday is the result of that work.

Sexton and Lost Tree attorney Ernest Cox confirmed Friday that the developer has not yet signed the proposed \$15,105,000 contract. Lost Tree insisted from the start that it would only consider an offer already signed by the three governments.

"But we have gone through the negotiations with (Lost Tree) and we are hopeful that if the local governments sign onto it, that Lost Tree will, as well," Sexton said.

"It's my understanding that, if the three governments approve this, it will be presented to us as an offer and Lost Tree will have a week to decide what to do with that offer," Cox said Friday. "Lost Tree has not decided yet what it will do."

Vero Beach City Council has called a special meeting at 1:30 p.m. Monday to consider signing a contract and agreement to buy the islands. Indian

River Shores Town Council will meet in special session 90 minutes later to consider the same documents and County Commissioners meet in regular session at 9 a.m. Tuesday.

Conservationists say Lost Tree's plans to build homes and possibly a golf course on the six islands could threaten the Indian River with more pollution.

The city and town each have pledged \$1 million toward buying the islands. Indian River County is contributing \$8 million in environmental bond money, while the Florida Communities Trust has

pledged slightly more than \$4.87 million if the deal is signed before Feb. 12.

"That's the deadline for FCT," Sexton said.

The three governments also must decide how to make up shortfalls totaling \$230,000 — \$125,000 of it because of an FCT grant slightly smaller than expected and another \$105,000 to cover the cost to Lost Tree for documentary stamps in the land sale.

The contract and agreement would resolve three lawsuits.

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LOST FROM A1

Two are damage claims totaling more than \$172 million, in which Lost Tree says Vero Beach and Indian River County land-use laws illegally devalued its property.

The third was filed by barrier island homeowners against Lost Tree after a land survey by the developer claimed riverfront pieces of their barrier island lots. The proposed deal asks Vero Beach and Indian River

Shores to pay all costs of settling this case.

City Attorney Charles Vitunac said that would total about \$80,000, to be split with Indian River Shores. The plaintiffs will get this money, he said, presumably to cover their legal fees.

"Lost Tree has to pay it's own legal fees," he added.

Likewise, Vitunac said city, town and developer would bear their own legal costs in the other two lawsuits.