

**Lee County Board of County Commissioners
Agenda Item Summary**

Blue Sheet No. 20040688

1. REQUESTED MOTION:

ACTION REQUESTED: Approve mediated settlement in Lee County v. Vision XXIII, Case No. 02-10642CA, Parcel 102B and 102C.

WHY ACTION IS NECESSARY: Board must approve settlement.

WHAT ACTION ACCOMPLISHES: Settles all claims for the acquisition of Parcels 102B and 102C except fees and costs.

2. DEPARTMENTAL CATEGORY:
COMMISSION DISTRICT #

A 12B

3. MEETING DATE:

06-08-2004

4. AGENDA:

- CONSENT
- ADMINISTRATIVE
- APPEALS
- PUBLIC
- WALK ON
- TIME REQUIRED:

5. REQUIREMENT/PURPOSE:
(Specify)

- STATUTE
- ORDINANCE
- ADMIN. CODE
- OTHER

6. REQUESTOR OF INFORMATION:

- A. COMMISSIONER _____
- B. DEPARTMENT County Attorney
- C. DIVISION Litigation
- BY: John J. Renner
Chief Assistant County Attorney

7. BACKGROUND: Lee County condemned 7,329 sq.ft. of land from a vacant, commercially zoned parcel owned by Cathleen Wheeler and Joanna Lee Callahan for the Treeline Avenue Project. The parcel has frontage on Daniels Road and access from Chana Court. Lee County's appraisal was \$4.25/sq ft. for a total of \$31,200. The owner's appraisal was \$9.00/sq.ft. for a total of \$65,900. A similar parcel across Chana Court sold for \$5.78/sq.ft. that neither party considered in their appraisals. A mediated settlement of \$51,000 (\$6.90/sq.ft.) was reached. The County Attorney recommends approval.

Funds available in string acct. no: 21835141231.506110.30

8. MANAGEMENT RECOMMENDATIONS:

9. RECOMMENDED APPROVAL:

| A Department Director | B Purchasing or Contracts | C Human Resources | D Other | E County Attorney | F Budget Services | | | | G County Manager |
|-----------------------------|------------------------------------|-------------------------|------------|-------------------------|----------------------|-----|-----------|----------------|---------------------|
| | | | | | OA | OM | RISK | GC | |
| N/A | N/A | N/A | N/A | | | N/A | <i>OK</i> | <i>3/28/04</i> | <i>[Signature]</i> |

10. COMMISSION ACTION:

- APPROVED
- DENIED
- DEFERRED
- OTHER

5/25/04

RECEIVED BY
COUNTY ADMIN: *PK*

COUNTY ADMIN
FORWARDED TO: *PP*

5-26-04
4:45pm