

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

Blue Sheet No. 20050407

1. ACTION REQUESTED/PURPOSE: Make a proposal for settlement in case of Lee County v. Romanoff, Case No. 02-3110-CA.

2. WHAT ACTION ACCOMPLISHES: Makes a proposal for settlement to the property owners in this eminent domain case in the amount of \$375,000 to settle the claim for compensation.

3. MANAGEMENT RECOMMENDATION: County attorney recommends approval.

4. Departmental Category: 12 A12A		5. Meeting Date: 04-05-2005
6. Agenda: <input type="checkbox"/> Consent <input checked="" type="checkbox"/> Administrative <input type="checkbox"/> Appeals <input type="checkbox"/> Public <input type="checkbox"/> Walk-On	7. Requirement/Purpose: (specify)	
	<input type="checkbox"/> Statute	
	<input type="checkbox"/> Ordinance	
	<input type="checkbox"/> Admin. Code	
	<input type="checkbox"/> Other	
		8. Request Initiated: Commissioner _____ Department _____ County Attorney Division _____ Litigation By: <u>John J. Renner</u> Chief Assistant County Attorney

9. Background: Lee County condemned 48.40 acres of land from Freida Romanoff, Tr. The land is abandoned railroad right of way running north from the Del Prado Extension to the Lee/Charlotte line. Lee County's Division of Natural Resources needed to acquire this property to maintain a division between drainage basins. The property is 100 feet wide and approximately 3 miles long with an 11.5 acre parcel measuring 258 feet by 2,000 feet. Lee County's initial appraisal was for \$220,000. The owner's appraisal is \$650,800. We were unable to settle the case at mediation. If the owners accept the \$375,000 proposal for settlement, all claims except fees and costs will be settled. If the owners reject the proposal for settlement and do not obtain a jury verdict greater than \$375,000, Lee County will not be liable for the owners' expert fees and costs incurred after 30 days from service of the proposal for settlement.

Funds available in string account no.: 20853330100.506510

10. Review for Scheduling:

Department Director	Purchasing or Contracts	Human Resources	Other	County Attorney	Budget Services	County Manager/P.W. Director
				<i>[Signature]</i>	Budget Services <i>[Signature]</i> 3/24/05 Analyst, <i>[Signature]</i> 3/23/05 Mgr. <i>[Signature]</i> 3/25/05	<i>[Signature]</i>

11. Commission Action:

- Approved
- Deferred
- Denied
- Other

CO. ATTY.
 FORWARDED
 TO CO. ADMIN.
 3/23/05

RECEIVED
 COUNTY ADMIN
 3/24/05
 COUNTY ADMIN
 FORWARDED TO: *[Signature]*
 3/24/05
[Signature]