

Lee County Board Of County Commissioners
Agenda Item Summary

Blue Sheet No. 20050532

1. ACTION REQUESTED/PURPOSE: Approve settlement in Lee County v. Florida Rock & Tank Lines, Inc., et al., Case No. 04-CA-1425.

2. WHAT ACTION ACCOMPLISHES: Settles all claims for condemnation of parcel 134, Veronica Shoemaker Project, except attorney fees and costs.

3. MANAGEMENT RECOMMENDATION: Approval.

4. Departmental Category: 12		A12A		5. Meeting Date: 05-23-2005	
6. Agenda:		7. Requirement/Purpose: (specify)		8. Request Initiated:	
<input type="checkbox"/> Consent		<input type="checkbox"/> Statute		Commissioner _____	
<input checked="" type="checkbox"/> Administrative		<input type="checkbox"/> Ordinance		Department _____ County Attorney	
<input type="checkbox"/> Appeals		<input type="checkbox"/> Admin. Code		Division _____ Litigation	
<input type="checkbox"/> Public		<input type="checkbox"/> Other		By: John J. Renner, Chief Assistant County Attorney	
<input type="checkbox"/> Walk-On					

9. Background: Lee County condemned 45,801 sq. ft. of land from a 4.8 acre parcel owned by Florida Rock & Tank Lines, Inc. for Veronica Shoemaker Blvd. The light industrial site was improved with a warehouse/office. Part was used by Florida Rock for semi-truck storage and the majority of the site was used by Florida Recycling, Inc. for its trash/recyclable collection business. As a result of the taking, Florida Recycling, Inc. had to develop vacant land to the south to conduct its business operations. Lee County's value for the taking was \$117,000. The owner and tenant claimed \$390,000. A settlement of \$190,000, excluding fees and costs, has been reached.

Funds available in City of Fort Myers account: 31043155416100

10. Review for Scheduling:

Department Director	Purchasing or Contracts	Human Resources	Other	County Attorney	Budget Services				County Manager/P.W. Director
					Analyst	Risk	Grants	Mgt.	
					RK 4/16	5/1/05	4/19/05	4/18/05	

11. Commission Action:

- Approved
- Deferred
- Denied
- Other

CO. ATTY.
FORWARDED
TO CO. ADMIN.
4/15/05

RECEIVED BY
COUNTY ADMIN: [Signature]
4-15-05 [Signature]
4:20 pm.
COUNTY ADMIN
FORWARDED TO: [Signature]
4/19/05
2:00 pm