

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

Blue Sheet No. 20050542

1. ACTION REQUESTED/PURPOSE: Approve settlement in Lee County v. Romanoff, et al. Case No. 02-3110-CA.

2. WHAT ACTION ACCOMPLISHES: Settles claim for full compensation of \$385,000 for condemnation of 48.40 acres of land, excluding attorney fees and costs.

3. MANAGEMENT RECOMMENDATION: Approval.

4. Departmental Category: 12 A12B		5. Meeting Date: 05-03-2005
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"/>
	<input type="checkbox"/> Ordinance	<input type="checkbox"/>
	<input type="checkbox"/> Admin. Code	<input type="checkbox"/>
	<input type="checkbox"/> Other	<input type="checkbox"/>
		8. Request Initiated: Commissioner _____ Department <u>County Attorney</u> Division <u>Litigation</u> By: <u>John J. Renner, Chief</u> <u>Assistant County Attorney</u>

9. Background: Lee County condemned 48.40 acres of land from Freida Romanoff, Tr. to maintain a division between drainage basins and to run a waterline. Lee County made a proposal for settlement of \$375,000. The owner countered at \$385,000. The range of values is \$220,000 - \$695,000. Settlement avoids incurring additional litigation costs, avoids risk of an adverse judgment and includes any claim for interest from the date of acquisition, July 8, 2002. The County Attorney, Lee County Division of Natural Resources, and Lee County Utilities recommend accepting the counteroffer of \$385,000.

Funds available in string account no.: 20853330100.506110

10. Review for Scheduling:

Department Director	Purchasing or Contracts	Human Resources	Other	County Attorney	Budget Services <i>4/21/05</i>				County Manager/P.W. Director
				<i>[Signature]</i>	Analyst <i>[Signature]</i>	Risk <i>[Signature]</i>	Grants <i>[Signature]</i>	Mgr. <i>[Signature]</i>	<i>[Signature]</i>

11. Commission Action:

- Approved
- Deferred
- Denied
- Other

CO. ATTY.
 FORWARDED
 TO CO. ADMIN.
 4/20/05

RECEIVED BY
 COUNTY ADMIN: *[Signature]*
 4-20-05
 4:20
 COUNTY ADMIN
 FORWARDED TO: *[Signature]*
 4/21/05
 4/21