

Agenda Item Summary

1. ACTION REQUESTED/PURPOSE: Approve settlement in the eminent domain case of Lee County v. Paul H. Freeman, Trustee, Case No. 03-1520-CA-JHS, parcel 263, Alico Road Widening Project for \$31,717.00.

2. WHAT ACTION ACCOMPLISHES: If approved by the BOCC, the case will be settled and closed without further cost to Lee County.

3. MANAGEMENT RECOMMENDATION: Approval.

4. Departmental Category: 12		<i>A12A</i>		5. Meeting Date: <i>05-10-2005</i>	
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 <u>County Attorney</u>	
<input type="checkbox"/> Appeals		<input type="checkbox"/> Admin. Code		Division <u>Litigation</u>	
<input type="checkbox"/> Public		<input type="checkbox"/> Other		By: <u>John S. Turner, Assistant</u>	
<input type="checkbox"/> Walk-On				<u>County Attorney</u>	

9. Background: The subject property is a partial taking of 4,229 square feet for the Alico Road Widening Project at the corner of Three Oaks Parkway and Alico Road. The original appraisal value was \$5.50 per square foot for a total of \$23,260.00 in December of 2002. The property owner claims the value is in excess of \$9.00 per square foot. In order to resolve another acquisition from the same property owner, the parties have agreed on a value of \$7.50 per square foot for a total value for parcel 263 of \$31,717.00 less the amount previously paid of \$23,260.00, for a net payment of \$8,457.00. The \$7.50 per square foot value is consistent with Lee County's updated appraisal. This settlement includes all fees and costs for the property owner.

Funds available in string account: 20403030700.506110

10. Review for Scheduling:

Department Director	Purchasing or Contracts	Human Resources	Other	County Attorney	Budget Services				County Manager/P.W. Director
					Analyst	Risk	Grants	Met	
				<i>97</i>	<i>4/28/05</i>	<i>4/28/05</i>	<i>4/28/05</i>	<i>4/28/05</i>	<i>4/28/05</i>

11. Commission Action:

- Approved
- Deferred
- Denied
- Other

CO. ATTY.
FORWARDED
TO CO. ADMIN.
4/28/05

RECEIVED BY
COUNTY ADMIN.
4/28/05
COUNTY ADMIN
FORWARDED TO:
4/28/05