

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

**Blue Sheet No. 20051454**

**1. ACTION REQUESTED/PURPOSE:** Approve the Resolution of Necessity for the acquisition and condemnation of a parcel required for the proposed Idalia Regional Park Project.

**2. WHAT ACTION ACCOMPLISHES:** Allows the County to proceed with condemnation, if necessary, so this parcel can be acquired for the Idalia Regional Park Project.

**3. MANAGEMENT RECOMMENDATION:** Management recommends Board approve the Action Requested.

**4. Departmental Category:** 12

*A12E*

**5. Meeting Date:**

*10-25-2005*

**6. Agenda:**

- Consent
- Administrative
- Appeals
- Public
- Walk-On

**7. Requirement/Purpose: (specify)**

- Statute 73,74,125,127
- Ordinance
- Admin. Code
- Other

**8. Request Initiated:**

Commissioner \_\_\_\_\_  
 Department County Attorney  
 Division Litigation  
 By: John J. Renner  
 Chief Assistant County Attorney

**9. Background:**

Lee County owns property in the Idalia Subdivision in East Lee County. To provide additional park facilities in the East Lee County area, the County plans to construct the Idalia Regional Park. This park is to be built with funds collected through impact fees from the East District. Proposed amenities include rowing club facilities, splash pool, stage, open fields, and picnic areas.

Approval of the Resolution of Necessity is required should condemnation proceedings be necessary for the acquisition of a parcel required for the project.

Attachments: Resolution of Necessity and location map

**10. Review for Scheduling:**

Department Director	Purchasing or Contracts	Human Resources	Other	County Attorney	Budget Services				County Manager/P.W. Director
			<i>Co hands</i>	<i>[Signature]</i>	Analyst	Risk	Grants	Mgr.	<i>[Signature]</i>
			<i>[Signature]</i>	<i>[Signature]</i>	<i>CA 10/10/05</i>	<i>10/10/05</i>	<i>10/10/05</i>	<i>10/10/05</i>	<i>10-13-05</i>

**11. Commission Action:**

- Approved
- Deferred
- Denied
- Other

REC'D  
by CO. ATTY:  
*11:30 AM*  
*10/7/05*  
CO. ATTY.  
FORWARDED TO:

CO. ATTY.  
FORWARDED  
TO CO. ADMIN.  
*10/10/05*

RECEIVED BY  
COUNTY ADMIN:  
*10-10-05*  
*11:25*  
COUNTY ADMIN  
FORWARDED TO:

**RESOLUTION OF NECESSITY  
OF THE BOARD OF COUNTY COMMISSIONERS  
OF LEE COUNTY, FLORIDA**

**WHEREAS**, after consideration of the availability of alternative properties, the costs of the project, environmental factors, and long range area planning. The Board of County Commissioners of Lee County, Florida, desires to exercise its right to condemn property for public use or purpose and that the property to be condemned is necessary for that use.

**NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF LEE COUNTY FLORIDA, that:**

Lee County owns property in the Idalia Subdivision in East Lee County. To provide additional park facilities in the East Lee County area, the County will be constructing the Idalia Regional Park. This park is to be constructed with funds collected through impact fees from the East District. Proposed amenities include rowing club facilities, splash pool, stage, open fields, and picnic areas.

**SECTION ONE: USE, NECESSITY AND DESCRIPTION OF PROPERTY**

The Board of County Commissioners finds that the fee simple rights to property described in the attached Exhibit "A" are necessary for the Idalia Regional Park Project and are being acquired for the following specific public use or purpose:

Construction of the Idalia Regional Park to provide additional park facilities in the East Lee County area.

**SECTION TWO: AUTHORITY AND ESTATE**

By virtue of the authority granted to the Board of County Commissioners of Lee County by Chapters 73, 74, 125 and 127, Florida Statutes, and all other statutory or common law which grant to the Board of County Commissioners the power to institute and proceed with acquiring property under the exercise of the power of eminent domain, the Board of County Commissioners hereby authorizes and directs the County Attorney's Office to commence and prosecute any and all proceedings necessary to acquire in fee simple the property described in Exhibit "A" for the above described public use or purpose.

**Resolution of Necessity**

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The foregoing Resolution was offered by Commissioner \_\_\_\_\_, who moved its adoption. The motion was seconded by Commissioner \_\_\_\_\_, and upon being put to a vote was as follows:

Bob Janes	_____
Douglas St. Cerny	_____
Ray Judah	_____
Tammy Hall	_____
John E. Albion	_____

**DULY PASSED AND ADOPTED** this \_\_\_\_\_ day of \_\_\_\_\_, 2005.

ATTEST:  
CHARLIE GREEN, CLERK

LEE COUNTY, FLORIDA, BY ITS  
BOARD OF COUNTY COMMISSIONERS

By: \_\_\_\_\_  
Deputy Clerk

\_\_\_\_\_  
Chairman

APPROVED AS TO FORM:

\_\_\_\_\_  
Office of County Attorney

## EXHIBIT "A"

STRAP No. 22-43-26-02-0000H.0080

Lot 8, Block H, IDALIA SUBDIVISION, according to the plat thereof as recorded in Plat Book 3, Page 30, Public Records of Lee County, Florida.

IDALIA REGIONAL PARK

