

Lee County Board Of County Commissioners
Agenda Item Summary

Blue Sheet No. 20051435

1. ACTION REQUESTED/PURPOSE: Approve the Resolution of Necessity for the acquisition and condemnation of a parcel for the Estero Parkway Extension Project No. 5021.

2. WHAT ACTION ACCOMPLISHES: Allows the County to proceed with condemnation, if necessary, so property can be acquired for the Estero Parkway Extension Project No. 5021.

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

4. Departmental Category: 12

A12A

5. Meeting Date:

11-01-2005

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 Renner, Assistant County Attorney

9. Background:

The Estero Parkway Extension Project, No. 5021 provides for the construction of a two-lane roadway that connects Ben Hill Griffin Parkway to Corkscrew Road, with sidewalks, bike paths, stormwater drainage, and utilities.

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

Attachments: Resolution, Location Maps

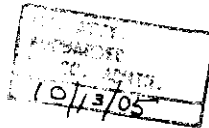
10. Review for Scheduling:

Department Director	Purchasing or Contracts	Human Resources	Other	County Attorney	Budget Services				County Manager/P.W. Director
			<i>Bo. hands</i>		<i>Comm 10/19</i>				
			<i>HP</i>	<i>JR</i>	Analyst	Risk	Grants	Mgr.	
			<i>HP</i>		<i>RK 10/14</i>	<i>5/12/05</i>	<i>10/14/05</i>	<i>10/17/05</i>	<i>10-20-05</i>

11. Commission Action:

- Approved
- Deferred
- Denied
- Other

POT



RECEIVED BY COUNTY ADMIN:
10-14-05
7:55
COUNTY ADMIN FORWARDED TO:
10-14-05
10-14-05

PIL
10/20/05
9:30 AM

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

WHEREAS, after consideration of the availability of alternative routes, the costs of the project, environmental factors, long range area planning, and safety concerns, 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:

The Capital Improvement Project provides for the construction of the Estero Parkway Extension Project 5021, which will intersect with Corkscrew Road in Section 25, Township 46 South, Range 25 East, and Section 30, Township 46 South, Range 26 East.

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 Estero Parkway Extension Project 5021 and are being acquired for the following specific public use or purpose:

To improve transportation safety, for public as well as private vehicles. Exhibit "A" consists of a single parcel.

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 the fee simple interest in the property described in Exhibit "A" for the above described public use or purpose.

Resolution of Necessity

Estero Parkway Extension Project

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:

Robert P. 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

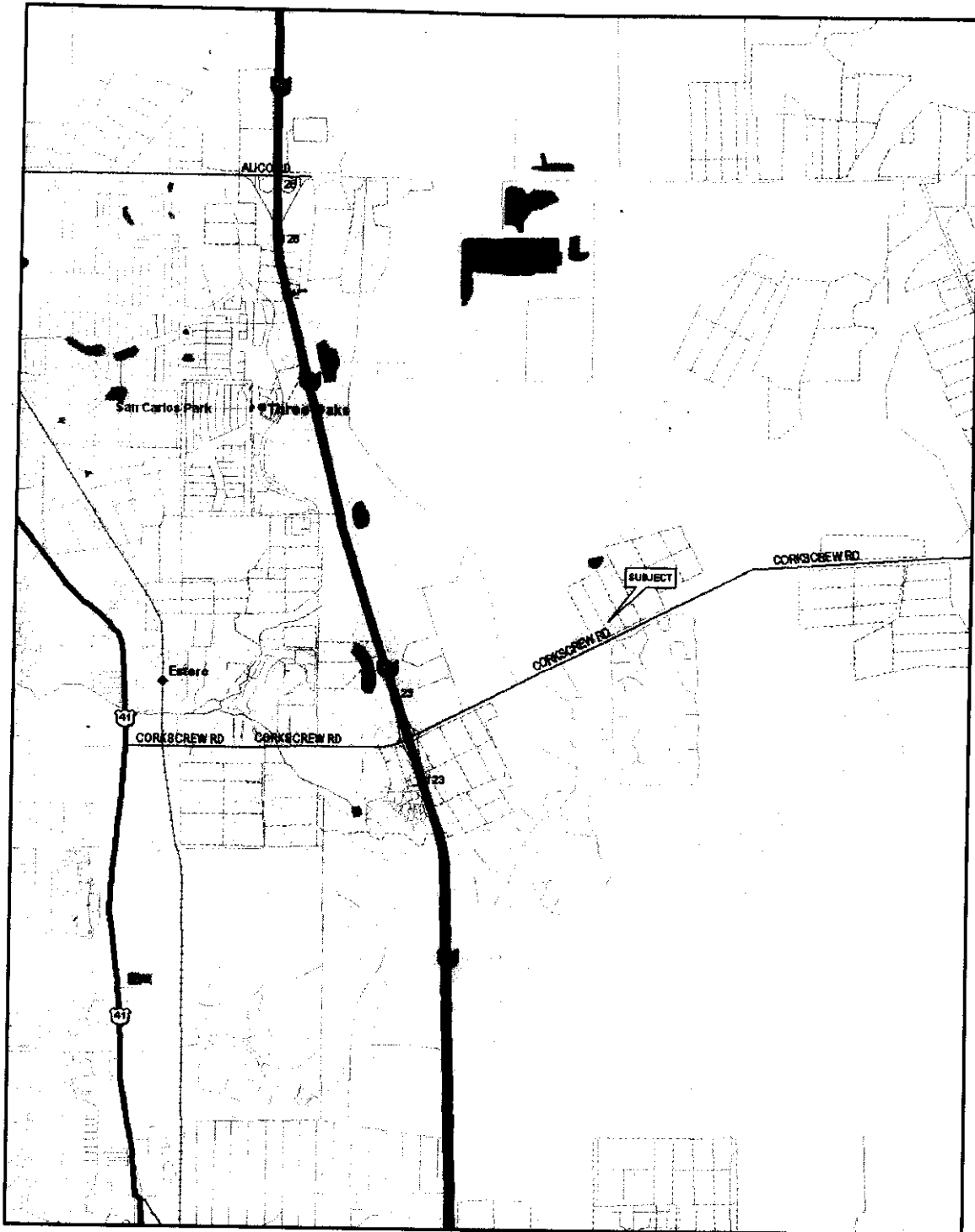
Project: Estero Parkway Extension, No. 5021
Parcel: 100/Florida Development Partners
STRAP No.: 30-46-26-07-00009.0000

Exhibit "A"

A parcel of land located in Northeast One Quarter (NE 1/4) of Section 25, Township 46 South, Range 25 East and in the Northwest One Quarter (NW 1/4) of Section 30, Township 46 South, Range 26 East, Lee County, Florida, and being more particularly described as follows:

Tract 9, Grande Oak East, a subdivision and replat according to the plat thereof as recorded in Plat Book 77, Pages 26-38, Public Records of Lee County, Florida.

MARKET AREA MAP:



MARKET AREA DEVELOPMENT MAP (GRANDEZZA):

