

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

Blue Sheet No. 20051804

**1. ACTION REQUESTED/PURPOSE:** Approve mediated settlement in Lee County v. Florence, et al., Case No. 04CA-3578.

**2. WHAT ACTION ACCOMPLISHES:** Settles claim for compensation due to condemnation.

**3. MANAGEMENT RECOMMENDATION:** County attorney recommends approval.

<b>4. Departmental Category:</b> 12 <span style="margin-left: 100px;"><i>A12A</i></span>		<b>5. Meeting Date:</b> <i>01-10-2006</i>
<b>6. Agenda:</b> <input type="checkbox"/> Consent <input checked="" type="checkbox"/> <b>Administrative</b> <input type="checkbox"/> Appeals <input type="checkbox"/> Public  <input type="checkbox"/> Walk-On	<b>7. Requirement/Purpose: (specify)</b>	
	<input type="checkbox"/> Statute	<b>8. Request Initiated:</b> Commissioner _____ Department <u>County Attorney</u> Division <u>Litigation</u>  By: <b>John J. Renner, Chief</b> <b>Assistant County Attorney</b>
	<input type="checkbox"/> Ordinance	
	<input type="checkbox"/> Admin. Code	
	<input type="checkbox"/> Other	

**9. Background:** Lee County condemned 25,833 sq. ft. of land from a 53,387 sq. ft. parcel at Edison Avenue and Highland Avenue on November 30, 2004. The parcel was improved with a building used as a lounge. The result of the taking caused a loss of 7 parking spaces. Lee County's appraisal is \$109,000 with no severance damages. The owner's appraisal is \$160,000 that includes \$36,000 in severance damages. A settlement of \$148,021.50 was reached at mediation.

Funds available in City of Fort Myers account no.: 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	Mgr.	
				<i>[Signature]</i>	<i>12/19/05</i>	<i>08/19/05</i>	<i>12/19/05</i>	<i>12/19/05</i>	<i>[Signature]</i>

**11. Commission Action:**  
 Approved  
 Deferred  
 Denied  
 Other