

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

Blue Sheet No. 20070706

1. ACTION REQUESTED/PURPOSE: Authorize settlement in Lee County v. John Brossard, et al., Case No. 06CA1309.

2. FUNDING SOURCE: Department of Transportation

3. WHAT ACTION ACCOMPLISHES: Settles all claims for compensation for condemnation of property, including attorneys fees and costs.

4. MANAGEMENT RECOMMENDATION: Approve settlement.

5. Departmental Category: County Attorney **A12B** **6. Meeting Date:** May 15, 2007

7. Agenda:		8. Requirement/Purpose: (specify)		9. Request Initiated:	
<input type="checkbox"/> Consent		<input type="checkbox"/> Statute		Commissioner	
<input checked="" type="checkbox"/> Administrative		<input type="checkbox"/> Ordinance		Department	County Attorney
<input type="checkbox"/> Appeals		<input type="checkbox"/> Admin. Code		Division	Litigation
<input type="checkbox"/> Public		<input checked="" type="checkbox"/> Other		By: Susan M. Henderson	
<input type="checkbox"/> Walk-On				Assistant County Attorney	

10. Background:

Lee County condemned Parcel 316A, a vacant right of way located on the south side of the Imperial River and occupying the east portion of Imperial Street and the north portion of Dean Street in Bonita Springs, for the Imperial Street Widening (Project No. 4060). The County's appraised value, on the date of taking (August 7, 2006), was \$4,030. A settlement for an additional \$1,500, for a total of \$5,530, avoids payment of attorneys fees and any further expert fees.

The County Attorney and the City of Bonita Springs project manager recommend approval.

Funds available in string account no.: 4060 18808.506110
Capital Project, Imperial Street, Road Impact Fees, Bonita District, Land

11. Review for Scheduling:

Dept. Director	Purchasing or Contracts	Human Resources	Other	County Attorney	Budget Services				County Manager/P.W. Director
				<i>[Signature]</i>	Analyst <i>5/3/07</i>	Risk <i>5/2/07</i>	Grants <i>5/3/07</i>	Mer. <i>5/3/07</i>	<i>[Signature]</i> 5-4-07

12. Commission Action:

- Approved
- Deferred
- Denied
- Other

RECEIVED BY
COUNTY ADMIN:
5/2/07 @ 3:30 mp.

COUNTY ADMIN
FORWARDED TO:
*5/4/07 @ 11:30 mp.
to PR*

CO. ATTY.
FORWARDED
TO CO. ADMIN.
5-2-07 3:00