

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

Blue Sheet No. 20020284

1. REQUESTED MOTION:

ACTION REQUESTED: Approve mediated settlement in Lee County vs. Upsall, et al., Case No. 95-8173 CA WCM Parcel B for \$28,215.00. Also, approve transfer from reserves in the amount of \$14,615.00 in the Transportation Capital Improvement Fund.

WHY ACTION IS NECESSARY: To approve mediated settlement.

WHAT ACTION ACCOMPLISHES: Resolve all issues in this case.

2. DEPARTMENTAL CATEGORY:

COMMISSION DISTRICT #

A12A

3. MEETING DATE:

04-09-2002

4. AGENDA:

- CONSENT
- ADMINISTRATIVE
- APPEALS
- PUBLIC
- WALK ON
- TIME REQUIRED:

5. REQUIREMENT/PURPOSE:
(Specify)

- STATUTE
- ORDINANCE
- ADMIN. CODE
- OTHER

6. REQUESTOR OF INFORMATION:

- A. COMMISSIONER
- B. DEPARTMENT County Attorney
- C. DIVISION Trial
- BY: Thomas L. Wright

7. BACKGROUND:

This case involves a condemnation for the extension of Danley Road near Page Field Airport. There was no severance damage or business damage claim; only the value of the land taken. Court-ordered mediation was held and the proposed settlement was reached which requires the payment of additional \$14,115.00. The settlement splits the difference between the County appraisal and the Defendant's appraisal and is inclusive of all attorneys fees, appraisal fees, costs, and interest.

Approval is recommended.

Funds will be available in the following account upon approval of transfer from reserves: 20401930700.506110.

8. MANAGEMENT RECOMMENDATIONS:

9. RECOMMENDED APPROVAL:

A Department Director	B Purchasing or Contracts	C Human Resources	D Other	E County Attorney	F Budget Services				G County Manager
N/A	N/A	N/A	N/A	<i>[Signature]</i>	OA <i>[Signature]</i> 3/21/02	OM <i>[Signature]</i> 3/21/02	RISK <i>[Signature]</i> 3/21/02	GC <i>[Signature]</i> 3/21/02	<i>[Signature]</i> 3-21-02

10. COMMISSION ACTION:

- APPROVED
- DENIED
- DEFERRED
- OTHER

Rec. by CoAtty
Date: *3/20/02*
Time: *400pm*
Forwarded to:
CAD - 9:10am
3-21-02

RECEIVED BY
COUNTY ADMIN.
3/21 9:10
COUNTY ADMIN.
FORWARDED TO:
3/21 5:00

REQUEST FOR TRANSFER OF FUNDS

FUND NAME: Transportation Capital Improvement DATE: 03/19/02 BATCH NO. _____

FISCAL YEAR: 2001/2002 FUND #: 30700 DOC TYPE: YB LEDGER TYPE: BA

TO: Capital Projects Transportation Projects
 (DIVISION NAME) (PROGRAM NAME)

NOTE: PLEASE LIST THE ACCOUNT NUMBER BELOW IN THE FOLLOWING ORDER:
 FUND #-DEPT/DIV #-PROGRAM #-OBJECT CODE #-SUBFUND #-PROJECT#-COST CENTER #.
 (EXAMPLE: BB5120100100.503450)

ACCOUNT NUMBER	OBJECT NAME	DEBIT
20401930700.506110	Land	\$ 14,615
TOTAL TO:		\$ 14,615

ACCOUNT NUMBER	OBJECT NAME	CREDIT
GC5890130700.509930	Reserve for Future Capital	\$ 14,615
TOTAL FROM:		\$ 14,615

EXPLANATION: Budget appropriation needed to cover settlement for Danley Road Extension

DIVISION DIRECTOR SIGNATURE	DATE	DEPARTMENT DIRECTOR SIGNATURE	DATE
DBS: APPROVAL <input checked="" type="checkbox"/> DENIAL <input type="checkbox"/>		<i>[Signature]</i>	<i>3/22/02 and</i>
APPROVAL <input checked="" type="checkbox"/> DENIAL <input type="checkbox"/>		<i>[Signature]</i>	<i>3-21-02</i>
CO. ADMIN.: APPROVAL <input type="checkbox"/> DENIAL <input type="checkbox"/>		BUDGET OPERATIONS MANAGER SIGNATURE	DATE
BCC APPROVAL DATE		CO. ADMIN. SIGNATURE	DATE
		BCC CHAIRMAN SIGNATURE	

BA NO. _____ AUTH CODE _____ TRANS DATE _____ REV. 05/93