

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

Blue Sheet No. 20030833

1. REQUESTED MOTION:

ACTION REQUESTED: Approve settlement in Lee County v. Miromar Lakes LLC, Case No. 02-7065-CA.

WHY ACTION IS NECESSARY: Board approval required for all settlements.

WHAT ACTION ACCOMPLISHES: Settles all claims in this condemnation case.

2. DEPARTMENTAL CATEGORY:
COMMISSION DISTRICT # A12A

3. MEETING DATE:

08-05-2003

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's Office
- C. DIVISION Trial Section
- BY: John J. Renner
Chief Assistant County Attorney

7. BACKGROUND: Lee County condemned 1,250 sq.ft. from the Miromar Lakes DRI at the corner of Alico Road and Ben Hill Griffin Parkway for the construction of Treeline Avenue. Michael Maxwell appraised the land for Lee County at \$5.75/sq.ft. for a total of \$7,200.00. Miromar Lakes LLC claimed \$20,000.00 for the land. A settlement has been reached for total compensation of \$16,000.00, including all fees and costs. This is a cost effective alternative to litigation that would require Lee County to pay expert fees for both sides.

Funds are available in account: 21830141231.506110.30

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
					OA	OM	RISK	GC	
N/A	N/A	N/A	N/A	<i>[Signature]</i>	<i>RA 7/18</i>	<i>7/18</i>	<i>7/18/03</i>	<i>7/18/03</i>	<i>[Signature]</i> 7-22-03

10. COMMISSION ACTION:

- _____ APPROVED
- _____ DENIED
- _____ DEFERRED
- _____ OTHER

RECEIVED BY
COUNTY ADMIN *RA*
7/15/03
COUNTY ADMIN
FORWARDED TO *DS*
7/20/03