

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

Blue Sheet No. 20020232

**1. REQUESTED MOTION:**

**ACTION REQUESTED:** Approve resolution amending Resolution No. 01-04-59.

**WHY ACTION IS NECESSARY:** To delete parcels not needed for the Northerly Drainage Outfall for the Southwest International Airport Expansion.

**WHAT ACTION ACCOMPLISHES:** Deletes parcels 10, 11, 13 and 14 from Resolution of Necessity.

**2. DEPARTMENTAL CATEGORY:**

COMMISSION DISTRICT # A12A

**3. MEETING DATE:**

03-26-2002

**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 Litigation

BY: John J. Renner

Chief Assistant County Attorney

**7. BACKGROUND:** The Board adopted Resolution No. 01-04-59 directing specific parcels of land be acquired by eminent domain for the drainage outfalls for the airport expansion project. Parcels 10, 11, 13 and 14 were to be acquired for the northerly outfall. Parcels 10, 11, 13 and 14 are not necessary as only the southerly outfall will be constructed and should be deleted from the Resolution of Necessity.

**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 3/11/02	OM 3/11/02	RISK 3/11/02	GC 3/11/02	<i>[Signature]</i> 3-12-02

**10. COMMISSION ACTION:**

- APPROVED
- DENIED
- DEFERRED
- OTHER

CO. ATTY.  
FORWARDED  
TO CO. ADMIN.  
3-2-02

RECEIVED BY  
COUNTY ADMIN.  
3/17 4:32  
COUNTY ADMIN.  
FORWARDED TO:  
3/12 3:00

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

WHEREAS, The Board of County Commissioners of Lee County, Florida, had adopted Resolution No. 01-04-59 authorizing the use of eminent domain to acquire land for the northerly drainage outfall for the expansion of the Southwest Florida International Airport, and,

WHEREAS, certain land is no longer needed and will not be acquired by Lee County, Florida;

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF LEE COUNTY FLORIDA, that:

**SECTION ONE:**

Resolution No. 01-04-59 is amended to delete Parcels 10, 11, 13 and 14.

**SECTION TWO:**

Any offers to acquire Parcels 10, 11, 13 and 14 are revoked.

**SECTION THREE:**

Resolution No. 01-04-59 shall otherwise remain in effect.

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:

Bob Janes	_____
Douglas St. Cerny	_____
Ray Judah	_____
Andrew W. Coy	_____
John E. Albion	_____

DULY PASSED AND ADOPTED this \_\_\_\_\_ day of \_\_\_\_\_, 2002.

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