

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

Blue Sheet No. 20030986

1. REQUESTED MOTION:

ACTION REQUESTED: Make a proposal for settlement in Lee County v. Stallings, et al. Case No. 03-1619-CA.

WHY ACTION IS NECESSARY: Board must authorize making of proposal for settlement.

WHAT ACTION ACCOMPLISHES: Makes a proposal for settlement in this case to settle all claims except attorney fees and cost.

2. DEPARTMENTAL CATEGORY:
COMMISSION DISTRICT #

C12B

3. MEETING DATE:

09-02-2003

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 Litigation
- BY: John J. Renner
Chief Assistant County Attorney

7. BACKGROUND: Lee County condemned Parcels 159 (8,352 sq. ft.) and 159TCE (2,400 sq. ft.) from Mr. and Mrs. Stallings for the Pondella Road Project. Parcel 159 is a fee taking and Parcel 159TCE is a 24-month temporary construction easement. Lee County's appraisal is for \$23,600. which is \$22,557. for the land at \$2.30 per sq. ft. and \$1,043. for the easement. The owner claims \$58,000. based on \$3.50 per sq. ft. plus severance damages of \$26,000. The County Attorney recommends the Board make a proposal for settlement of \$32,000. If the verdict is \$32,000. or less, Lee County will not be liable for the owner's costs incurred after the proposal for settlement expires - 30 days after it is made.

Funds available in account: 20465618805.506199

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>	QA <i>[Signature]</i> 8/21/03	OM <i>[Signature]</i> 8/21/03	RISK <i>[Signature]</i> 8/21/03	GC <i>[Signature]</i> 8/21/03	<i>[Signature]</i>

10. COMMISSION ACTION:

- APPROVED
- DENIED
- DEFERRED
- OTHER

CO. ATTY.
FORWARDED
TO CO. ADMIN.
8/21/03

RECEIVED BY
COUNTY ADMIN: *[Signature]*
8/21/03
10:30 PM
COUNTY ADMIN
FORWARDED TO: *[Signature]*
8/21/03