

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

Blue Sheet No. 20060909

1. ACTION REQUESTED/PURPOSE: Reject offer of settlement of \$10,000 submitted by Defendants in the eminent domain action, Lee County v. Delacruz Properties, LLC, et al., case no. 05CA-3029. Approve settlement offer of \$4,000 for parcel 109ABC, \$4,000 for parcel 113C and \$500 for parcel 117C.

2. WHAT ACTION ACCOMPLISHES: Rejects previous offer and makes a counteroffer which, if accepted, settles the case.

3. MANAGEMENT RECOMMENDATION: Rejecting initial offer of property owners and making counteroffer.

4. Departmental Category: 12 – County Attorney **A12D** **5. Meeting Date:** 08-01-2006

6. Agenda:		7. Requirement/Purpose: (specify)		8. 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:	John S. Turner, Assistant County Attorney
<input type="checkbox"/> Walk-On					

9. Background: This is an eminent domain proceeding for acquisition of utility easements, slope and restoration easements, and fee simple from Pedro and Linda Salazar for the road widening and improvement project on Gunnery Road. The Order of Taking for the parcels provided the following amounts: parcel 109ABC: \$3,200; parcel 113C: \$3,150; parcel 117C: \$300. The property owners desire to settle the case for a total of \$10,000 which Lee County is not recommending be accepted. As a counteroffer and attempt to settle the case, Lee County would submit a counteroffer to the property owners totaling \$8,500.

Funds available in string account no.: 20405518803.506110

10. Review for Scheduling:

Department Director	Purchasing or Contracts	Human Resources	Other	County Attorney	Budget Services				County Manager/P.W. Director
					Analyst	Risk	Grants	Mgr.	
				<i>J. Turner</i>	<i>7/14/06</i>	<i>7/14/06</i>	<i>7/14/06</i>	<i>7/12/06</i>	<i>HS 7/14/06</i>

11. Commission Action:

- Approved
- Deferred
- Denied
- Other

7/7/06

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