

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

Blue Sheet No. 20060930

1. ACTION REQUESTED/PURPOSE: Approve mediated settlement in Lee County v. Harrelson, Case No. 01-4196CA, Airport Drainage Project.

2. WHAT ACTION ACCOMPLISHES: Settles all claims except fees and costs.

3. MANAGEMENT RECOMMENDATION: Approve mediated settlement.

4. Departmental Category: 12 – County Attorney **A12I** **5. Meeting Date:** 08-01-2006

6. Agenda:	<input type="checkbox"/> Consent	7. Requirement/Purpose: (specify)	<input type="checkbox"/> Statute	8. Request Initiated:	
	<input checked="" type="checkbox"/> Administrative		<input type="checkbox"/> Ordinance		Commissioner _____
	<input type="checkbox"/> Appeals		<input type="checkbox"/> Admin. Code		Department _____ County Attorney
	<input type="checkbox"/> Public		<input checked="" type="checkbox"/> Other		Division _____ Litigation
	<input type="checkbox"/> Walk-On				By: John J. Renner, Chief Assistant County Attorney

9. Background: On August 24, 2001, Lee County condemned 14.29 acres of land from a 73-acre tract to build the canal for drainage of the airport. Lee County's appraisal was \$32,000/acre and discounted for wetlands (\$252,000). The owners', Dennis Harrelson and Alan Freeman, Trustees, appraised value was \$39,000/acre (\$640,000 including interest from August 24, 2001). Further environmental analysis of the property led Lee County's appraiser to conclude there should be no discount for the existence of wetlands. A mediated settlement of \$550,000 has been reached.

Funds available in Port Authority account no.: 21832941231.506110.30

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>[Signature]</i>	RK 7/13	50/7/14	M/7/13/06	7/13/06	HS 7/14/06

11. Commission Action:

- Approved
- Deferred
- Denied
- Other

[Stamp: 7/13/06]

RECEIVED BY COUNTY ADMIN:
COUNTY ADMIN FORWARDED TO:
<i>[Signature]</i>
7/14/06
<i>[Signature]</i>