

WALK-ON

Lee County Board Of County Commissioners
Agenda Item Summary

Blue Sheet No. 20061574

1. ACTION REQUESTED/PURPOSE: Approve settlement in Lee County v. Motiva Enterprises, Case No. 04CA-2290-G (Summerlin/Gladiolus Project).

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

3. MANAGEMENT RECOMMENDATION: Accept settlement.

4. Departmental Category: 12 - county attorney **W0#2** 5. Meeting Date: 11/28/06

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

9. Background: Lee County condemned 7, 270 sq. ft. of land in fee simple from Motiva Enterprises for the Summerlin/Gladiolus Improvement Project on August 25, 2004. The property is improved with a Shell _____s/convenience store. Lee County valued the land at \$18.00/sq. ft. and \$5,000.00 for improvements within the acquisition area (\$135, 860). Lee County also agreed to pay to relocate the site's sign as the acquisition will make it nonconforming due to setbacks. Motiva claimed \$206, 000., valuing the land at \$20.00/sq. ft. and seeking compensation for repair of curbing damaged during construction and a temporary construction easement for use of their land during construction. A negotiated settlement of \$179,000.00 has been reached.

Funds available in string account no.: 20406718824.506110

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>[Signature]</i>	PK PR ED 11/22	W0 11/22	1/12/06	11/22/06	<i>[Signature]</i> 11-22-06

11. Commission Action:

- Approved
- Deferred
- Denied
- Other

CO. ATTY.
FORWARDED
TO CO. ADMIN.
11/22/06

RECEIVED BY
COUNTY ADMIN
11/22/06 10:13 *mp.*

COUNTY ADMIN
FORWARDED TO:
11/22/06 11:05 *mp.*
to PR

**MEMORANDUM
FROM THE
OFFICE OF COUNTY ATTORNEY**

DATE: November 22, 2006

To: Molly Schweers
Public Resources

FROM: 

John J. Renner
Chief Assistant County Attorney

RE: **Bluesheet No. 20061574**

Attached is the referenced Bluesheet which must be walked on for the November 28, 2006 Board meeting due to a time constraint on settlement proposal from Respondent in conjunction with closing of their fiscal year.

JJR/wlp

 attachment