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**COUNTY ATTORNEY'S OFFICE
MEMORANDUM**

TO: Board of County Commissioners

THROUGH: Stephen P. Lee, Deputy County Attorney *[Signature]*

FROM: Lynn Vouis, Assistant County Attorney *[Signature]*

CONCUR: Pam Hastings, Administrative Manager/Public Works Department *[Signature]*
 Kathleen Myer, Principal Engineer/Engineering Division *[Signature]*

DATE: February 2, 2005

RE: Eden Park Avenue Improvement Project
 Binding Written Offers/Offer of Judgment

This Memorandum requests authorization by the Seminole County Board of County Commissioners (BCC) to make binding first written offers/offers of judgment as to the parcels and at the amounts set forth below:

I THE PROPERTY

The subject parcels are located on Eden Park Avenue from Orange County Line (S.R. 414 [Maitland Boulevard]) to Bunnell Road. See Location Map attached as Composite Exhibit "A".

II AUTHORITY TO ACQUIRE

The BCC adopted Resolution No. 2004-R-73 on April 13, 2004, authorizing the acquisition of the above-referenced properties, and finding that the improvements are necessary and serve a County and public purpose and are in the best interests of the citizens of Seminole County.

III ACQUISITIONS AND REMAINDERS

N/A

IV APPRAISED VALUES

Clayton, Roper & Marshall, Inc., completed appraisals for the below-referenced parcels. The County's staff appraiser reviewed and approved the appraisals.

V PROPERTY OWNERS/APPRaised VALUES

PARCEL NOS.	PROPERTY OWNER	PROPERTY TO BE ACQUIRED	COUNTY'S APPRAISED VALUE	PROPOSED OFFER
104	JOHN R. IVEY & BARBARA B. IVEY	5,215 sq. ft.	\$22,700.00	\$22,700.00
112	WALTER S. CREAMER, JR. & DIANA R. CREAMER	1,914 sq. ft.	7,000.00	7,000.00
114	ARCO INTERNATIONAL, INC.	104,108 sq. ft.	305,000.00	305,000.00
714	ARCO INTERNATIONAL, INC.	5,915 sq. ft.	6,200.00	6,200.00
TOTAL			\$340,900.00	\$340,900.00

VI SETTLEMENT ANALYSIS/COST AVOIDANCE

The County is required to extend a written offer/offer of judgment to a property owner prior to filing suit to acquire property through eminent domain. The proposed binding offer amounts are at the appraised values. The written offer/offer of judgment acts as a limitation on attorney's fees if the property owner retains an attorney.

VII RECOMMENDATION

County staff recommends that the BCC authorize binding written offers/offers of judgment at the amounts stated above.

LMV/krc/sb

Attachment
Location Map



Project Limits		Widen (Lanes)		Distance
From	To	From	To	(Miles)
Orange County Line S.R. 414 [Maitland Boulevard]	Bunnell Road	2	3	0.9

COMPOSITE EXHIBIT A