

CCA 01



COUNTY ATTORNEY'S OFFICE
MEMORANDUM

TO: Board of County Commissioners

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

FROM: Henry M. Brown, Assistant County Attorney Ext. 5736 *HMB*

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

DATE: January 28, 2004

SUBJECT: Settlement Authorization on Costs
 Dodd Road Project
 Parcel Nos. 147 and 947
 Owner: Adventist Health System/Sunbelt, Inc.
Seminole County v Autumn Glen, et al.
 Case No.: 2001-CA-2264-13-L

This Memorandum requests settlement authorization by the Board of County Commissioners (BCC) for costs on Parcel Nos. 147 and 947 on the Dodd Road project. The total settlement sum is \$24,437.60.

I PROPERTY

A. Location Data

Parcel No. 147 was a fee simple strip acquisition of 38,768 s.f. (0.89 acres). The strip is at a depth of approximately 45 feet along the 818 foot Dodd Road frontage. Parcel No. 947 is a permanent stormwater pond easement off the frontage and at the southeast rear corner of the property. Parcel No. 947 is 52,185 s.f. (1.198 acres).

A parcel sketch is attached as Exhibit A.

B. Street Address

Street addresses are not assigned to vacant property. The property is generally located on the east side of Dodd Road, approximately 290 feet south of Red Bug Lake Road. A location map is attached as Exhibit B.

II AUTHORITY TO ACQUIRE

The BCC adopted Resolution No. 96-R-230 on September 26, 1995, authorizing the acquisition of Parcel Nos. 147 and 947 and finding that the Dodd Road project was necessary and served a public purpose and was in the best interest of the citizens of Seminole County.

III BACKGROUND

In June, 2003, the BCC approved a negotiated settlement at \$347,400.00 with statutory attorney fees set at \$10,678.80. Costs remained outstanding.

IV COST CLAIM

The owners claimed costs totaling \$28,595.35. The costs were reported as follows:

(1)	Appraisal Expert	\$19,834.00
(2)	Planning Expert	\$ 7,957.98
(3)	Engineering Expert	\$ 1,080.00
(4)	Gray Robinson Costs	\$ 623.37
	TOTAL	\$28,595.35

V NEGOTIATIONS

In negotiation, the county challenged the requested hourly rates as too high. The Gray Robinson costs were challenged as non-compensable.

VI SETTLEMENT ANALYSIS/COST AVOIDANCE

Under negotiation, the costs are as follows:

(1)	Appraisal Expert	\$17,000.00
(2)	Planning Expert	\$ 6,487.60
(3)	Engineering Expert	\$ 950.00
(4)	Gray Robinson Cost	\$.00
	TOTAL NEGOTIATED REIMBURSEMENT	\$24,437.60

Negotiation results in a reduction of approximately 14.5% from \$28,595.35 to \$24,437.60.

If this matter goes to hearing, the County will need to employ three expert witnesses and incur other costs. It is not expected that a hearing would reduce costs any greater than the negotiated 14.5%.

VIII RECOMMENDATION

This office recommends settlement of cost reimbursements at \$24,437.60

HMB/sb

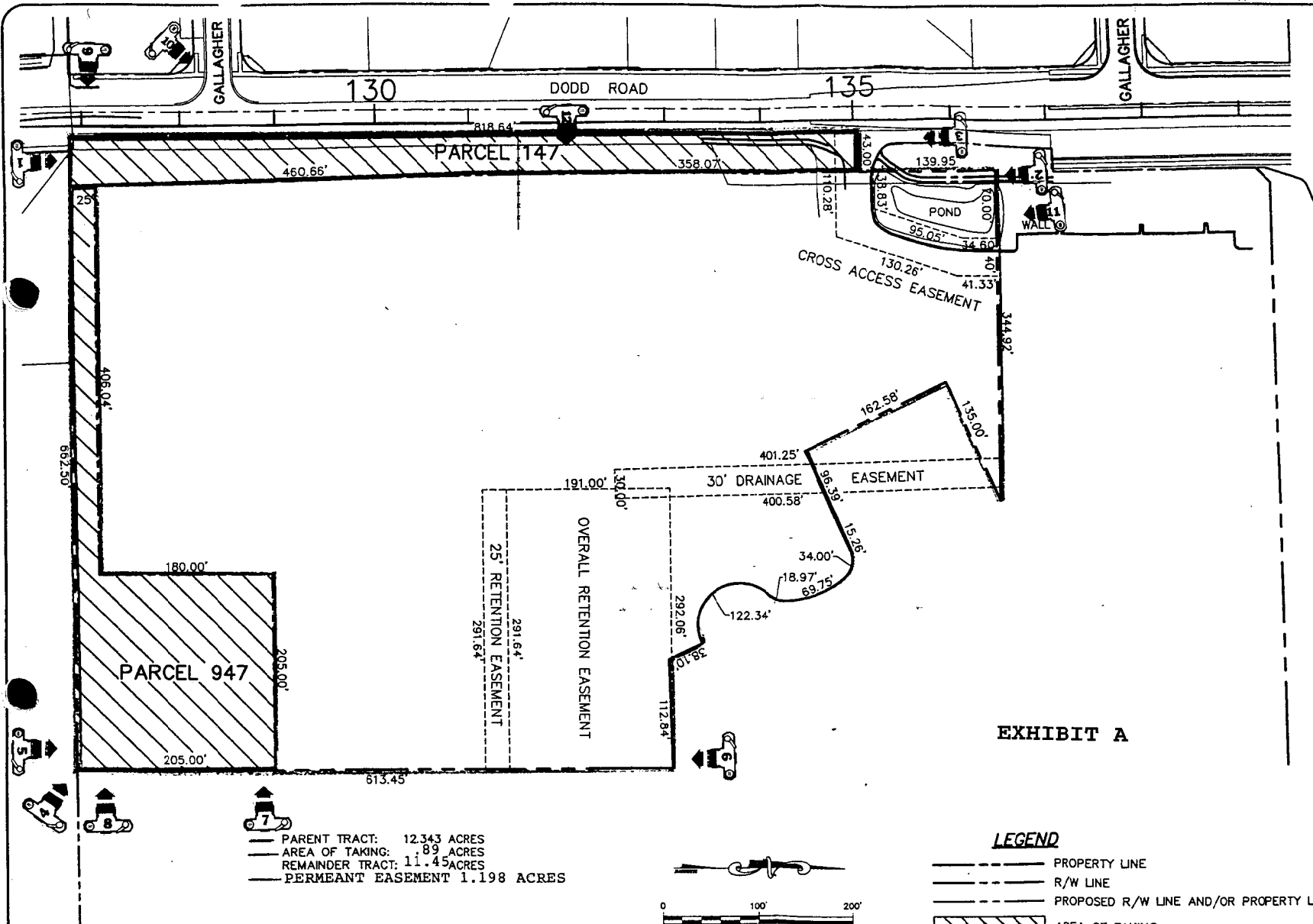
Attachments:

Exhibit A

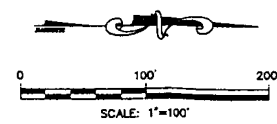
Exhibit B

P:\USERS\SBERRIEMY DOCUMENTS\MEMOAGENDA ITEM ADVENTISTS HEALTH 147 947 EXPERT COSTS.DOC

0014800\pww\p14751.dwg, Layout1, 07/30/2001 08:30:54 AM



— PARENT TRACT: 12.343 ACRES
 — AREA OF TAKING: .89 ACRES
 — REMAINDER TRACT: 11.45 ACRES
 — PERMEANT EASEMENT 1.198 ACRES



LEGEND

- PROPERTY LINE
- R/W LINE
- - - - - PROPOSED R/W LINE AND/OR PROPERTY LINE
- ▨ AREA OF TAKING

THIS DRAWING IS BASED ON DATA ASSEMBLED FROM ELECTRONIC FILES PROVIDED BY BOWYER-SINGLETON & ASSOCIATES REVISED ON 4/3/01 AND A FIELD SURVEY PERFORMED BY BOWYER-SINGLETON & ASSOCIATES DATED MAY, 1991.

REVISIONS	BY	DATE

SCALE: AS SHOWN
 DRAWN: MJD/LAR APPROVED: _____
 CHECKED: _____ APP. DATE: _____

PARENT TRACT WITH TAKING SHOWN
 PARCEL 147/947
 DODD ROAD
 SEMINOLE COUNTY, FLORIDA


 Consultants - Southeast, Inc.
 EB 3604
 engineers - surveyors - land surveyors
 environmental specialists
 201 E. Pine St. - Suite 200
 Ocala, Florida 32064
 971/232-6388

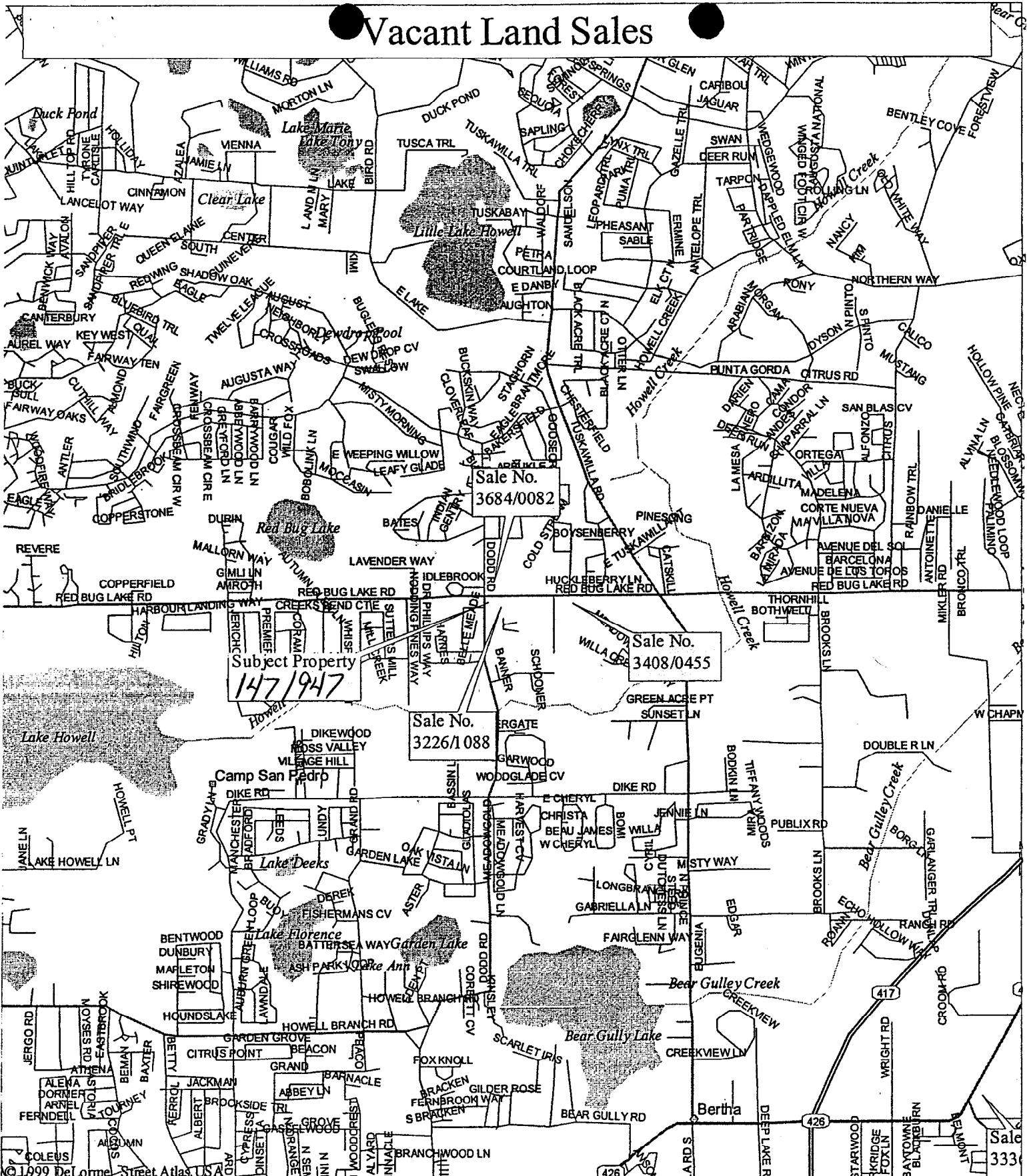
SHEET: 1
 PROJECT NUMBER: 0014800
 FILE NAME: P14751.DWG

RED BUG LAKE ROAD

EXHIBIT A

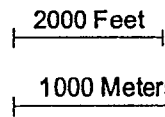
Exhibit A

Vacant Land Sales



Mag 14.00
Wed Apr 18 13:47 2001

Scale 1:31,250 (at center)



- Local Road
- Toll Highway
- Major Connector
- State Route

EXHIBIT B

Sale No. 3336