



**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: March 23, 2005

RE: Bunnell Road Improvement Project
Binding Written Offers/Offer of Judgment
Parcel Nos. 707, 113/713, 717A/717B, 124C, 125/126 and 150

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 Bunnell Road from west of Eden Park Avenue to West Towne Parkway. See Location Map attached as Exhibit "A".

II AUTHORITY TO ACQUIRE

The BCC adopted Resolution Nos. 2004-R-72 on April 13, 2004 and 2005-R-5, on January 11, 2005, authorizing the acquisition of the properties listed herein, 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 listed 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
707	BRANTLEY TERRACE CONDO ASSOC.	3,425 sq. ft.	\$20,600.00	\$20,600.00
113	JOSE A. GARCIA AND MILAGROS GARCIA	2,421 sq. ft.	23,700.00	23,700.00
713	JOSE A. GARCIA AND MILAGROS GARCIA	105 sq. ft.	125.00	125.00
717A	HEATHER GLEN HOA, INC.	1,264 sq. ft.	4,500.00	4,500.00
717B	HEATHER GLEN HOA, INC.	529 sq. ft.	900.00	900.00
124C	DOROTHY E. RICHARDS	851 sq. ft.	8,200.00	8,200.00
125/126	HOYT D. STOUGH BETTY J. STOUGH	9,188 sq. ft.	57,400.00	81,000.00
150	C. C. ALTAMONTE JOINT VENTURE	712 sq. ft.	14,800.00	14,800.00
TOTAL			\$130,225.00	\$153,825.00

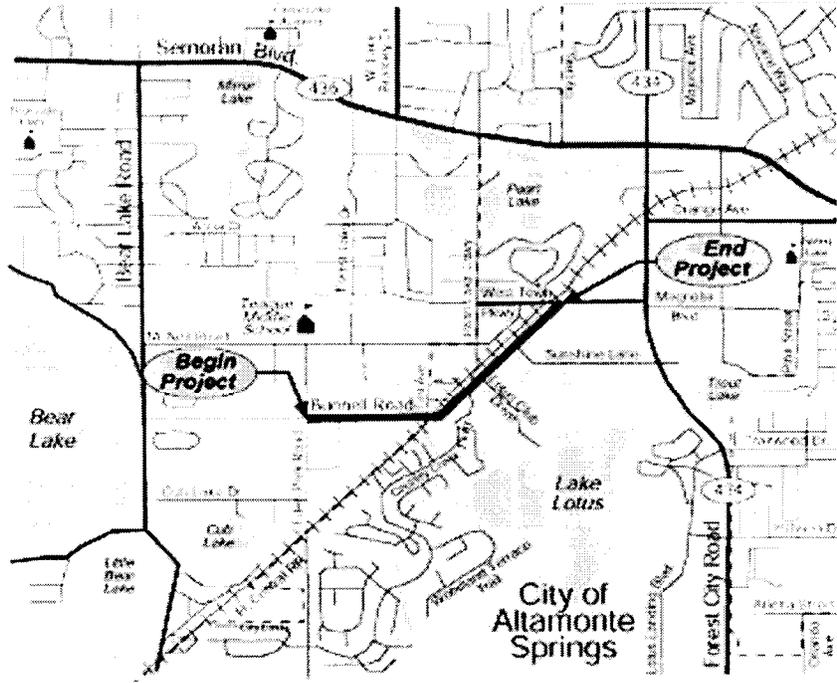
VI SETTLEMENT ANALYSIS/COST AVOIDANCE

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, with the exception of Parcel Nos. 125/126. That offer is above the appraised value as part of the County's litigation strategy, due to the highly speculative nature of the damages that could be claimed by the property owner. 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
Attachment
Exhibit A - Location Map



Project Limits		Widen (Lanes)		Distance (Miles)
From	To	From	To	
Eden Park Avenue	West Town Parkway	2	3	0.9

EXHIBIT "A"