



**COUNTY ATTORNEY'S OFFICE
MEMORANDUM**

TO: Board of County Commissioners

THROUGH: Stephen P. Lee, Deputy County Attorney *SL*

FROM: Lynn Vouis, Assistant County Attorney *L*

CONCUR: Pam Hastings, Administrative Manager/Public Works Department *PH*
Kathleen Myer, Principal Engineer/Engineering Division *KM*

DATE: March 23, 2005

RE: Eden Park Avenue Improvement Project
Binding Written Offers/Offer of Judgment
Parcel Nos. 105, 106, 107/707 and 716

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 the Orange County line (S.R. 414 [Maitland Boulevard]) to Bunnell Road. See Location Map attached as 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
105	PARK PLACE COMMUNITY ASSOCIATION, INC.	2,308 sq. ft.	\$10,600.00	\$10,600.00
106	BRIAN LEVINE AND PAULA LEVINE	3,407 sq. ft.	14,150.00	14,150.00
107	PARK PLACE COMMUNITY ASSOCIATION, INC.	409 sq. ft.	2,300.00	2,300.00
707	PARK PLACE COMMUNITY ASSOCIATION, INC.	190 sq. ft.	700.00	700.00
716	CAMDEN CLUB HOMEOWNERS ASSOCIATION, INC.	1,937 sq. ft.	17,100.00	17,100.00
TOTAL			\$44,850.00	\$44,850.00

VI SETTLEMENT ANALYSIS/COST AVOIDANCE

The County is required to extend a written offer 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

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

EXHIBIT A