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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, *[Signature]* Administrative Manager/Public Works Department
 Kathleen Myer, Principal Engineer/Major Projects *[Signature]*

DATE: April 8, 2004

SUBJECT: Binding Written Offer Authorization
 Lake Drive road improvement project

This Memorandum requests authorization by the Board of County Commissioners (BCC) to make binding written offers to property owners for property to be acquired for the Lake Drive road improvement project.

I THE PROPERTY

The subject parcels are located on the existing Lake Drive east of Casselberry city limits, and east of Azalea Avenue.

See Location Maps attached as Composite Exhibit "A".

II AUTHORITY TO ACQUIRE

The BCC adopted Resolution No. 2002-R-70 on April 23, 2002, First Supplemental and First Amended Resolution No. 2003-R-133 on August 26, 2003, and Second Supplemental and Second Amended Resolution No. 2003-R-201 on November 18, 2003, and will consider a Third Supplemental and Third Amended Resolution at the April 13, 2004 BCC meeting, authorizing the acquisition of the below referenced properties, and finding that the construction of the Lake Drive road improvement project is necessary and serves a county and public purpose and is in the best interest of the citizens of Seminole County.

III ACQUISITIONS AND REMAINDERS

Not applicable

IV APPRAISED VALUES

Clayton, Roper & Marshall, Inc., completed appraisals of 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
137	Bernadette Doogarsingh, Trustee	15,539 sq. ft.	\$ 120,900.00	\$ 145,000.00
139A	John & Mary Maratta	6,170 sq. ft.	\$ 25,000.00	\$ 35,000.00
139B/739	John & Mary Maratta	9,223 / 481 sq. ft.	\$ 26,750.00	\$ 32,000.00
140	Austin & Virginia Malcolm	864 sq. ft.	\$ 1,000.00	\$ 5,000.00
142	Thomas A. Murphy	1,295 sq. ft.	\$ 11,900.00	\$ 15,000.00
144	Nova Thompson	3,586 sq. ft.	\$ 32,100.00	\$ 45,000.00
146	Lowell L. Meyers	18,133 sq. ft.	\$ 159,250.00	\$ 190,000.00
TOTAL			\$ 376,900.00	\$ 467,000.00

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. Generally, offers are made above appraised value to provide the owners incentive to settle prior to the County filing suit. The written offer also acts as a limitation on attorney's fees if the property owner retains an attorney.

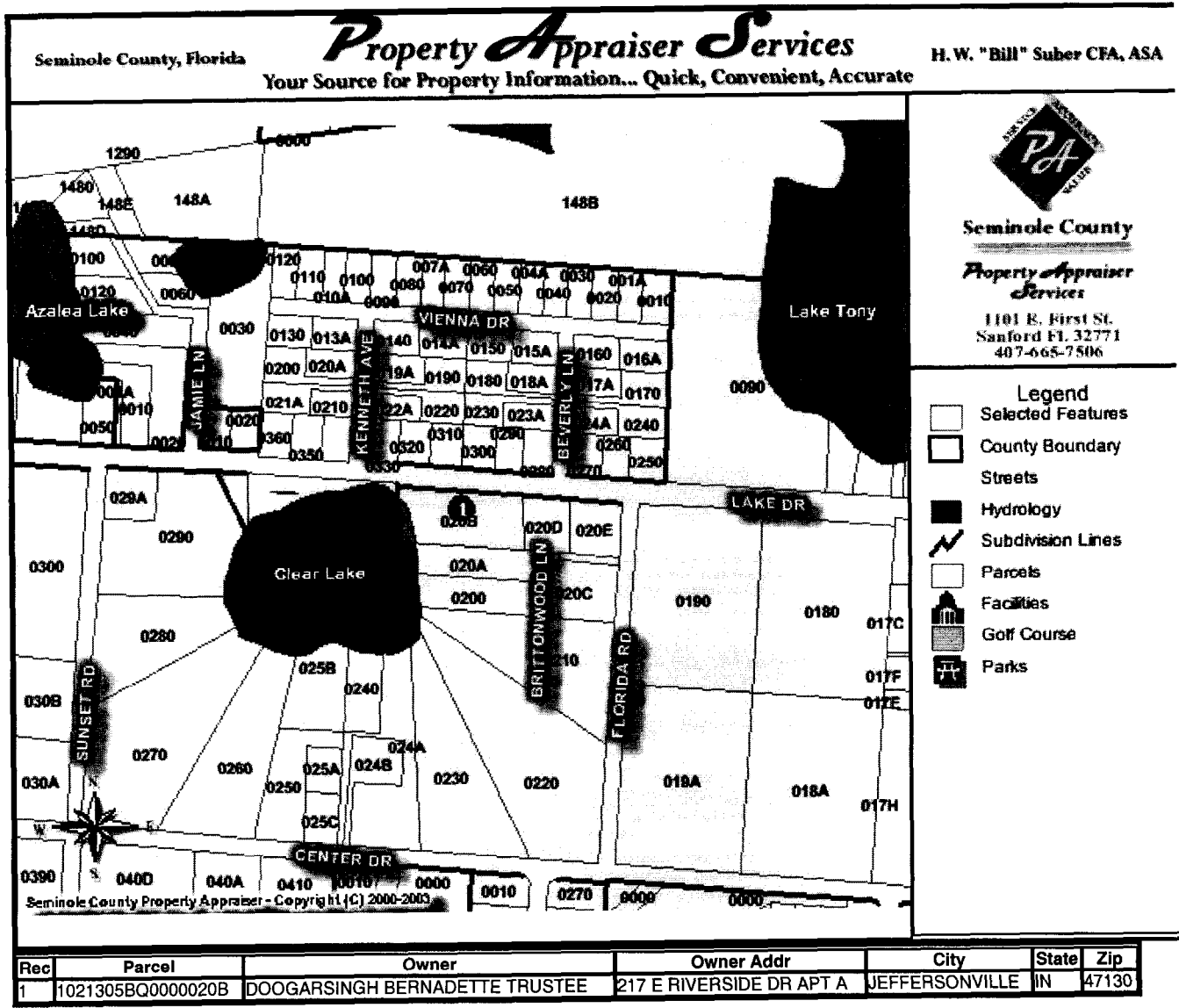
VII RECOMMENDATION

County staff recommends that the BCC authorize extending binding written offers for each of the above listed parcels.

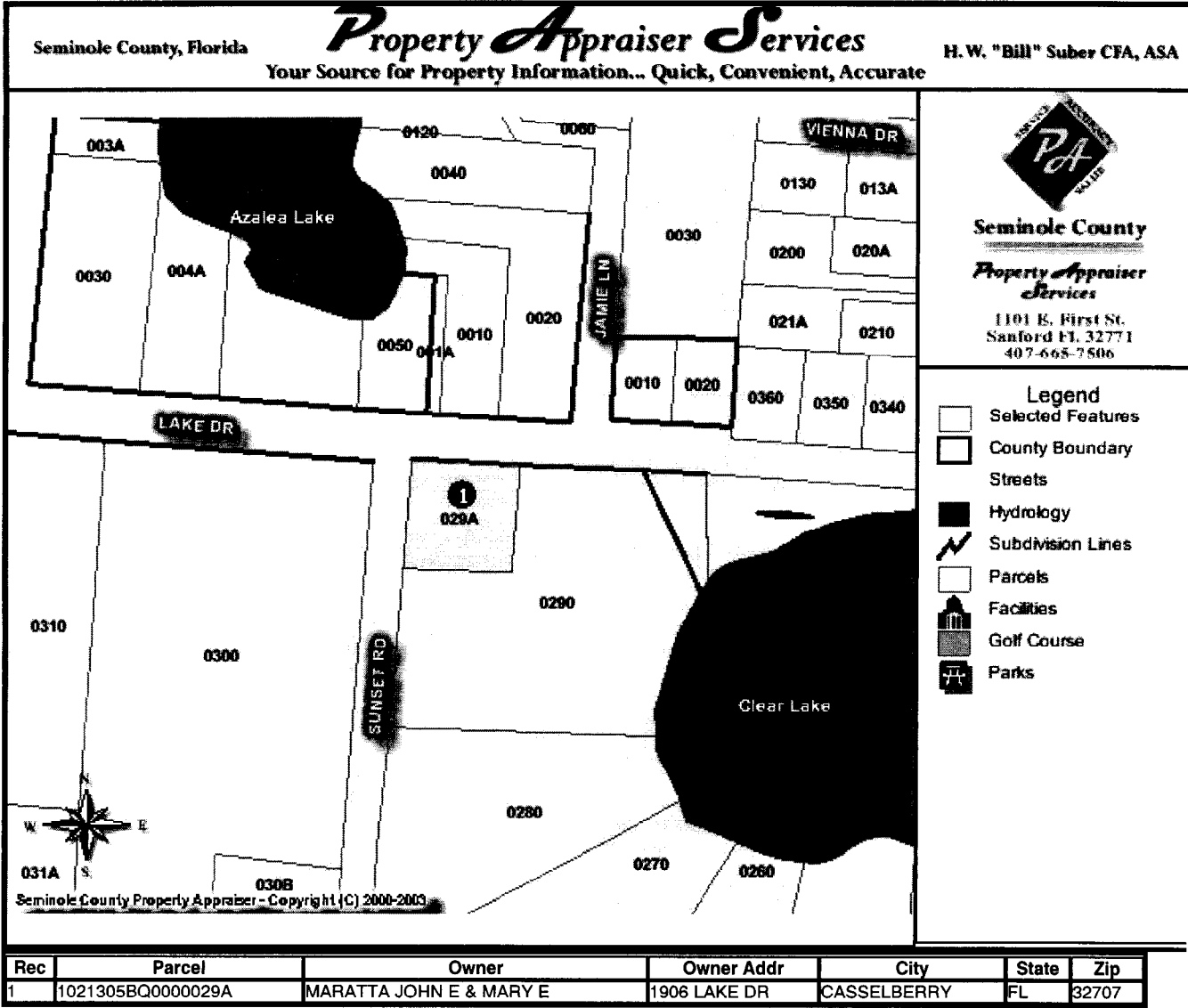
LV/sb

Attachments:

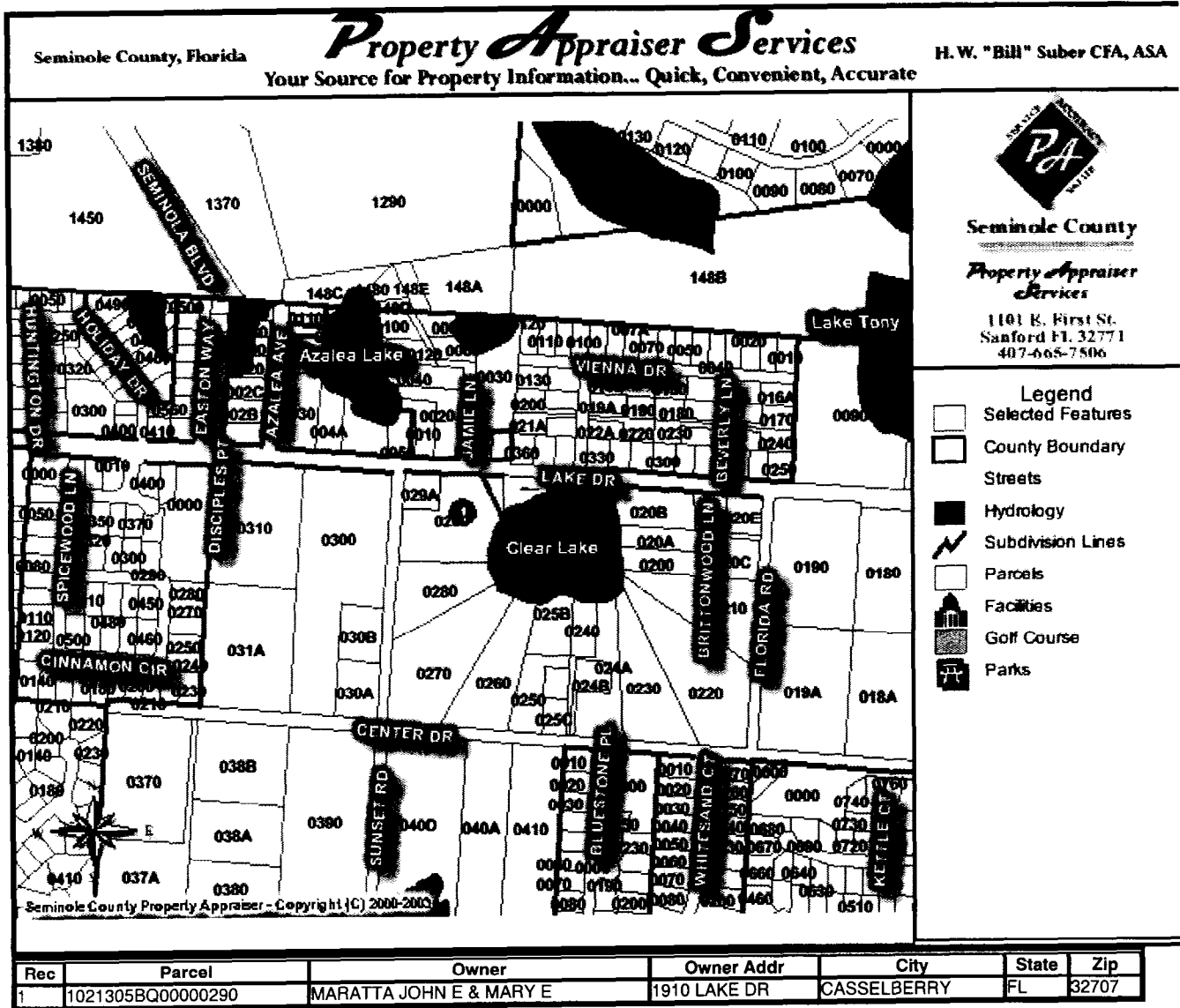
Location maps (Composite Exhibit "A")



COMPOSITE EXHIBIT "A"



COMPOSITE EXHIBIT "A"



COMPOSITE EXHIBIT "A"


Seminole County, Florida

Property Appraiser Services

Your Source for Property Information... Quick, Convenient, Accurate

H. W. "Bill" Suber CFA, ASA

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Seminole County
Property Appraiser Services

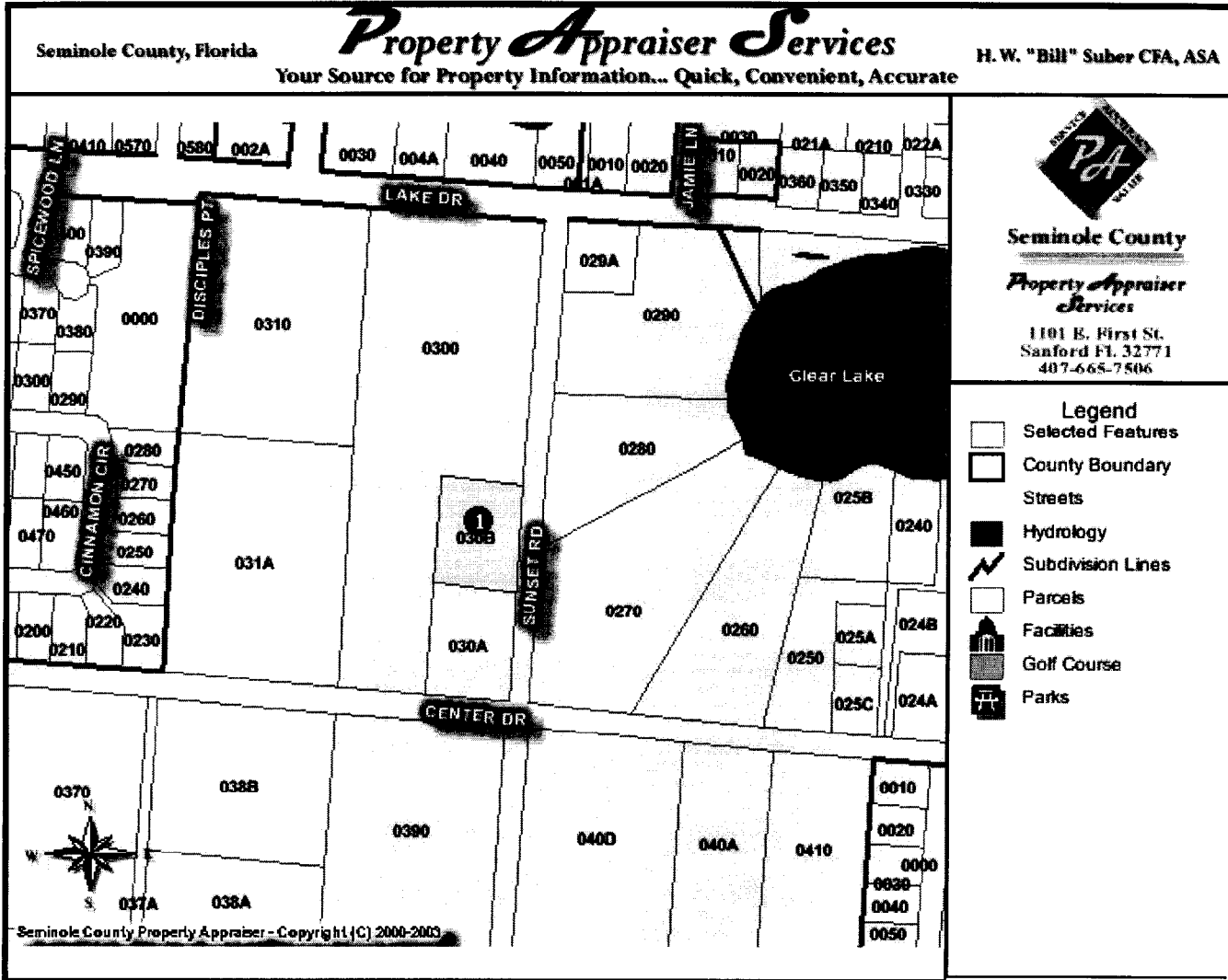
1101 E. First St.
Sanford FL 32771
407-665-7506

Legend

- Selected Features
- County Boundary
- Streets
- Hydrology
- Subdivision Lines
- Parcels
- Facilities
- Golf Course
- Parks

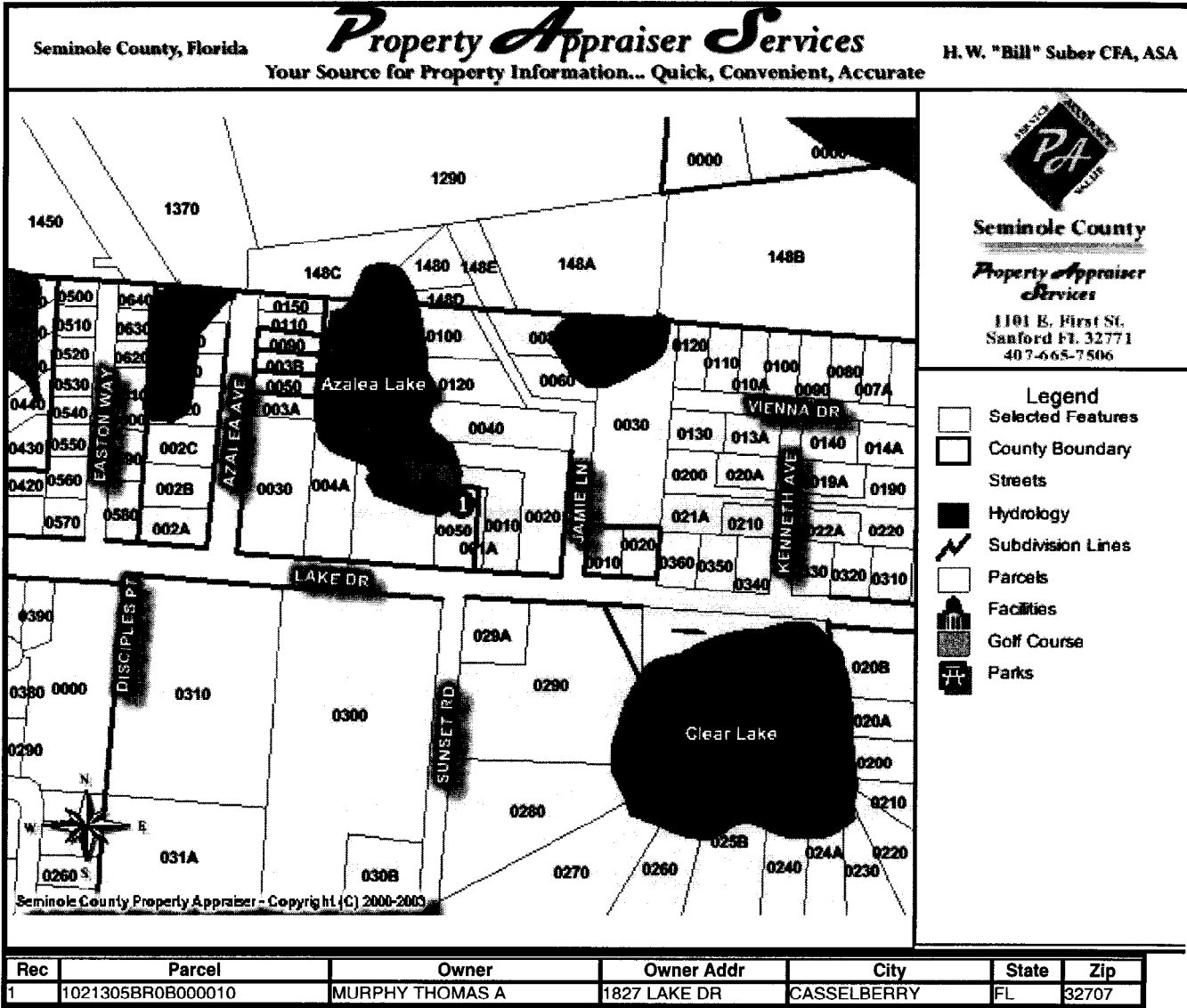
Rec	Parcel	Owner	Owner Addr	City	State	Zip
1	1021305BQ00000300	MALCOMB AUSTIN N JR & VIRGINIA	780 ARAPAHO TRL	MAITLAND	FL	32751

COMPOSITE EXHIBIT "A"

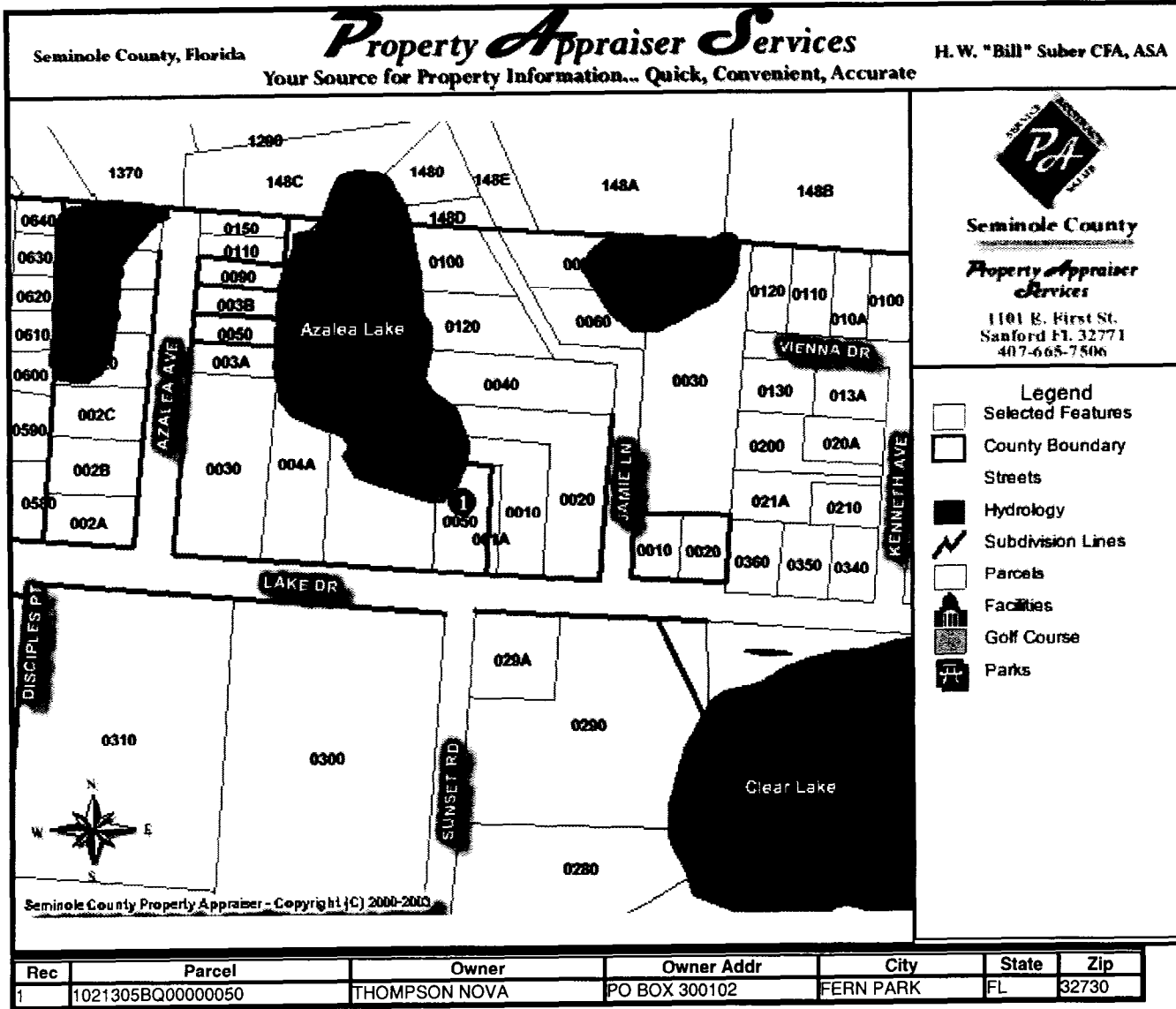


Rec	Parcel	Owner	Owner Addr	City	State	Zip
1	1021305BQ000030B	MALCOMB AUSTIN N & VIRGINIA L	780 ARAPAHO TRL	MAITLAND	FL	32751

COMPOSITE EXHIBIT "A"



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