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26

SEMINOLE COUNTY
FLORIDA'S NATURAL CHOICE

COUNTY ATTORNEY'S OFFICE
MEMORANDUM

To: Board of County Commissioners

Through: Stephen P. Lee, Deputy County Attorney

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

Concur: Pam Hastings, Administrative Manager/Public Works Department
Dave Nichols, Principal Engineer/Engineering Division

Date: April 29, 2005

Subject: Settlement Authorization
County Road 427, Phase I
Parcel No. 802
Owners: Roberta Doskocz and Daniel J. Lefevre, as Co-Trustees
Seminole County v. Doskocz, et al.
Case No. 99-CA-775-13-K

This Memorandum requests settlement authorization by the Board of County Commissioners (BCC) as to Parcel No. 802 for expert costs in the total sum of $24,597.61.

I PROPERTY

A. Location Data. The subject property is located along the east right of way of County Road 427 north of State Road 436 in Altamonte Springs.

(1) Location Map (Exhibit A);
(2) Sketch (Exhibit B).

B. Addresses.

2741 Ronald Reagan Blvd South, Altamonte Springs, FL 32701,
f/k/a 107, 111 and 117 County Road 427 a/k/a North Longwood Avenue,
Altamonte Springs, Florida.

II AUTHORITY TO ACQUIRE

The BCC adopted Resolution No. 97-R-95 authorizing the acquisition of Parcel No. 802 and finding that the County Road 427 Phase I project was necessary and serves a county and public purpose and is in the best interests of the citizens of Seminole County.

III BACKGROUND

In April 2004, the BCC approved a mediated settlement that resolved all claims except two engineering cost claims they considered excessive. The settlement totaled $122,551.00, allocated: (1) $77,500.00 for land value and severance damage; and, (2) $45,051.00 for attorney's fees and all costs excepting the two engineering claims.

IV COST CLAIM

The two bifurcated engineering costs claim totaled $30,633.26, allocated:

(1)	Soils Engineer	$ 942.50
(2)	Civil Engineer	$29,690.76
Total Claimed Costs:		**$30,633.26**

V NEGOTIATION

In negotiation, the civil engineering costs were challenged as excessive. Some travel costs and office overhead costs were deducted from the claim.

Negotiations resulted in a reduction of 20% from $30,633.26 to $24,597.61 allocated as follows:

(1)	Soils Engineer	$ 845.00
(2)	Civil Engineer	$23,752.61
Total Cost Reimbursements		**$24,597.61**

VI SETTLEMENT ANALYSIS/COST AVOIDANCE

If this cost matter were taken to hearing, there would be little to argue regarding the necessity for these experts. With the negotiated reduction, there is little probability that a hearing would save anything.

If the County elected to further challenge the excessiveness of costs, experts would need to be hired and paid to review the reasonableness of the costs. It is doubtful that testimony could be elicited at lower numbers.

VII RECOMMENDATION

This Office recommends settlement of cost reimbursements at the total sum of $24,597.61.

HMB:dre
Attachments
Exhibit A - Location map
Exhibit B - Parcel sketch
P:\USERS\DEDGE\MY DOCUMENTS\MEM\AGENDA ITEM CR 427 I DOSKOCZ COSTS.DOC

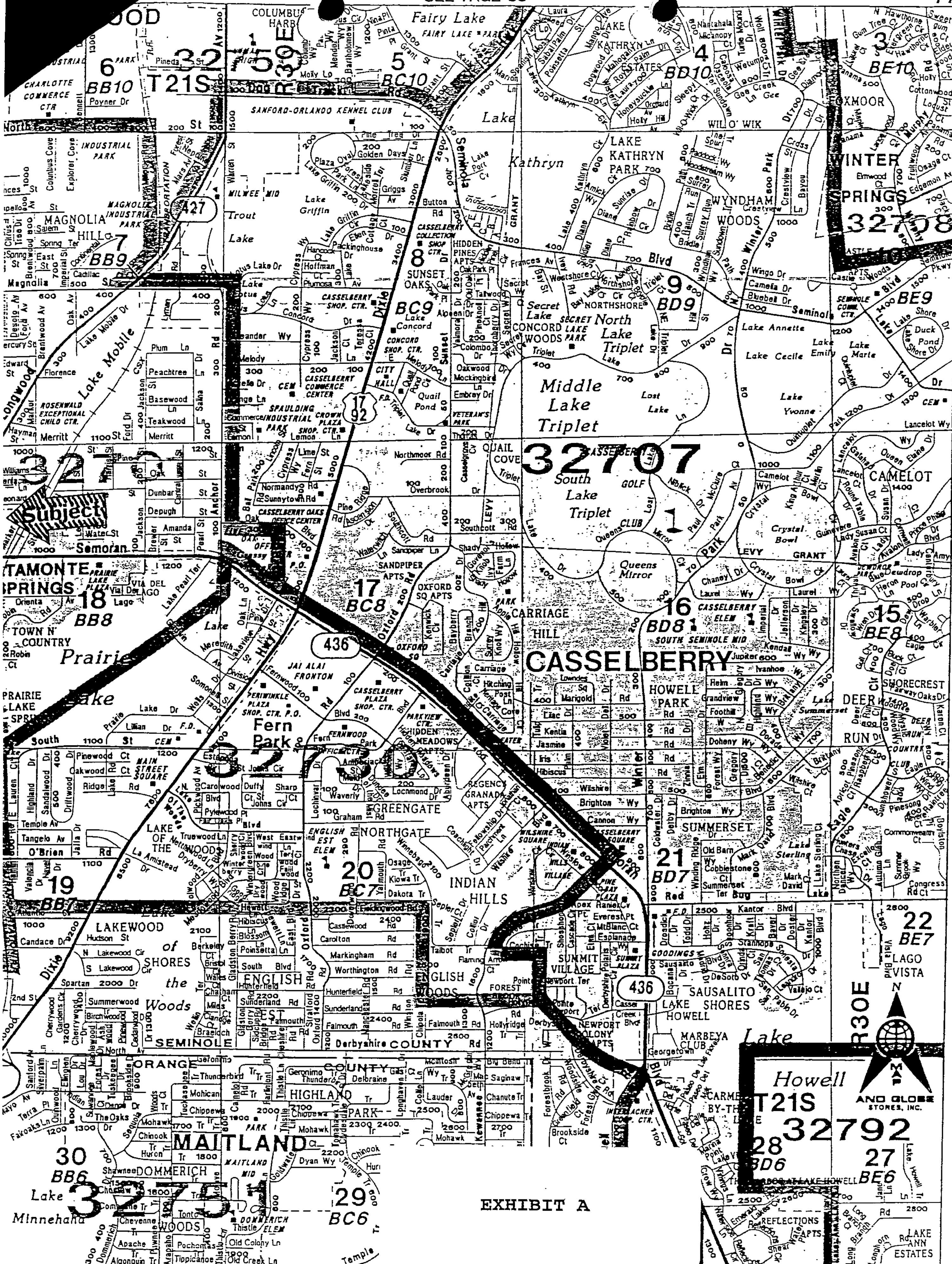
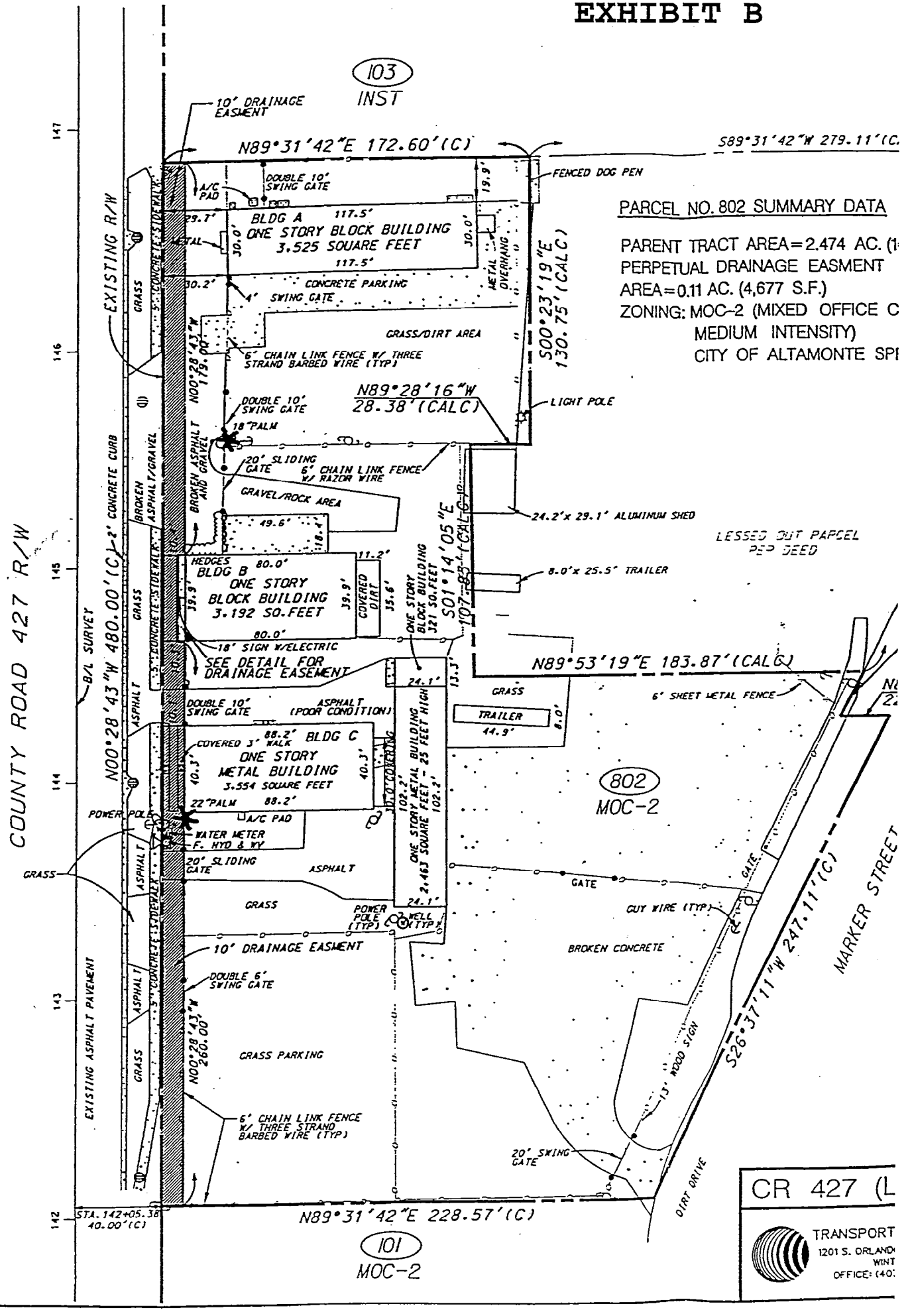


EXHIBIT A

SEE PAGE 78

©MAP AND GLOBE STORES.INC

EXHIBIT B


103
INST
10' DRAINAGE EASEMENT
N89°31'42"E 172.60'(C)
S89°31'42"W 279.11'(C
FENCED DOG PEN
DOUBLE 10' SWING GATE
A/C PAD
BLDG A
ONE STORY BLOCK BUILDING
3,525 SQUARE FEET
117.5'
CONCRETE PARKING
4' SWING GATE
METAL OVERHANG
S00°23'19"E 130.75'(CALC)
GRASS/DIRT AREA
6' CHAIN LINK FENCE W/ THREE STRAND BARBED WIRE (TYP)
N00°28'43"W 179.00'
N89°28'16"W 28.38'(CALC)
LIGHT POLE
18" PALM
20' SLIDING GATE
6' CHAIN LINK FENCE W/ RAZOR WIRE
BROKEN ASPHALT AND GRAVEL
GRAVEL/ROCK AREA
24.2'x 29.1' ALUMINUM SHED
LESSED OUT PARCEL PER DEED
HEDGES
BLDG B
ONE STORY BLOCK BUILDING
3,192 SQ.FEET
COVERED DIRT
8.0'x 25.5' TRAILER
S01°14'05"E
18' SIGN W/ELECTRIC
SEE DETAIL FOR DRAINAGE EASEMENT
ONE STORY BLOCK BUILDING 321 SQ.FEET
N89°53'19"E 183.87'(CALC)
GRASS
6' SHEET METAL FENCE
TRAILER
44.9'
DOUBLE 10' SWING GATE
ASPHALT (POOR CONDITION)
COVERED 3' WALK
BLDG C
ONE STORY METAL BUILDING
3,554 SQUARE FEET
22" PALM
A/C PAD
ONE STORY METAL BUILDING 2,463 SQUARE FEET - 25 FEET HIGH
802
MOC-2
POWER POLE
WATER METER
F. HYD & WV
20' SLIDING GATE
ASPHALT
GRASS
GATE
POWER POLE (TYP)
WELL (TYP)
GUY WIRE (TYP)
BROKEN CONCRETE
10' DRAINAGE EASEMENT
DOUBLE 6' SWING GATE
N00°28'43"W 260.00'
GRASS PARKING
13' WOOD SIGN
S26°37'11"W 247.11'(C)
MARKER STREET
6' CHAIN LINK FENCE W/ THREE STRAND BARBED WIRE (TYP)
20' SWING GATE
DIRT DRIVE
STA. 142+05.38
40.00'(C)
N89°31'42"E 228.57'(C)
101
MOC-2
COUNTY ROAD 427 R/W
N00°28'43"W 480.00'(C)
B/L SURVEY
EXISTING R/W
2' CONCRETE CURB
EXISTING ASPHALT PAVEMENT
147
146
145
144
143
142
PARCEL NO. 802 SUMMARY DATA
PARENT TRACT AREA=2.474 AC. (1
PERPETUAL DRAINAGE EASMENT
AREA=0.11 AC. (4,677 S.F.)
ZONING: MOC-2 (MIXED OFFICE C
MEDIUM INTENSITY)
CITY OF ALTAMONTE SPI
CR 427 (L
TRANSPORT
1201 S. ORLANDO
WINT
OFFICE: (40