



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
 Kathleen Myer, Principal Engineer/Major Projects
 Mark Flomerfelt, Manager, Stormwater Division *[Signature]*

DATE: June 24, 2004

SUBJECT: Binding Written Offer Authorization
 C- 15 / Elder Creek Regional Stormwater Facility

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 combined C-15 Road Improvement/ Elder Creek Regional Stormwater Facility projects.

I THE PROPERTY

Parcel No. 16-19-30-5AC-0000-0980 is located along the east of North Elder Road, the south side of Narcissus Avenue, the north side of West S.R. 46 and the west side of County Road 15 (Upsala Road). Parcel No. 16-19-30-5AC-0000-00G0 is located at the southwest corner of Narcissus Avenue and County Road 15 in a portion of unincorporated Seminole County, Florida.

See Location Maps attached as Composite Exhibit "A".

II AUTHORITY TO ACQUIRE

The BCC adopted Resolution No. 2003-R-121 on July 22, 2003 and Resolution No. 2004-R-80 on April 27, 2004, respectively, authorizing the acquisition of the referenced properties, and finding that the construction of the combined C-15 Road Improvement/ Elder Creek Regional Stormwater Facility projects is necessary and serves a county and public purpose and is in the best interests of the citizens of Seminole County.

III ACQUISITIONS AND REMAINDERS

Not applicable

IV APPRAISED VALUES

Florida Realty Analysts, 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	LAND AREA TO BE ACQUIRED	COUNTY'S APPRAISED VALUE	PROPOSED OFFER
16-19-30-5AC-0000-0980	BJ's Wholesale Club, Inc.	7,889 SF	\$ 68,900.00	\$ 76,000.00
16-19-30-5AC-0000-00G0	Seminole County State Road 46, Ltd.	15,440 SF	\$ 74,400.00	\$ 82,000.00
TOTAL			\$143,300.00	\$158,000.00

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/dre

Attachments:

Location maps (Composite Exhibit "A")

P:\USERS\ILVOUIS\BINDING WRITTEN OFFERS\AGENDA ITEM ELDER CREEK PONDS BWOS 2.DOC

Seminole County, Florida

Property Appraiser Services

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

H.W. "Bill" Sube



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Seminole County

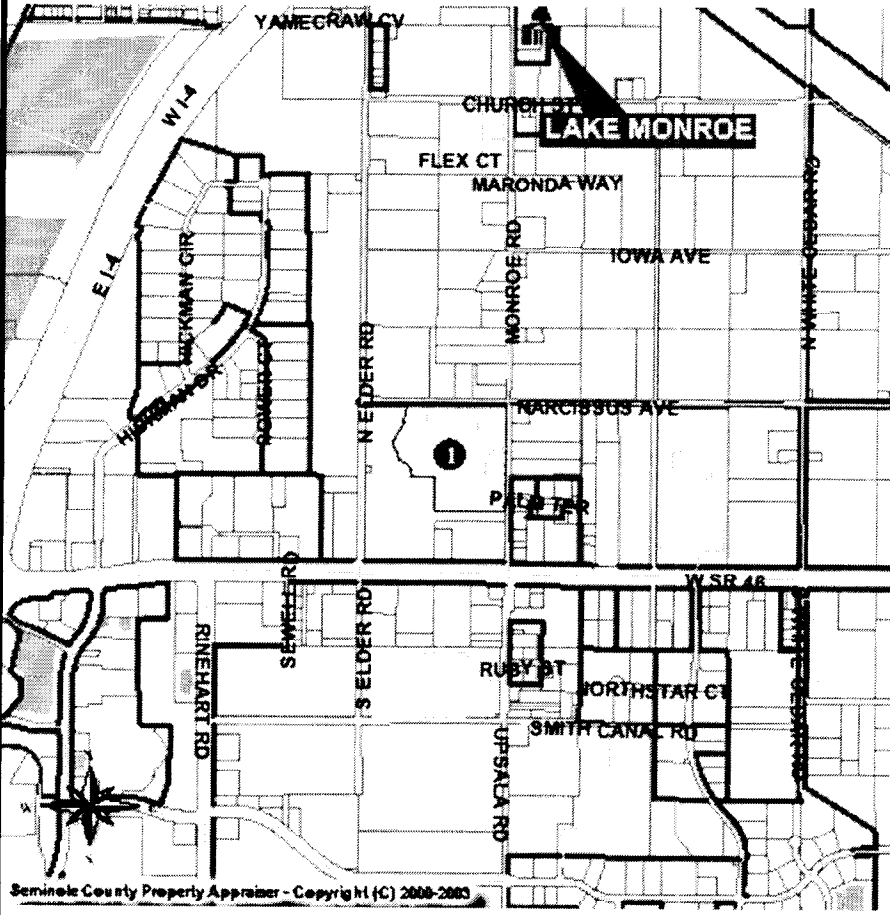
Property Appraiser Services

1101 E. First St
 Sanford FL 3277
 407-665-7806

Legend

- Selected Feature
- County Bounda
- Major Roads
- Streets
- Hydrology
- Subdivision Line
- Parcels

Rec	Parcel	Owner	Owner Addr	City	State
1	1619305AC00000980	BJ'S WHOLESALE CLUB INC	ONE MERCER RD	NATICK	MA



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Seminole County

Property Appraiser Services

1101 E. First St
Santard FL 3277
407-665-7806

- Legend**
- Selected Feature
 - County Boundary
 - Streets
 - Hydrology
 - Subdivision Line
 - Parcels
 - Facilities
 - Golf Course
 - Parks

Rec	Parcel	Owner	Owner Addr	City	State
1	1619305AC000000G0	SEMINOLE CO STATE RD 46 LTD	1551 SANDSPUR RD	MAITLAND	FL