



**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]*
David V. Nichols, P.E., Principal Engineer/Engineering Division, Principal *[Signature]*

DATE: August 19, 2005

RE: Bunnell Road Improvement Project
Binding Written Offer/Offer of Judgment
Parcel No. 151

This Memorandum requests authorization by the Seminole County Board of County Commissioners (BCC) to make a binding first written offer/offer of judgment as to the parcel and at the amount set forth below:

I THE PROPERTY

A. Location Data

The property is located 296± feet south of Bunnell Road, on the west side of the former CSX railroad (now owned by Seminole County) and on the east of the Seventh Day Adventists Sanctuary/elementary school. See Location Map attached as Exhibit "A".

B. Address

1238 Bunnell Road
Altamonte Springs, Florida

II AUTHORITY TO ACQUIRE

The BCC adopted Resolution Nos. 2004-R-72 on April 13, 2004 and 2005-R-124 on July 26, 2005, authorizing the acquisition of the property 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. A fifth amended resolution of

necessity amending the legal description for Parcel No. 151 is being submitted contemporaneously to the BCC for approval.

III ACQUISITIONS AND REMAINDERS

N/A

IV APPRAISED VALUES

Clayton, Roper & Marshall, Inc., completed the appraisal for the listed parcel. The County's staff appraiser reviewed and approved the appraisal.

V PROPERTY OWNERS/APPRaised VALUES

PARCEL NO.	PROPERTY OWNER	PROPERTY TO BE ACQUIRED	COUNTY'S APPRAISED VALUE	PROPOSED OFFER
151	WILLIAM L. KIRK, JR., AND SCOTT J. KIRK, TRUSTEES	48,563 sq. ft.	\$54,000.00	\$54,000.00
TOTAL			\$54,000.00	\$54,000.00

VI SETTLEMENT ANALYSIS/COST AVOIDANCE

The written offer is required by Florida Statute to be sent to the owner prior to filing suit, and acts as a limitation on attorney's fees.

VII RECOMMENDATION

County staff recommends that the BCC authorize the binding written offer/offer of judgment at the amount stated above.

LMV/krc

Attachment:

Exhibit A - Location Map

P:\USERS\KCURRY\MY DOCUMENTS\MEMORANDUMS\AGENDA ITEM\AGENDA ITEM BUNNELL ROAD BWO PARCEL 151.DOC

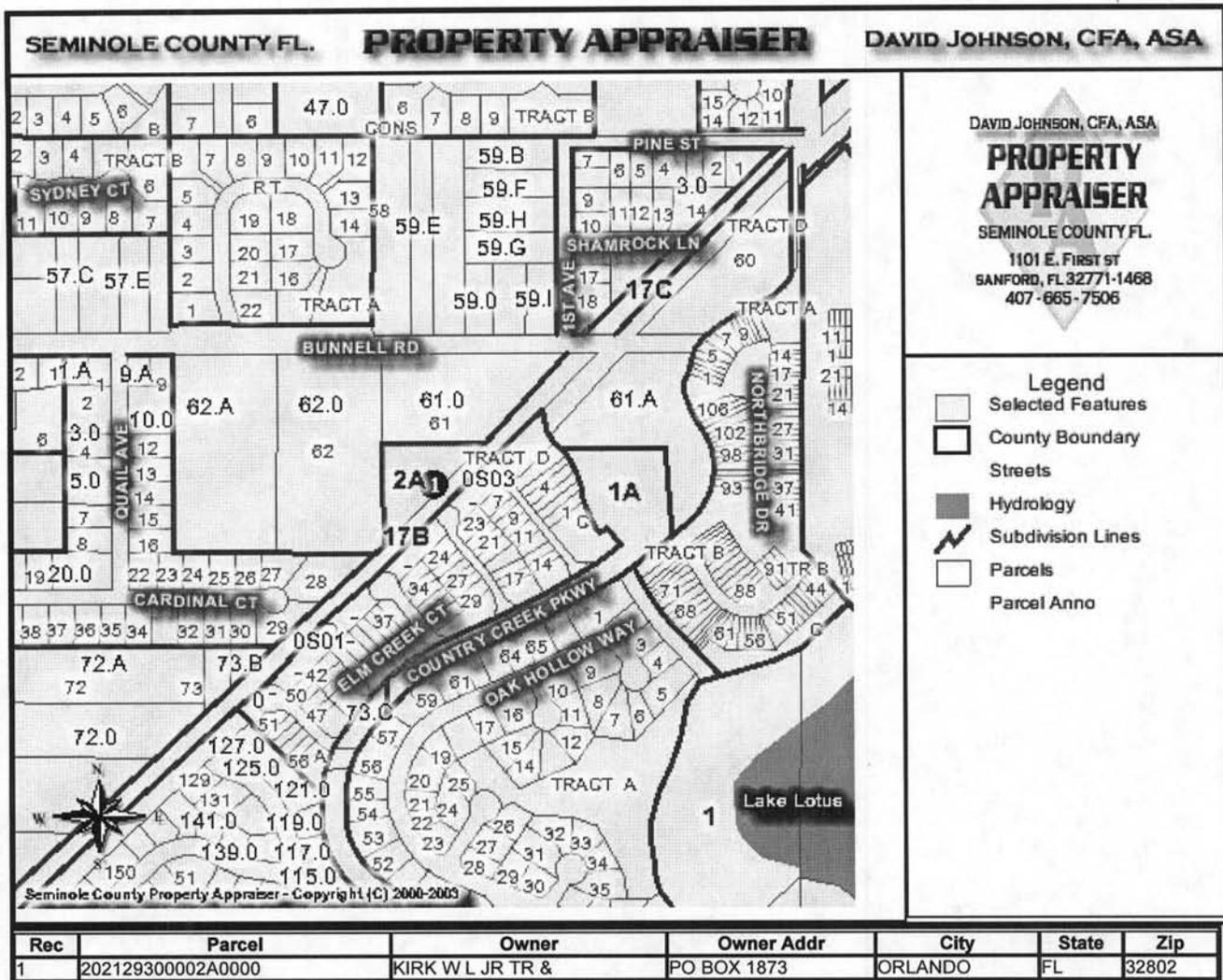


EXHIBIT A