



**COUNTY ATTORNEY'S OFFICE  
MEMORANDUM**

TO: Board of County Commissioners  
THROUGH: Stephen P. Lee, Deputy County Attorney *[Signature]*  
FROM: Lynn Vouis, Assistant County Attorney  
CONCUR: Bob Briggs, Administrative Manager, Environmental Services *[Signature]*  
Jeff Thompson, P.E., Environmental Services *[Signature]*  
DATE: September 15, 2004  
RE: Consumers/Lake Hayes Water Transmission Main Project  
Binding Written Offers/Offers of Judgment

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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 between State Road 426 and State Road 434, in Seminole County. See Location Map attached as Composite Exhibit "A".

**II AUTHORITY TO ACQUIRE**

The BCC adopted Resolution No. 2003-R-118 on July 22, 2003 and First Amended Resolution No. 2004-R-74 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

HDR Acquisition Services 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
20-21-31-5CB-0000-0090	Stephen J. and Wada K. Ratcliff	7,824 sq. ft.	\$ 9,400.00	\$ 11,000.00
20-21-31-5CB-0000-008A	Michael A. and John P. Tesinky & Mary Ann Weisenbarger	10,619 sq. ft.	11,700.00	13,000.00
20-21-31-5CB-0000-008B	Michael A. and John P. Tesinky	7669 sq. ft.	8,400.00	9,700.00
16-21-31-5CA-0000-1110	Michael A. and Suzanne P. Tesinky; John P. Tesinky and Marlene E. Tesinky, Roy Emerson Weisenbarger, Jr., and Mary Ann Weisenbarger	10,441 sq. ft.	2,400.00	3,000.00
16-21-31-5CA-0000-112A	Kathleen R. Yergler, Trustee	10,041 sq. ft.	2,400.00	3,000.00
16-21-31-5CA-0000-112D 16-21-31-5CA-0000-112E	Will L. and Agnes Roger	5,020 sq. ft.	1,400.00	2,000.00
28-21-31-300-0110-0000	Lutheran Haven	39,899 sq. ft.	8,000.00	9,200.00
28-21-31-507-0D00-0000 28-21-31-507-0E00-0000	Chapman Lakes Homeowners Assoc., Inc.	14,289 sq. ft.	14,300.00	15,300.00
28-21-31-300-0090-0000	City of Oviedo	26,070 sq. ft.	5,200.00	5,500.00
28-21-31-502-0A00-0000	Huntington Homeowners Assoc. of Seminole County, Inc.	14,492 sq. ft.	14,500.00	15,500.00
28-21-31-300-0050-0000	B.F. Wheeler, Trustee Miriam L. Martin, Trustee Evans Investments, Ltd.	17,652 sq. ft.	3,500.00	3,800.00
28-21-31-302-002D-0000	Richard W. and Betsy J. Hall	5,825 sq. ft.	1,600.00	2,000.00
28-21-31-302-002F-0000	Susan B. Holtrey	14,706 sq. ft.	4,000.00	4,300.00
28-21-31-302-002G-0000	George Jakubcin, Jr., Trustee, Mildred L. Jakubcin, Trustee	22,420 sq. ft.	5,000.00	5,300.00
27-21-31-513-0A00-0000 27-21-31-513-0B00-0000 27-21-31-513-0G00-0000	Easton Park Homeowners Assoc.	39,239 sq. ft.	39,300.00	43,000.00
<b>TOTAL</b>			<b>\$131,100.00</b>	<b>\$145,600.00</b>

## **VI SETTLEMENT ANALYSIS/COST AVOIDANCE**

The County is required to extend a written offer/offer of judgment 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/offer of judgment 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 binding written offers/offers of judgment at the amounts stated above.

LMV/krc

Attachment  
Location Map

TWP 21S-RNG 31E  
SOUTHWEST QUARTER  
SEMIWOLE CO., FLA. 20A

TWP 21S-RNG 31E  
SOUTHEAST QUARTER  
SEMIWOLE CO., FLORIDA

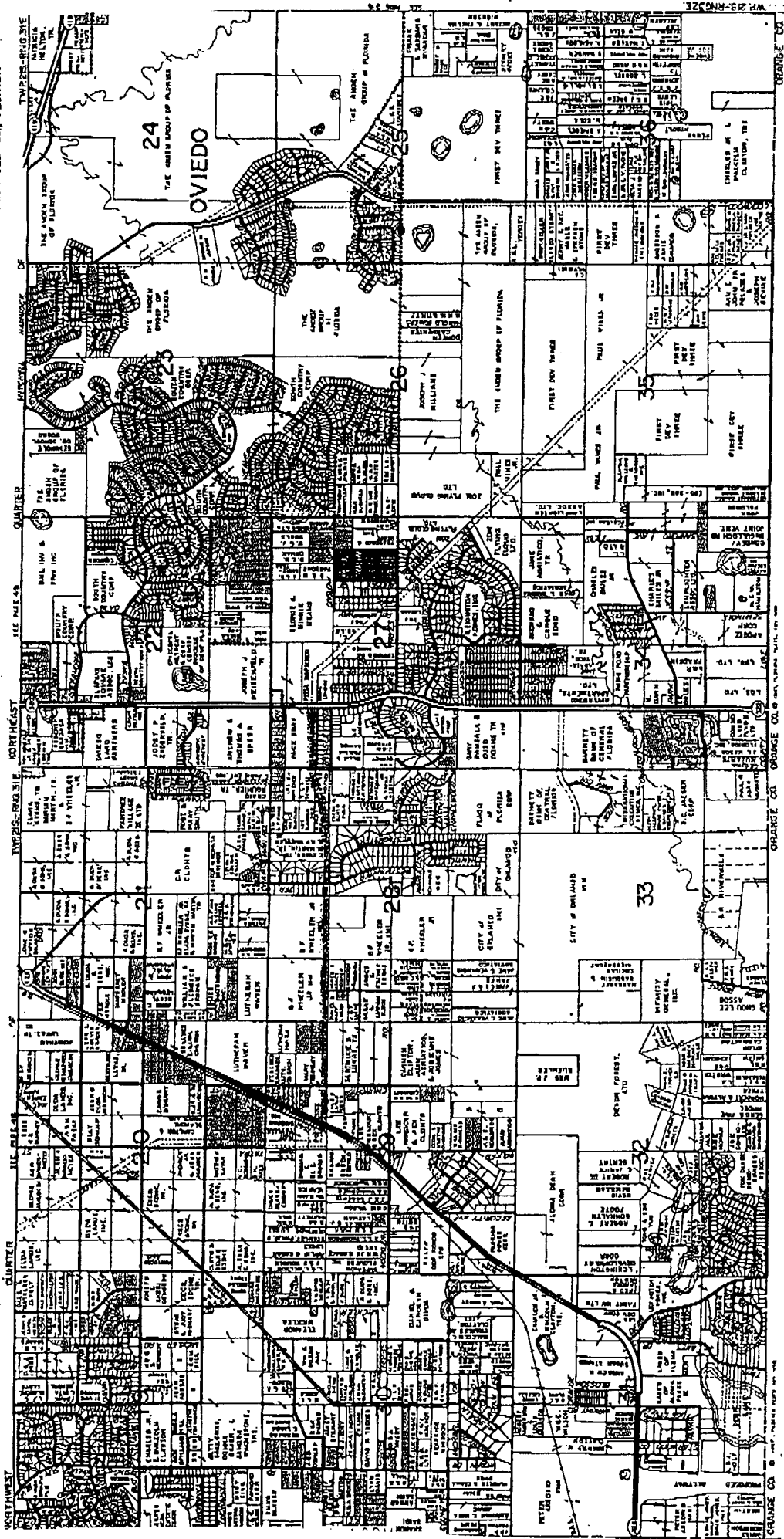
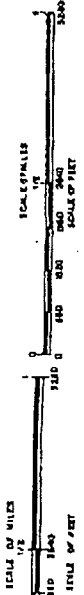


Diagram of Quartered Maps

This is how each township map is broken down when quartered.

NORTHWEST QTR.	SOUTHWEST QTR.				SOUTHWEST QTR.				SOUTHWEST QTR.
	1	2	3	4	5	6	7	8	
9	10	11	12	13	14	15	16	17	18
19	20	21	22	23	24	25	26	27	28
29	30	31	32	33	34	35	36	37	38

**GENERAL LEGEND**

- DIVIDED HIGHWAY
- PRIMARY HIGHWAY
- LIGHT DUTY ROAD
- CITY STREETS
- INTERSTATE HIGHWAY
- U.S. HIGHWAY
- STATE ROAD
- RAILROAD
- VACATED OR ABANDONED RAILROAD
- RIVER OR CANAL (CA)
- CANAL OR DITCH
- CREEK OR STREAM
- LAKE OR POND
- ..... AIRPORT HIGHWAY
- ..... STATE LINE
- ..... COUNTY LINE
- ..... TOWNSHIP LINE
- ..... TRACT, GRANT, ETC. LINE
- ..... CONY. LIMIT
- ..... SMALL TOWN OR VILLAGE
- ..... SMALL TRACTS
- ..... POWER LINE
- ..... TELEPHONE LINE
- ..... GAS PIPELINE
- ..... EASTWEST
- ..... STRIP OR MARSH

EXHIBIT A