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## COUNTY ATTORNEY'S OFFICE MEMORANDUM

TO: Board of County Commissioners

THROUGH: Robert A. McMillan, County Attorney

FROM: Al Schwarz, Assistant County Attorney **AHS**

CONCUR: Pam Hastings, Administrative Manager/Public Works Department  
David V. Nichols, Principal Engineer/Engineering Division **DVN 9-19-06**

DATE: September 19, 2006

RE: County Road 15 Road Improvement Project  
Binding Written Offers/Offer 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 County Road 15 (Monroe Road) from State Road 46 to Orange Boulevard. See Location Map attached as Exhibit "A".

### II AUTHORITY TO ACQUIRE

The BCC adopted Resolution No. 2006-R-114 on May 9, 2006, 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

Florida Realty Analysts, Inc., 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
100B	WEST LAKE SUPER CENTER, LTD.	4,672 sq. ft.	\$ 88,600.00	\$105,000.00
101C	SEMINOLE COUNTY STATE ROAD 46, LTD.	3,124 sq. ft.	\$ 27,100.00	\$ 33,000.00
101D	SEMINOLE COUNTY STATE ROAD 46, LTD.	436 sq. ft.	\$ 3,700.00	\$ 5,000.00
103	WINSTON SINGH	1,492 sq. ft.	\$142,300.00	\$170,000.00
703	WINSTON SINGH	295 sq. ft.	\$ 1,700.00	\$ 1,900.00
104	DENNIS R. ELY	3,399 sq. ft.	\$ 49,600.00	\$ 60,000.00
105	CAYCE N. FORRESTER	2,578 sq. ft.	\$ 55,700.00	\$ 75,000.00
705	CAYCE N. FORRESTER	102 sq. ft.	\$ 700.00	\$ 850.00
106	MELVIN H. SPIVEY	2,715 sq. ft.	\$ 62,000.00	\$ 85,000.00
706	MELVIN H. SPIVEY	148 sq. ft.	\$ 700.00	\$ 850.00
107	HIGHMOOR, LLC	6,544 sq. ft.	\$ 43,400.00	\$ 55,000.00
108	FRANCES E. GALLOWAY	6,540 sq. ft.	\$ 36,600.00	\$ 51,000.00
109	HIGHMOOR, LLC	6,080 sq. ft.	\$ 32,000.00	\$ 38,000.00
145A	BJ'S WHOLESALE CLUB, INC.	2,144 sq. ft.	\$ 29,400.00	\$ 36,000.00
145B	BJ'S WHOLESALE CLUB, INC.	1,327 sq. ft.	\$ 28,600.00	\$ 35,000.00
745	BJ'S WHOLESALE CLUB, INC.	265 sq. ft.	\$ 1,800.00	\$ 2,000.00
<b>TOTAL</b>			<b>\$603,900.00</b>	<b>\$753,600.00</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. The proposed binding offer amounts are over the appraised values. 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.

AHS/dre  
Attachment  
Location Map

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END PROJECT  
STA 82+56.75

BEGIN PROJECT  
STA 20+54.96

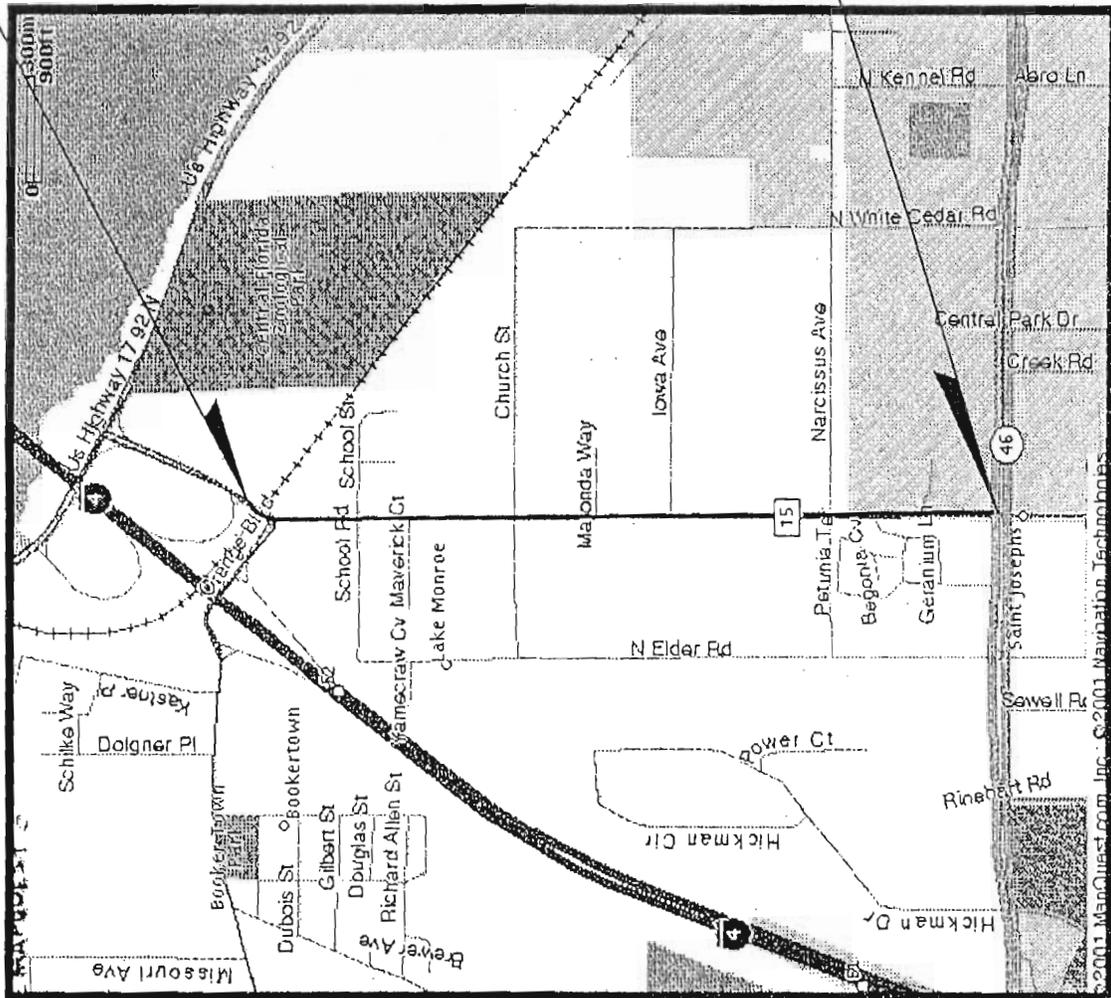


EXHIBIT A