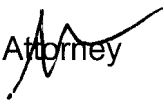







COUNTY ATTORNEY'S OFFICE
MEMORANDUM

CCA03

To: Board of County Commissioners

Through: Stephen P. Lee, Deputy County Attorney 

From: Herbert S. Zischkau III, Assistant County Attorney 
Ext. 5736

Concur: Pam Hastings, Administrative Manager/Public Works Department 
Kathleen Myer, Principal Engineer/Engineering Division 

Date: November 20, 2002

Subject: Proposed Settlement of Parcel No. 815
County Road 427, Phase 1, Road Improvement Project
Seminole County v. Doskocz, et al.
Case No.: 99-CA-775-13-K
Owner: Estate of Ida Williams
Settlement With: Estate of Lillie Belle Reynolds

This memorandum requests approval by the Board of County Commissioners (BCC) of a proposed settlement for Parcel No. 815 on the County Road 427 Phase I road improvement project in the amount of \$600.00, inclusive of attorney's fees and costs. Parcel No. 815 is a permanent easement acquired from the Estate of Ida Williams in this litigation for the appraised value of \$875.00. Litigation had been brought to clear title because of the conflicting claim of the Estate of Lillie Belle Reynolds. The present settlement resolves all remaining known issues.

I THE PROPERTY

A. Location Data

The parent tract is located within the east side of County Road 427 north of its intersection with Leonard Street.

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

B. Address

The subject property is currently vacant with no improvements.

II AUTHORITY TO ACQUIRE

The BCC adopted Resolution No. 97-R-95 authorizing the acquisition of Parcel No. 815 and finding that the County Road 427 Phase I project was necessary and serves a county and public purpose and is in the best interest of the citizens of Seminole County.

III ACQUISITION/REMAINDER

The parent tract contains a total land area of 9,899 square feet and is a vacant property. Parcel No. 815 is a permanent drainage easement, containing 670 square feet of land area.

IV APPRAISED VALUES

The County's two appraisals estimated value for Parcel No. 815 at \$875.00 and \$600.00.

V BINDING OFFERS/NEGOTIATIONS

The claimants Estate of Lillie Belle Reynolds employed the services of an attorney to withdraw the good-faith estimate of value of \$600.00 deposited by Seminole County without opposition from the actual owner, the Estate of Ida Williams. Because the amount in issue is so small, counsel for both sides reached a meeting of the minds as soon as the Estate of Lillie Belle Reynolds recognized the viability of the other Estate's title.

VI SETTLEMENT ANALYSIS/COST AVOIDANCE

Seminole County proposes a settlement with the Estate of Lillie Belle Reynolds solely to avoid the future expenditures for appraiser's and other expert fees that this Estate's attorney could possibly hire at the County's expense. The proposed \$600.00 total settlement is so small in relation to the fees that could potentially be claimed that it makes economic sense for the County.

VII RECOMMENDATION

County staff recommends that the BCC approve the proposed settlement in the amount of \$600.00, inclusive of all attorney's fees and costs, including expert fees.

HZ/la

Attachments

Location Map (Exhibit A)

Sketch (Exhibit B)

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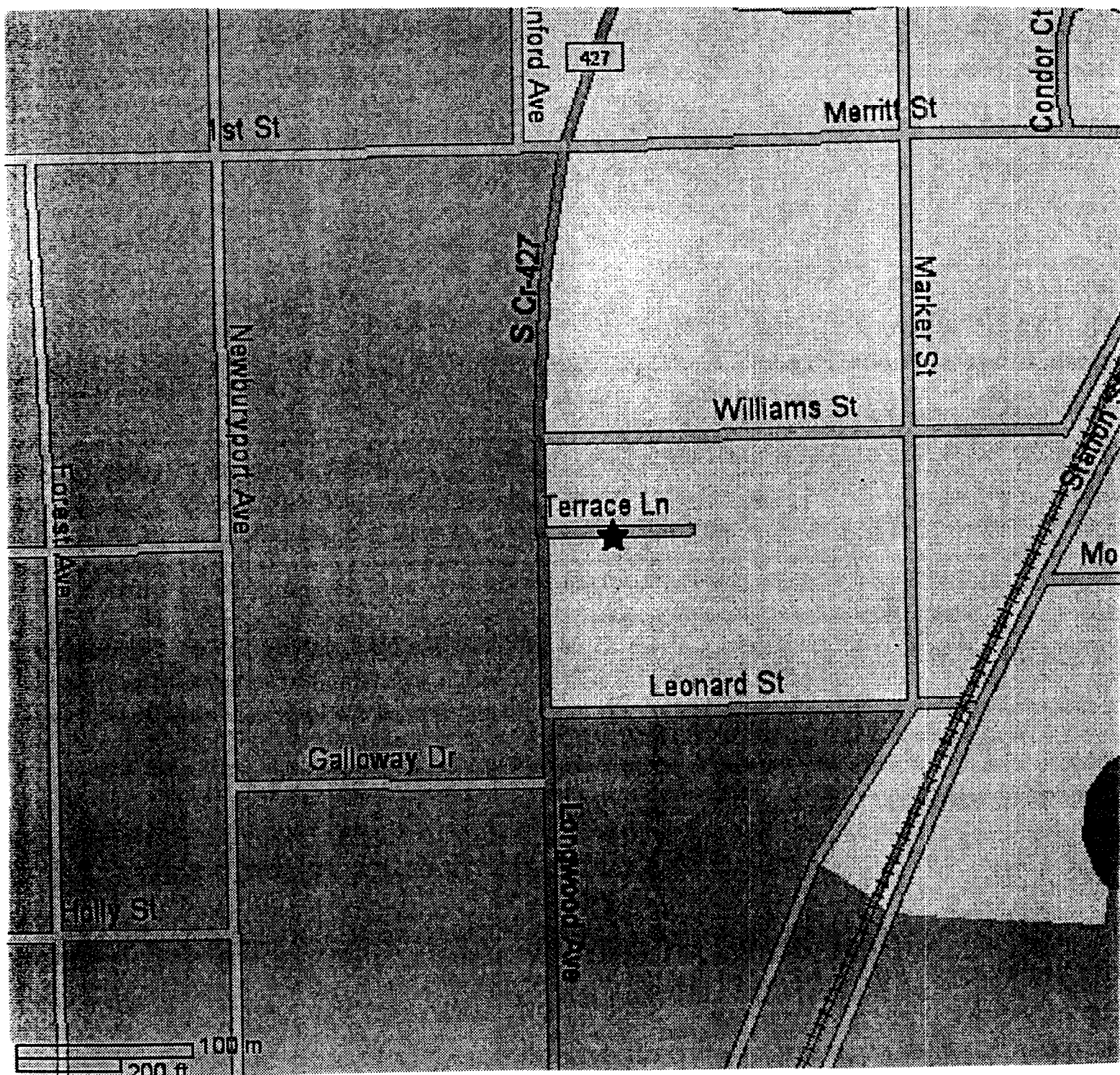


EXHIBIT A

COUNTY ROAD 427 (SEMINOLE COUNTY, FLORIDA)

PARCEL 815 - SKETCH OF REMAINDER

DESCRIPTION: VACANT

AREA OF REMAINDER = 9,899 SQUARE FEET

AREA OF PERMANENT EASEMENT = 670 SQUARE FEET

SKETCH FOR: HASTINGS & SPIVEY, INC.

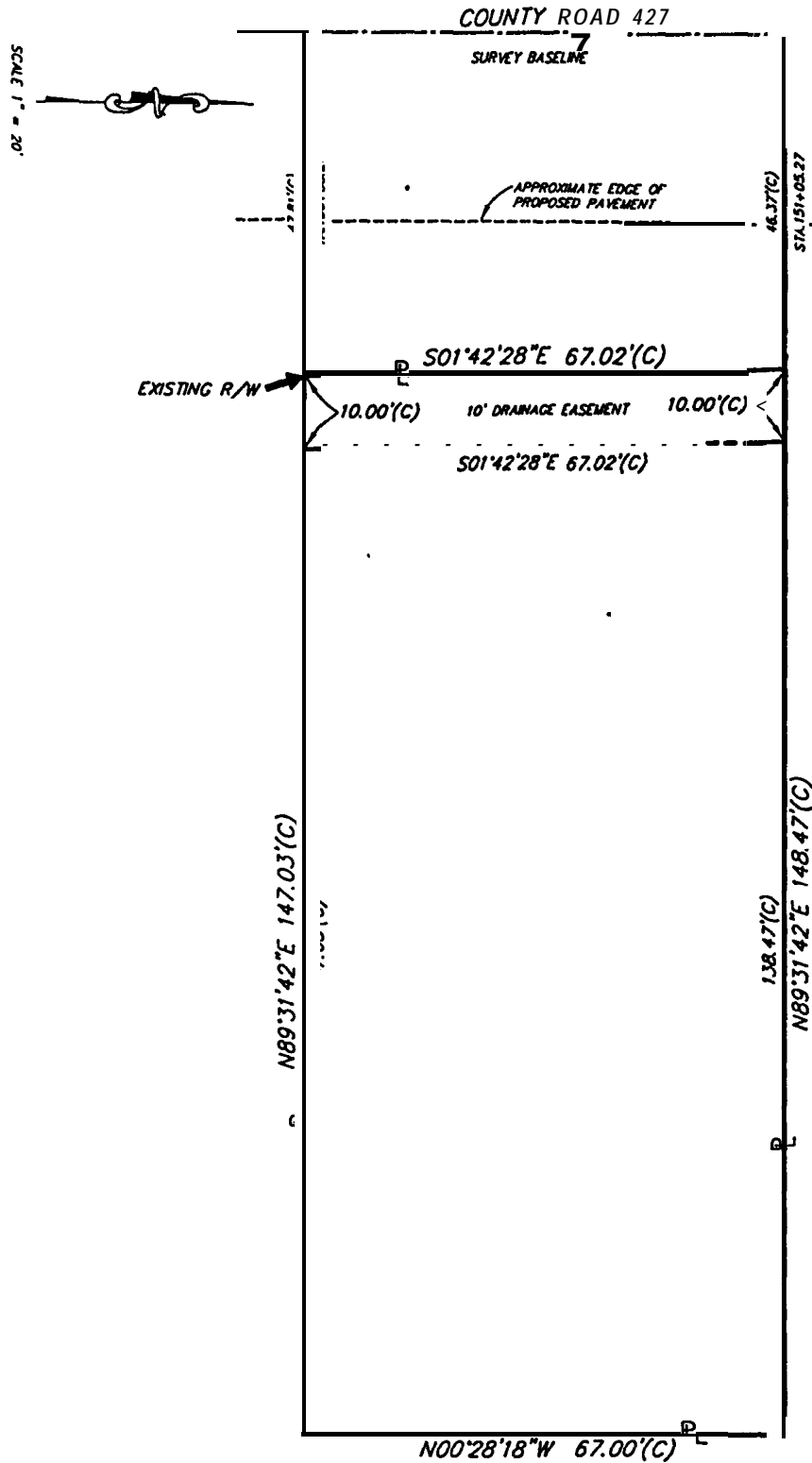


EXHIBIT B