

LEGISLATIVE FACT SHEET

DATE: 11/16/11

BT OR RC NUMBER: _____
(Administration Bills)

SPONSOR: Real Estate and General Counsel

PURPOSE/SUMMARY:

This ordinance is a full settlement of an eminent domain action against Wiginton Fire Sprinklers, Inc.

The City acquired 4,664 square feet in fee simple to widen Greenland Road and 2,615 square feet for temporary construction space from property owned by Wiginton Fire Sprinklers, Inc., located on Greenland Road, Jacksonville, Florida in Council District 5. This ordinance settles all claims by the property owners against the City arising from all outstanding damage claims made by the taking of Parcels 111, 711.1 and 711.2, according to the terms of this Ordinance which provides for a settlement of the owners' damages in the amount of \$227,400.00 plus statutory attorney's fees in the amount of \$72,000.00 and recoverable costs in the amount of \$41,150.00 for a total "gross monetary settlement" of \$340,550.00. The difference between the previously deposited amount and the "gross monetary settlement" is a "net" \$163,150.00 payout.

For the reasons set forth in the Memorandum from Twane Duckworth, Assistant General Counsel, dated November 16, 2011, which Memorandum has been placed on file with the Legislative Services Division, the parties have arrived at a mutual settlement agreement providing for payment of \$163,150.00, which covers all disputed issues of valuation, severance damages, and cure to the owners' property.

The Office of General Counsel believes such settlement to be in the best interest of the public rather than to incur the costs and risks of further litigation.

APPROPRIATION : Total Amount Appropriated: \$N/A as follows:

(Name of Fund as it will appear in title of legislation)

Name of Federal Funding Source: _____	Amount: \$ _____
Name of State Funding Source: _____	Amount: \$ _____
Name of City of Jax Funding Source:	
City Judgments, Claims and Losses	Amount: \$ _____
Name of In-Kind Contribution Source: _____	Amount: \$ _____
Name of Bond Acct _____	Amount: \$ _____

IMPACT - FINANCIAL/OTHER: The financial impact of this settlement is \$86,464.38

ACTION ITEMS:

Emergency?	Yes _____	No <u>X</u>
Federal or State Mandates	Yes _____	No <u>X</u>
Fiscal Year Carryover?	Yes _____	No <u>X</u>
CIP Amendment?	Yes _____	No <u>X</u> (Attach CIP form)
Contract/Agreement (C/A) Approval	Yes _____	No <u>X</u> (Attach a copy only)
C/A negotiations on-going?	Yes _____	No <u>X</u>
Oversight Department Required?	Yes _____	No <u>X</u> (Name of Dept.)
Related RC?/BT?	Yes _____	No <u>X</u> (Attach a copy)
Waiver of Code?	Yes _____	No <u>X</u> (Identify Code Provision _____)
Code Exception?	Yes _____	No <u>X</u> (Identify Code Provision _____)
Continuation Grant?	Yes _____	No <u>X</u>

Surplus Property Certification? Yes _____ No X (Attach a copy)
Related Enacted Ordinances? Yes _____ No X
Report Required to City Council/Council Auditors
Yes _____ No X Date _____ Frequency _____

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Add additional pages as necessary for explanation.

FACT SHEET IS REQUIRED BEFORE LEGISLATION IS INTRODUCED