

Item # 37

ADDITIONAL MATERIAL

10:00 a.m. Regular Meeting

FEBRUARY 6, 2018

SUBMITTED AT THE REQUEST OF

OFFICE OF THE COUNTY ATTORNEY

Item #37 The Office of the County Attorney requests the following:

REPLACEMENT MOTIONS:

A. **MOTION TO AUTHORIZE** the Office of the County Attorney to submit a written offer to Plaintiffs in *Shaw Farms & Land Company of Florida, LLC and Dania Place, LLC v. Broward County, et al.*, 17th Judicial Circuit Court Case No. 15-011648 (09) ("Shaw Litigation"), for the DDK Parcel, which consists of approximately seven acres inclusive of the royal palm trees determined to have been taken, in an amount up to but not exceeding \$5,000,000, as determined by the County Administrator in conjunction with the Office of the County Attorney based upon current appraisal information and engineering and other considerations (**deferred from January 23, 2018 - Item No. 10**); and

B. **MOTION TO AUTHORIZE** the Office of the County Attorney to submit the following alternative written offers to Plaintiffs in the Shaw Litigation for the balance of the property at issue (the "South Parcels"), which consists of approximately 30 acres that are subject to the declared flowage easement and are on the south side of 10th Street and east of US 1:

1. The amount of \$421,200 for a 26,000 square foot flowage easement, together with a binding, written commitment from the County to promptly construct a drainage system of approximately 1300 linear feet in length by 20 feet in width from 10th Street to the Dania canal;
2. The amount of \$20,299,500, which represents 90% of the fair market value of the fee simple value of the South Parcels, conditioned upon a covenant that runs with the land that no development is permitted to take place on the South Parcels due to the County's right to use the entire site for drainage;
or
3. The amount of \$22,555,000, which represents 100% of the fair market value of the South Parcels, in exchange for fee simple title to the South Parcels.