

12.10.13 # 34

TO: The Honorable Chairman and Members of the
Board of County Commissioners

FROM: James L. Bennett, County Attorney *JB*

SUBJECT: Notice of Filing Counter Claim in the Case of
Karen H. Murphy v. Pinellas County
Circuit Civil Case No. 13-CA-010091, Div. C

DISTRIBUTION: David E. Scott, Executive Director, Environment & Infrastructure

DATE: December 10, 2013

NOTICE: THIS IS TO ADVISE THE BOARD OF COUNTY COMMISSIONERS THAT AS PART OF THE DEFENSE OF THE ABOVE-REFERENCED LAWSUIT, THE COUNTY ATTORNEY'S OFFICE HAS FILED A COUNTER-CLAIM FOR BREACH OF CONTRACT AGAINST THE PLAINTIFF.

DISCUSSION: On September 5, 2013, this Board was notified that Karen H. Murphy filed suit against Pinellas County claiming inverse condemnation and breach of contract claim against Pinellas County. Part of the agreement between the County and Ms. Murphy was for Ms. Murphy to take title to a portion of the bottom of the submerged lands formerly known as the Martin Borrow Pit. As a result, in defense of this action, a counter-claim has been filed against Ms. Murphy for her breach of contract and seeking specific performance of the exchange agreement.

JLB:CDP:gm

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