

COMMISSION AGENDA:

1.28.14 # 8b.

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

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

SUBJECT: Notice of New Lawsuit and Defense of the Same by the County Attorney
in the Case of Joseph Fuchs and Eva Fuchs v. Pinellas County
Circuit Civil Case No. 13-011002-CI-13

DATE: January 28, 2014

NOTICE: THIS IS TO ADVISE THE BOARD OF COUNTY COMMISSIONERS THAT THE ABOVE-REFERENCED LAWSUIT WAS FILED AGAINST THE COUNTY AND THE COUNTY ATTORNEY'S OFFICE WILL DEFEND THE SAME.

DISCUSSION: This is an action for inverse condemnation and violation of constitutional rights. Plaintiffs claim that the County constructed or installed an underground utility line through their property, without the right or authority to do so, which resulted in a taking of the property. Based on the location of the underground utility line, Plaintiff's claim that their property has been bisected, damaged, and rendered undevelopable or marginally developable. Plaintiffs want to be compensated for the purported taking of their property or of a portion of their property.

JLB:YAM

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