

IN THE CIRCUIT COURT OF THE 19TH JUDICIAL
CIRCUIT, IN AND FOR INDIAN RIVER COUNTY,
FLORIDA

Indian River County, a political
subdivision of the State of Florida,

Case No. 2021 CA 000429
Parcel Nos. 316

Petitioner

vs.

Maria Mandina and Leonado Mandina,
Hacienda Del Sol Andalusians, LLC
et al.,

Respondents.

_____ /

MEDIATION SETTLEMENT AGREEMENT
(Parcel 316 only)

At the Mediation Conference held on August 18, 2021, the parties reached the following Settlement Agreement, subject to the approval by the Indian River County Commission:

1. Petitioner, Indian River County ("COUNTY") will pay Respondents, Maria Mandina and Leonardo Mandina ("the Mandinas") and Hacienda Del Sol Andalusians, LLC the sum of Two Hundred Seventy-Five Thousand Dollars (\$275,000.00) as full and complete compensation for the taking of Parcel 316, as shown on attached Exhibit A, including all damages related to real estate and improvements thereon, severance damages, cost to cure, business damages and damages of any nature.
2. In addition, Petitioner shall pay the total sum of \$36,300.00 in full and complete payment of all attorneys' fees, including statutory benefits, nonmonetary benefits,

supplementary proceedings, apportionment and attorneys' fees of any nature related to this matter.

3. In addition, Petitioner shall pay the total sum of \$ 33,700.00 in full and complete payment of all costs incurred in this matter including all expert witness fees and costs of any nature related to this matter.

4. As part of this agreement, the Parties have agreed as follows:

a. Petitioner agrees to install two (2) inlets at the back of sidewalk in the general location as shown on attached Exhibit A to allow the discharge of water from Respondents' remainder property.

b. Petitioner agrees to stake the new right-of-way line in order to facilitate the relocation of fences, gate and landscaping by Respondents.

c. Respondents may remove all improvements located within the area of the acquisition within sixty (60) days from the date Petitioner stakes the new right-of-way line;

d. Petitioner shall revise the construction plans pertaining to Parcel 316 so as to lower the elevation of the sidewalk and harmonize the improvements within the project boundaries;

e. The staff of Petitioner agree to recommend this proposed settlement to the Board of County Commissioners.

5. Petitioner and Respondents acknowledge that the compensation paid for the acquisition in this matter is the result of a compromise between the parties.

6. All reasonable efforts shall be made by Petitioner to present this settlement agreement to the Board of County Commissioners at its September 14, 2021 public County Commission meeting.

7. In the event this settlement is approved by Petitioner's Board of County Commissioners, the parties shall enter into a Stipulated Order of Taking and Final Judgment incorporating the terms and conditions as set forth herein. In the event this settlement is not approved by Petitioner's Board of County Commissioners, then this entire Agreement shall be void.

Richard Szpyrka
Public Works Director

Maria Mandina, Owner

Susan J. Prado, Esq.
Assistant County Attorney

Leonardo Mandina, Owner
Hacienda Del Sol Andalusians, LLC

By: _____

William P. Doney, Esq.
Attorney for Petitioner
_____, 2021

David W. Holloway, Esquire
Attorney for the Respondents
_____, 2021