

# 24  
JUN 28 2007

MEMO TO: Mayor and City Council  
THRU: Michael D. House, City Attorney *MDH*  
FROM: James R. Cairns III, Assistant City Attorney *JRC*  
SUBJECT: Settlement of City of Chandler v. Menkin, et al.,  
CV2005-093963  
DATE: June 20, 2007

Recommendation: Council is requested to approve settlement between the City of Chandler and Rich and Andrea Menkin in the above-referenced condemnation case for a total damage award of ONE HUNDRED FIFTY-NINE THOUSAND DOLLARS (\$159,000.00).

Background/Discussion: The City of Chandler filed this action to obtain right-of-way, a drainage easement and a utility easement necessary to complete a roadway improvement project at Gilbert and Pecos Roads. The appraiser retained by the City of Chandler valued the property interests to be condemned at approximately ONE HUNDRED TWENTY-EIGHT THOUSAND DOLLARS (\$128,000.00), while the appraiser for the Menkins valued the property interests to be condemned at approximately TWO HUNDRED TWENTY-THREE THOUSAND DOLLARS (\$223,000.00). The parties believe that a value of ONE HUNDRED FIFTY-NINE THOUSAND DOLLARS (\$159,000.00) represents a reasonable compromise as to the value of the property condemned.

Proposed Motion: Move to approve settlement between the City of Chandler and Rich and Andrea Menkin in the above-referenced condemnation case for a total damage award of ONE HUNDRED FIFTY-NINE THOUSAND DOLLARS (\$159,000.00).

JRC/rl