

AGENDA MEMORANDUM

DATE: August 22, 1984

TO: Board of County Commissioners

FROM: County Administrator

County Attorney
[Signature]
APPROVED AS TO FORM

BY: Originating Department County Attorney

SUBJECT: AGENDA ITEM - REGULAR x CONSENT _____ REQUESTED AGENDA DATE 8/28/84

RE: Beker Phosphate Settlement Agreement Payment

ACTION REQUIRED:

Approve and authorize Chairman to sign letter to Beker Phosphate requesting payment of \$420,000 due under the 1982 Settlement Agreement.

ACTION(S) REQUIRED: Execution Approval x Authorization
Acceptance Recording Adoption

COST:
SOURCE:

ATTACHMENTS:
Memo from County Attorney
Letter from Beker Phosphate

BOARD RECORDS:

AGENDA DISPOSITION

ACTION TAKEN BY THE BOARD:

- APPROVED
- DEFERRED UNTIL _____
- RECEIVED
- DISAPPROVED
- CONCURRED WITH STAFF RECOMMENDATION
- REFERRED TO STAFF

OTHER: _____

SPECIAL INSTRUCTIONS: _____



MANATEE COUNTY

BOARD OF COUNTY COMMISSIONERS

August 28, 1984

Gary L. Dahms, General Manager
Beker Phosphate Corporation
Post Office Box 9034
Bradenton, Florida 33506

Dear Mr. Dahms:

On February 26, 1982, Beker Phosphate Corporation ("Beker") and Manatee County entered into a Settlement Agreement which provided in pertinent part that Beker shall pay the sum of \$2,800,000 to Manatee County for the construction of wellfields, pipelines, and related facilities. The Settlement Agreement also provided that Beker would pay 10% (\$280,000) on January 1, 1983; 15% (\$420,000) on January 1, 1984; 25% (\$700,000) on January 1, 1985, January 1, 1986, and January 1, 1987.

Our records show that Beker failed to comply with the terms of the Settlement Agreement, since it has not paid the \$420,000 which became due and owing on January 1, 1984. Please advise us immediately if our records are in error.

Please consider this letter to be Manatee County's formal demand for payment in full. If Manatee County does not receive \$420,000 from Beker by September 15, 1984, the County will be forced to explore its legal remedies.

Sincerely,

BOARD OF COUNTY COMMISSIONERS
OF MANATEE COUNTY, FLORIDA

Edward W. Chance

EDWARD W. CHANCE
Chairman

EWC:KFR:jec

cc: Keith F. Roberts, County Attorney
R. F. Fernandez, County Administrator
Richard Eckenrod, Director, Land & Natural Resources
Jacob D. Varn, Esq., Carlton, Fields,
Ward, Emmanuel, Smith & Cutler, P.A.
Lawrence B. Kessler, Esq., Beker Industries Corp.

EDWARD W. CHANCE • WESTWOOD H. FLETCHER, JR. • PATRICIA M. GLASS • KENT G. CHETLAIN • VERNON E. VICKERS

P.O. Box 1000, Bradenton, Florida 33506