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An act relating to Collier County; providing for the relief of Franklin David Messick as Personal Representative of the Estate of Arthur D. Messick; providing for an appropriation to compensate him for the wrongful death of his son, Arthur D. Messick, which occurred as a result of the negligence of Collier County; providing an effective date.

WHEREAS, on October 6, 1990, Arthur D. Messick was a passenger in a motor vehicle driven by his brother, Joe Randall Messick, and

WHEREAS, the vehicle in which Arthur D. Messick was a passenger was traveling toward an unmarked intersection of DeSoto Boulevard and a canal in Collier County, and

WHEREAS, a hazardous condition existed at this intersection, caused by the absence of warnings, lighting, or a sign indicating the end of the road at the intersection with the canal, and

WHEREAS, Collier County was aware that a dangerous condition existed at the intersection, but did not inspect, supervise, or maintain the warning signs in the area, and

WHEREAS, because the intersection was not properly marked, the motor vehicle in which Arthur D. Messick was a passenger left the road and entered the canal, and

WHEREAS, as a result of the accident, Arthur D. Messick was killed, and

WHEREAS, following a jury trial, Collier County was found to be 85-percent negligent in the death of Arthur D.

1 Messick and Joe Randall Messick was found to be 15-percent
2 negligent, and

3 WHEREAS, a final judgment was entered on October 21,
4 1993, in the amount of \$237,223 in favor of the Estate of
5 Arthur D. Messick, and

6 WHEREAS, the unpaid balance of the claim against
7 Collier County is \$101,639.55, NOW, THEREFORE,

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9 Be It Enacted by the Legislature of the State of Florida:

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11 Section 1. The facts stated in the preamble to this
12 act are found and declared to be true.

13 Section 2. The Board of County Commissioners of
14 Collier County is authorized and directed to appropriate from
15 funds of the county not otherwise appropriated and to draw a
16 warrant in the sum of \$101,639.55 payable to Franklin David
17 Messick as Personal Representative of the Estate of Arthur D.
18 Messick to compensate him for the death of his son, Arthur D.
19 Messick.

20 Section 3. This act shall take effect upon becoming a
21 law.

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