

MAR 28 2000 VS/BS/GG

RESOLUTION

of the

**ORANGE COUNTY BOARD OF COUNTY
COMMISSIONERS AUTHORIZING THE CONVEYANCE OF
REAL PROPERTY OWNED BY ORANGE COUNTY TO THE
CITY OF APOPKA, A MUNICIPAL CORPORATION,
PURSUANT TO FLORIDA STATUTE 125.38**

Resolution No. 2000-M-12

WHEREAS, Orange County Board of County Commissioners ("Board"), pursuant to its home rule powers and Florida Statute 125.38, has the authority to determine the certain county property is not needed for county purposes and may thereafter convey said property to a municipality of this state, for public or community interest and welfare; and

WHEREAS, the City of Apopka, Florida, (hereinafter "Applicant"), a municipality of the State of Florida, has applied for a conveyance of the property owned by Orange County, (described in Exhibit "A" and referenced hereinafter as "the property"), said application being attached hereto and incorporated herein as Exhibit "B" for the purposes therein described; and

WHEREAS, the property was previously owned by the City of Apopka and the city transferred ownership to Orange County of the property for their use as an Orange County facility (Exhibit "C"); and

WHEREAS, the Board finds that the property is no longer needed for County purposes; and

WHEREAS, THE Board finds that it is in the best interest and welfare of the citizens of Orange County that such property is used by the APPLICANT for the purposes outlined in Exhibit "B".

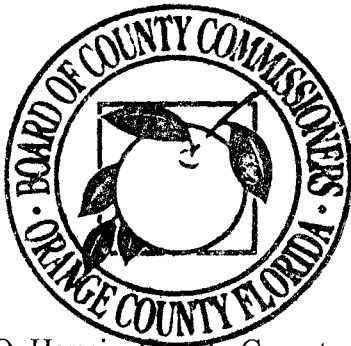
NOW THEREFORE BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF ORANGE COUNTY, FLORIDA:

Section 1. The foregoing recitals are true and correct and are incorporated herein.

Section 2. The property defined in Exhibit "A" shall be conveyed to the APPLICANT for the purposes stated herein.

Section 3. The County Chairman and the County Comptroller are hereby authorized to execute, attest, and deliver a Deed conveying the property.

ADOPTED THIS 28 day of March, 2000.



ORANGE COUNTY, FLORIDA
By: Board of County Commissioners

BY: Mel Martinez
Mel Martinez
County Chairman

DATE: 3.28.00

ATTEST: Martha O. Haynie, County Comptroller
As Clerk to the Board of County Commissioners

By: Martha O. Haynie
Deputy Clerk

EXHIBIT "A"

15-21-28-1932-00061

The South 190 feet of Lot 6 and the South 190 feet of the West 114.6 feet of Lot 7, of T.C. Darby's Addition to Apopka City, per Plat Book 14, Page 162. Public Records of Orange County, Florida.

15-21-28-0000-00018

Begin at a point North and 30 feet East of the Southwest corner of the Northeast $\frac{1}{4}$ of the Northwest $\frac{1}{4}$, thence South 200 feet, thence East 115 feet, thence South 215 feet, thence 100 feet, thence 415 feet, thence West 215 feet to the Point of Beginning. All being located in Section 15, Township 21, Range 28, East, Orange County, Florida.

**APPLICATION FOR CONVEYANCE OF
NORTHWEST MAINTENANCE FACILITY**
The City of Apopka

COMES NOW, the City of Apopka and hereby requests that the Orange County Board of County Commissioners transfer to it the property described on attached Exhibit "A" (hereinafter "The Property") and states as follows:

WHEREAS, the City of Apopka (hereinafter "APPLICANT") is a Florida Municipal Corporation, which was created in 1886 to serve as the Municipality. As such, it was granted full rights and powers to perform functions for the benefit of its citizens, and

WHEREAS, the City transferred the property to Orange County on August 30, 1955, and

WHEREAS, APPLICANT now desires to own the property in order to improve the property and use it as a multi-purpose maintenance facility to benefit the community interests and welfare of the citizens of Apopka; and

WHEREAS, APPLICANT further believes that the ownership of the property is necessary so that it can continue to effectively and properly perform those functions for which it was created, and

WHEREAS, APPLICANT presently intends to improve the property and use it as a multi-purpose maintenance facility, and

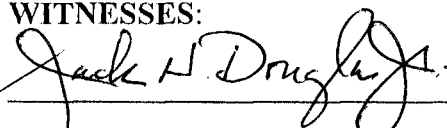
WHEREAS, APPLICANT hereby proposes to Orange County that it Re-transfer by way of Deed the property described on attached Exhibit "A" subject to the following:

1. The above recitals are hereby made fully a part of this Application.
2. APPLICANT further proposes that Orange County convey marketable title to APPLICANT free and clear of any other possessory interests.
3. APPLICANT intends to use the Property for only those purposes permitted by applicable law and hereby certifies that the recitals made above are presently true and correct. Notwithstanding this fact, it is proposed that no reversionary clauses be inserted into any document of conveyance.

NOW THEREFORE, Pursuant to Section 125.38, Florida Statutes, APPLICANT hereby applies to Orange County for the transfer of ownership of the property described on attached Exhibit "A" as provided for above.


IN WITNESS WHEREOF, we have hereunto set our hands and seals this _____ day of _____, 2000.

WITNESSES:



Print Name: Jack H. Douglas, Jr.

CITY OF APOPKA



Print Name: John H. Land

EXHIBIT C - Pg 1 of 3

TROY O. MUSSELWHITE
ATTORNEY AND COUNSELLOR AT LAW
94 N. COURT STREET
ORLANDO, FLORIDA

August 31, 1955

ASSOCIATE
LLOYD H. SMITH

P. O. BOX 1049

Mr. V. W. Haygood
City Clerk
Apopka, Florida

Dear Mr. Haygood:

I am enclosing herewith proposed Deed from the City to the County.

I have used the description which you furnished from the County Surveyor plat, as altered in accordance with your information.

The Deed is what is legally known as a Bargain and Sale Deed. It transfers to the County what title the City has but does not warrant the title. Without an abstract I am unable to determine what sort of a title the City has to the land. I take it that you have an old deed or some indicia of ownership on behalf of the City.

Trusting that this is what you desire to complete this trade with the County, but if there is anything further in connection therewith you will let me know, I am

Cordially yours,

Troy O. Musselwhite

TCM/mt
Enclosure

DEED

THIS DEED, Executed this 30th day of August, A.D. 1955, by TOWN OF APOPKA CITY, a Municipal Corporation, in the County of Orange and State of Florida, party of the first part, and ORANGE COUNTY, a political subdivision, of the State of Florida, party of the second part,

WITNESSETH, That the said party of the first part, for and in consideration of the sum of TEN DOLLARS (\$10.00) and other valuable consideration in hand paid by the said party of the second part, the receipt whereof is hereby acknowledged, has granted, bargained, released and quit-claimed, and by these presents does grant, bargain, release and quit-claim unto the said party of the second part, and its successors and assigns forever, the following described lot, piece or parcel of land, situate, lying and being in the County of Orange, State of Florida, to wit:

South 190 feet of Lot 6 and South 190 feet of the West 114.6 feet of Lot 7 of T. C. Darby's Addition to Apopka City, as recorded in Plat Book B at Page 140 of the Public Records of Orange County, Florida.

TO HAVE AND TO HOLD the same together with all and singular the appurtenances thereunto belonging or in anywise appertaining, and all the estate right title, interest, lien, equity and claim whatsoever of the said party of the first part, either in law or equity, to the only proper use, benefit and behoof of the said party of the second part, its successors and assigns forever.

IN WITNESS WHEREOF, The said party of the first part has caused these presents to be signed in its name by its Mayor and its corporate seal to be affixed, attested by its Clerk, the day and year above written, pursuant to resolution of said City Council.

ATTEST: [Signature] Its Clerk
TOWN OF APOPKA CITY
By [Signature] Its Mayor

Signed, Sealed and Delivered in Our Presence:
[Signature]
[Signature]

STATE OF FLORIDA)
COUNTY OF ORANGE)

I HEREBY CERTIFY, That on this 30 day of August, A.D. 1955, before me personally appeared John H. Land and V. W. Haygood respectively Mayor and Clerk of Town of Apopka City, a Municipal Corporation, in Orange County, Florida, to me known to be the individuals and officers described in and who executed the foregoing Deed to Orange County, a political subdivision, of the State of Florida, and severally acknowledged the execution thereof to be their free act and deed as such officers thereunto duly authorized; and that the official seal of said City is duly affixed thereto, and the said conveyance is the act and deed of said City.

WITNESS my signature and official seal at Town of Apopka City, in the County of Orange and State of Florida, the day and year last aforesaid.

[Signature] (SEAL)
Notary Public, State of Florida
My Commission Expires:
Notary Public, State of Florida at large
My commission expires March 5, 1957.
Bonded by American Surety Co. of N. Y.

PLAT OF SURVEY
 FOR
 ORANGE COUNTY FLORIDA
 DESCRIPTION

THE SOUTH 180 FT. OF LOT 6 AND THE SOUTH 180 FT. OF THE
 WEST 124.6 FT. OF LOT 7 T.C. DARBY'S ADDITION TO APOPKA
 CITY RECORDED IN PLAT BOOK 'B' PAGE 140



SCALE 1" = 50'

7TH STREET

