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RESOLUTION

of the
ORANGE COUNTY BOARD OF COUNTY COMMISSIONERS
regarding
**AUTHORIZATION TO CONVEY CERTAIN
COUNTY PROPERTY INTERESTS TO
THE CITY OF WINTER GARDEN, FLORIDA**

Resolution No. 2005- M-18

WHEREAS, Orange County, a political subdivision of the State of Florida, pursuant to its home rule power and Section 125.38 of the Florida Statutes (2004), has authority to determine that certain County property is not needed for County purposes and to convey said property, for no consideration or a nominal price or otherwise, to the municipality in which the land is located, based upon criteria set forth herein; and

WHEREAS, the County acquired that certain parcel of property described in Exhibit "A" (the "Property") attached hereto; and

WHEREAS, the Property was dedicated at the time of conveyance to the County for the public use of water retention and drainage of surrounding properties and, therefore, is not available for infill housing or dedicated to another use by the Board of County Commissioners; and

WHEREAS, surrounding properties have been annexed into the City of Winter Garden (the "City") and may be conveyed by the County to the City to be used for water retention and drainage purposes so long as the City deems such use necessary; and

WHEREAS, the County has determined that the Property is not needed for County purposes and that conveyance of the Property to the City is in the interest of the public; and

WHEREAS, the City is qualified, as a municipality of the State of Florida, to receive surplus County property, pursuant to Section 125.38 of the Florida Statutes.

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

42 **Section 1.** The Board hereby determines that the Property is not needed for County
purposes and that it is in the best interest of Orange County, pursuant to Section 125.38, Florida
44 Statutes, that any County interest in the Property be conveyed to the City for use as the City
deems suitable after considering the current water retention and drainage use of the Property.
46 The City has requested this conveyance, but the Board recognizes that the City must approve the
conveyance of the Property for such conveyance to occur.

48 **Section 2.** The Board hereby directs that all of the County's right, title and interest in
the Property be conveyed to the City for the consideration of ONE DOLLAR, and that the
50 County Mayor execute and deliver a Statutory County Deed to effectuate such conveyance.

Section 3. The Board hereby directs that a certified copy of this Resolution shall be
52 forwarded forthwith to the City.

Section 4. This Resolution shall become effective upon its adoption by the Board.

54 ADOPTED this 14th day of July, 2005.



ORANGE COUNTY, FLORIDA
By: Board of County Commissioners

By: Richard T. Crotty 7/19/05
Richard T. Crotty
Orange County Mayor

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

By: Martha O. Haynie
Deputy Clerk

EXHIBIT "A"

LEGAL DESCRIPTION FOR THE TRANSFER OF A RETENTION AREA
TO
THE CITY OF WINTER GARDEN

A parcel of land lying in the Northeast ¼ of Section 22, Township 22 South, Range 27 East, Orange County, Florida and being more particularly described as follows:

Lot 11, Mann's – First Addition as described in Plat Book 1, page 25 and further described in Official Record Book 1443, page 527 of the Public Records of Orange County, Florida.

Containing 30,527 square feet or 0.701 acres, more or less.

RECEIVED LAND SURVEYOR
STATE OF FLORIDA
LEGAL DESCRIPTION WAS PREPARED BY
NAME
ORANGE COUNTY PUBLIC WORKS
TERRANCE A. LEWIS

Terrance A. Lewis (P.S.M. #4644)