

APPROVED
BY ORANGE COUNTY BOARD
OF COUNTY COMMISSIONERS
MAR 21 2006 [Signature]

RESOLUTION NO. 2006-M-22

OCOE COMMUNITY REDEVELOPMENT RESOLUTION

**A RESOLUTION PERTAINING TO REDEVELOPMENT OF A SPECIFIC PART
OF ORANGE COUNTY, FLORIDA; DELEGATING CERTAIN COMMUNITY
REDEVELOPMENT POWERS FROM THE BOARD OF COUNTY
COMMISSIONS TO THE CITY OF OCOEE;**

WHEREAS, the Community Redevelopment Act of 1969, as codified in Part III of Chapter 163, Florida Statutes (the "Redevelopment Act"), empowers counties and municipalities to undertake community redevelopment in order to eliminate, remedy or prevent slums and blighted areas and to provide affordable housing; and

WHEREAS, the City of Ocoee (the "City") has determined that portions of the municipality would benefit from community redevelopment in that one or more blighted areas exist within such portions of the City; and

WHEREAS, the City has determined that there is a need for a community redevelopment agency to function within the City in order to carry out community redevelopment; and

WHEREAS, under Section 163.410, Florida Statutes, in any county which has adopted a home rule charter, the powers conferred by the Redevelopment Act are to be exercised exclusively by the governing body of such county unless the governing body of such county, by resolution, specifically delegates the exercise of such powers within the corporate boundaries of a municipality to the governing body of such municipality; and

WHEREAS, Orange County, Florida (the "County") has adopted a home rule charter and it is necessary for the City Commission of the City of Ocoee, Florida, to obtain a delegation of the powers conferred upon Orange County by the Redevelopment Act so that the City may exercise the authority and powers conferred by such act within the community redevelopment area in the City; and

WHEREAS, the City has requested that the County delegate to the City the powers available under the Redevelopment Act, including the power to create a community redevelopment agency; and

WHEREAS, on September 21, 2004, the City adopted a resolution making a legislative finding, based on data and analysis contained in a study prepared for the City, that a certain area of the City of Ocoee identified in the study contains conditions of blight as defined in Section 163.340, Florida Statutes, and that rehabilitation, conservation, or redevelopment or a combination thereof in such area is necessary and in the interest of the public health, safety, morals or welfare of the residents of the City (the "Finding of Necessity"); and

WHEREAS, subject to certain limitations and conditions, the Board of County Commissioners (the "Board") is willing to accept the Finding of Necessity adopted by the City and attached hereto as Exhibit "A" and to delegate community redevelopment powers to the City; and

WHEREAS, to the extent permitted by law, it is also the intent of the City and County that, for purposes of determining the tax increment revenues to be deposited into the Community Redevelopment Trust Fund, the most recent assessment roll used in connection with the taxation of the property pursuant to Section 163.387 (1) (b) Florida Statutes shall mean the final tax assessment roll used for calendar year 2006 used to fund the fiscal year 2006-2007 budget.

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

1. Creation of Community Redevelopment Agency; Boundaries of Community Redevelopment Area.

- a. The City is hereby delegated the power to create, or in the alternative, the governing body of the City may declare itself to be, a Community Redevelopment Agency ("Agency") relating only to that portion of the City of Ocoee as described in the legal description attached hereto as Exhibit "B", and hereafter referred to as the "Community Redevelopment Area". The Agency shall consist of the five members of the City Commission plus two individuals appointed by the City Commission pursuant to Section 163.357(1)(c), Florida Statutes. One of the individuals appointed by the City Commission shall be nominated by the Board.
- b. If the City Commission shall appoint a Community Redevelopment Agency advisory board, such board shall have county representation on such board of one member appointed by the Board. Such advisory board shall meet at least as often as the Agency holds its regular meetings and shall meet prior to meetings of the Agency in order to review and provide recommendations on matters to be considered by such Agency.
- c. The boundaries of the Community Redevelopment Area may not be expanded without the further express consent of the Board evidenced by an additional delegating resolution. The City may contract the boundaries of the community redevelopment area, removing up to but not exceeding ten (10%) of the area as described in Exhibit "B," without the Board's consent.

2. Community Redevelopment Plan. The City is hereby delegated the authority to adopt a community redevelopment plan (the "Plan") for the City of Ocoee in conformance with the requirements of the Redevelopment Act. The Plan shall not be effective until approved by the Board and shall not thereafter be amended without the express consent of the Board, as evidenced by an approving resolution. Neither the City nor the Agency shall deviate from

the projects set forth in the Plan (including their nature, size, design, location, schedule, and estimated cost) without an amendment to the Plan. The Interlocal Agreement contemplated in Section 9 hereof shall provide that the County shall have no obligation to make any payments into the Redevelopment Trust Fund until after such time as the Board has approved the Plan.

3. Financing.

- a. The City or the Community Redevelopment Agency may issue revenue bonds or notes pursuant to Section 163.385, Florida Statutes, or other obligations provided that the City or Agency first obtains Board approval by way of a resolution of the Board regarding (i) the projects to be funded by any bonds, notes or other obligations pledging Community Redevelopment Trust Fund Revenues, (ii) the principal amount of such obligations; (iii) the redemption provisions, if any, and (iv) the debt service schedule, maturities and interest rates for such obligations. In no event shall any maturity of bonds or any other indebtedness extend beyond the sunset date set forth in Section 7 hereof.
 - b. The issuance of revenue bonds, notes or other obligations shall not create a pledge of the faith and credit of Orange County, but shall be payable solely from the increment revenues deposited in the Redevelopment Trust Fund together with any other non-ad valorem revenues of the City or Agency as provided in the Plan.
 - c. Any extension of the maturity date of and any increase in the interest rates for such obligations, whether as part of an issuance of refunding bonds or otherwise, shall require the express consent of the Board as evidenced by resolution of the Board.
4. Agreements. The Agency may enter into agreements, including agreements with developers of real estate located within the boundaries of the Community Redevelopment Area only as contemplated by and provided in the Plan.
5. Delegation of Powers. Upon approval of the Plan by the Board, the City shall be deemed to have been delegated all other powers necessary and convenient to carry out and effectuate the purposes and provisions of the Redevelopment Act, including the powers set forth in Section 163.370 of Florida Statutes.
6. Liability. Nothing contained herein shall impose any liability upon Orange County for any acts of the City or the Agency.
7. Sunset Provision. Unless the Board expressly approves otherwise, this resolution and any amendments or supplements hereto, as well as the Plan and the existence of a separate Community Redevelopment Agency, if any, shall expire and terminate at 11:59 p.m. on December 31, 2036 unless extended by mutual agreement of the City and the Board as evidenced by resolution of the Board.
8. Severability. The provisions of this resolution are not severable. If any part of this instrument is held invalid by a court of law or is superseded by any existing or future statute, this resolution shall be deemed void and of no further effect.

9. Interlocal Agreement. This resolution contemplates the simultaneous approval of an interlocal agreement (the "Interlocal Agreement") under which the City and the Community Redevelopment Agency are obligated by contract to rebate back to the County each year, as consideration for its willingness to delegate the powers described herein, the following portion of the amount deposited by the County in the Community Redevelopment Trust Fund pursuant to Section 163.387, Florida Statutes (the "Rebate"):
- a. Thirty percent (30%) of the amount in excess of \$1,000,000.00 but less than or equal to \$2,000,000.00 plus
 - b. Fifty percent (50%) of the amount in excess of \$2,000,000.00.

The Interlocal Agreement shall also provide for: a) the County to have no obligation to make increment payments into the Redevelopment Trust Fund until after such time as the Board shall have approved the Plan; b) the County to have no obligation to make increment payments into the Redevelopment Trust Fund in any year until the City shall have provided evidence of its own payment into such Fund for such year; c) the City to annually provide to the County a detailed budget, financial report; and d) the City to annually report on the status of any capital improvements included within the Plan.

The County acknowledges that the City is contemplating the possibility that the City or the Community Redevelopment Agency may enter into an agreement or agreements for the development of a new town center. The Interlocal Agreement shall provide that the County shall entertain proposals from the City and Community Redevelopment Agency for the adjustment of the Rebate amounts set forth above, however, the Interlocal Agreement shall not obligate the County to accept a lower Rebate amount.

This delegation of authority under the Redevelopment Act shall expire and be of no further effect if, as of May 1, 2006, the City and the County shall have failed to enter into such Interlocal Agreement.

ADOPTED THIS 21st DAY OF March, 2006.

ORANGE COUNTY, FLORIDA

BY: [Signature]
Mayor

DATE: 3. 23. 06

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

BY: [Signature]
Deputy Clerk

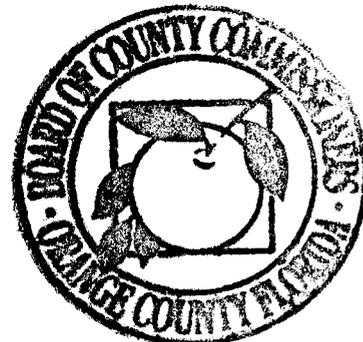
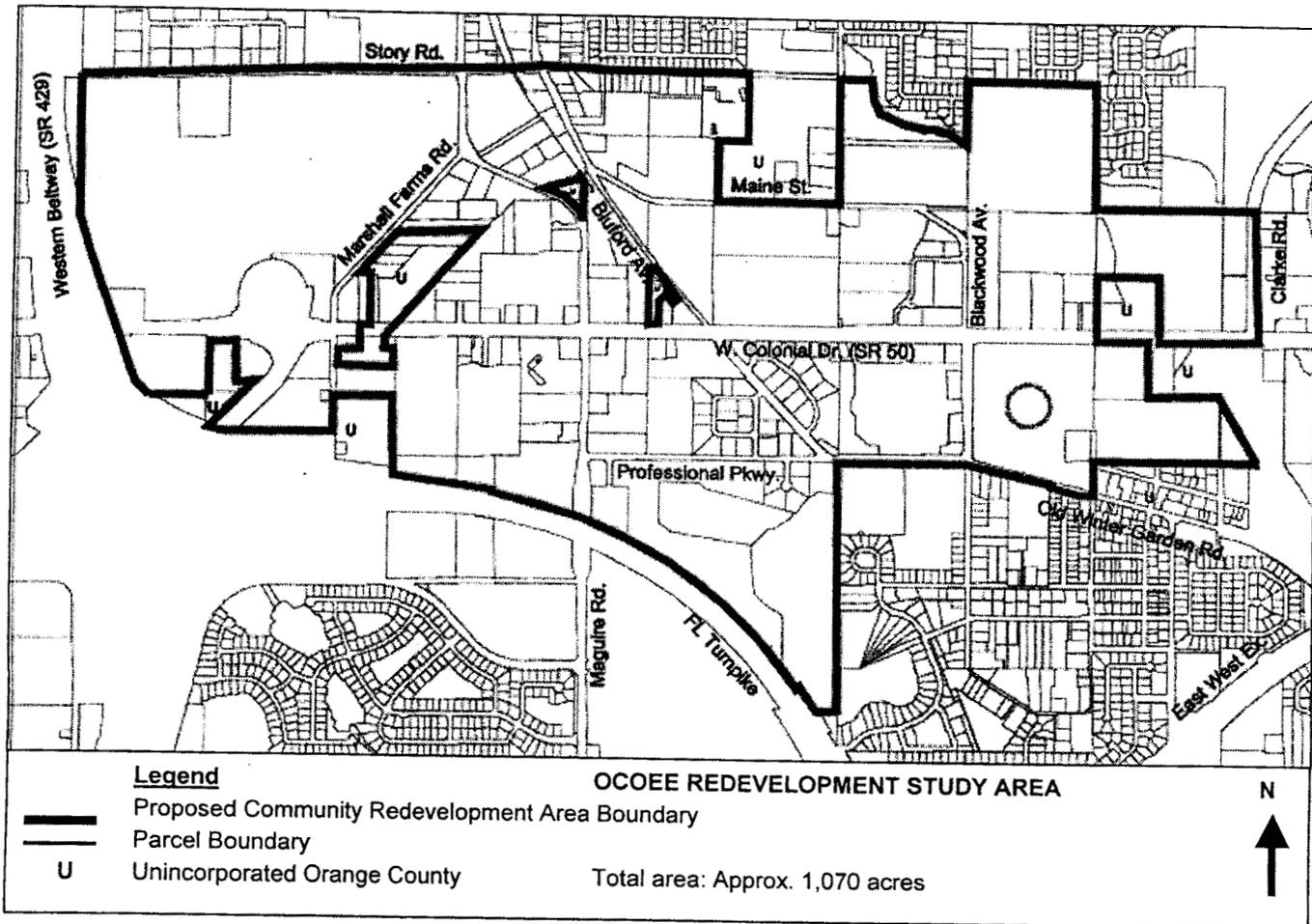


EXHIBIT "A"

COMMUNITY REDEVELOPMENT AREA



SKETCH OF DESCRIPTION

EXHIBIT "B"

DESCRIPTION

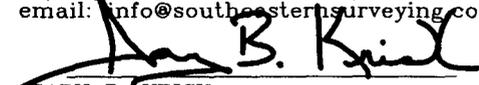
A portion of Sections 19, 20, 21, 28, 29 and 30, Township 22 South, Range 28 East, situate in the City of Ocoee, Orange County, Florida, being more particularly described as follows:

BEGIN at the intersection of the West line of said Section 19 with the North right of way line of Story Road; thence Easterly along said North right of way line and the North right of way line of Geneva Street to the Northerly extension of the East line of the Plat of Ocoee Cemetery, Plat Book G, Page 85, Public Records of Orange County, Florida; thence Southerly and Westerly along said Northerly extension and the East and South lines of said Plat of Ocoee Cemetery to the Northerly extension of the East right of way line of Richmond Avenue; thence Southerly along said Northerly extension and the East right of way line of said Richmond Avenue to the North right of way line of Maine Street; thence Easterly along said North right of way line to the West right of way line of Chicago Avenue; thence Northerly along said West right of way line to the North right of way line of said Geneva Street; thence Easterly along said North right of way line to the West line of Shoal Creek, Plat Book 33, Page 73, said Public Records; thence Southeasterly and Easterly along the West and South lines of said Shoal Creek to the West line of Ocoee Commons PUC, Plat Book 60, Pages 92-98, said Public Records; thence Northerly along said West line and the Northerly extension thereof to said North right of way line of Geneva Street; thence Easterly along said North right of way line to the East line of the Southeast 1/4 of said Section 20; thence Southerly along said East line to the North line of the South 1/2 of the Southwest 1/4 of said Section 21; thence Easterly along said North line to the East right of way line of Clarke Road; thence Southerly along said East right of way line to the South right of way line of Colonial Drive (also known as State Road 50); thence along said South right of way line to the Southerly extension of the East line of the Southwest 1/4 of the Southwest 1/4 of the Southwest 1/4 of said Section 21; thence Northerly Westerly and Southerly along the East, North, West and the Southerly extension of the West lines of said Southwest 1/4 of the Southwest 1/4 of the Southwest 1/4 to said South right of way line of Colonial Drive; thence Easterly 540.30 feet more or less to the East line of a parcel of land described in Official Records Book 4867, Page 4682, said Public Records; thence Southerly along said East line to the North line of Westover Farms, Plat Book O, Page 120, said Public Records; thence Easterly along said North line to the West right of way line of the East-West Expressway; thence Southeasterly along said West right of way line to the South right of way line of Grove Street; thence Westerly along said South right of way line to the West right of way line of Division Avenue; thence Southerly along said West right of way line to the South right of way line of Old Winter Garden Road; thence Westerly along said South right of way line to the East line of the West 1/2 of said Section 29; thence Southerly along said East line to the North line of the Southeast 1/4 of the Southwest 1/4 of said Section 29; thence Westerly along said North line to the North right of way line of Florida's Turnpike; thence Northwesterly along said North right of way line to the East line of the West 1/4 of the Northeast 1/4 of said Section 30; thence Northerly along said East line to the North line of the Southwest 1/4 of the Northwest 1/4 of the Northeast 1/4 of said Section 30; thence Westerly along said North line and the Westerly extension thereof to the West right of way line of Marshal Farms Road; thence Southerly along said West right of way line to said North right of way line of Florida's Turnpike;

continued on sheet 2 of 7

SURVEYOR'S REPORT

1. Bearings shown hereon are assumed. Distances shown hereon are in feet and decimals thereof.
 2. This Sketch of Description was performed without benefit of an abstract, title search, title opinion or title insurance. A title search may reveal additional information affecting the parcel as shown.
 3. I hereby certify that this Sketch of Description of the above described property is true and correct to the best of my knowledge and belief as recently drawn under my direction and that it meets the Minimum Technical Standards for Land Surveying CH. 61G17-6 requirements.
 4. Not valid without the signature and the original raised seal of a Florida licensed surveyor and mapper.
- NOTICE: This Sketch of Description is certified to those individuals as shown on the face thereof. Any other use, benefit or reliance by any other party is strictly prohibited and restricted. Surveyor is responsible only to those certified and hereby disclaims any other liability and hereby restricts rights of any other individual of firm to use this Sketch of Description, without express written consent of the surveyor.

DESCRIPTION FOR CITY OF OCOEE	Date: 6/30/05 DCS		CERT. NO. LB2108 50319001  SOUTHEASTERN SURVEYING & MAPPING CORP. 6500 All American Boulevard Orlando, Florida 32810-4350 (407)292-8580 fax(407)292-0141 email: info@southeasternsurveying.com  GARY B. KRICK REGISTERED LAND SURVEYOR NO. 4245
	Job No.: 50319	Scale: none	
	CH. 61G17-6, Florida Administrative Code requires that a legal description drawing bear the notation that THIS IS NOT A SURVEY.		
SHEET 1 OF 7 SEE SHEET 2 FOR SKETCH			

SKETCH OF DESCRIPTION

continued from sheet 1 of 7

thence Westrely along said North right of way line to the Southwesterly line of a parcel of land described in Official Records Book 7979, Page 4289, said Public Records; thence Northeasterly, Westerly, and Northerly along the lines of said parcel of land to the South right of way line of said Colonial Drive; thence Westerly along said South right of way line to the East line of the Northeast 1/4 of the Northwest 1/4 of the Northwest 1/4 of said Section 30; thence Southerly and Westerly along the East and South lines of said Northeast 1/4 of the Northwest 1/4 of the Northwest 1/4 to the East right of way line of the Western Beltway (also known as State Road 429); thence Northwesterly along said East right of way line to the West line of said Section 19; thence Northerly along said West line to the POINT OF BEGINNING.

LESS AND EXCEPT

That portion of the Southeast 1/4 of the Southwest 1/4 of the Southwest 1/4 of said Section 20 bounded on the South by the North right of way line of Colonial Drive (also known as State Road 50); on the West and North by the West and North lines of said Southeast 1/4 of the Southwest 1/4 of the Southwest 1/4; on the Northeast by the Southwesterly right of way line of Bluford Avenue; on the Southeast by the lines of parcels of land described in Official Records Book 5087, Page 3353 and Official Records Book 4176, Page 5295, said Public Records.

LESS AND EXCEPT

A portion of said Section 19 being more particularly described as follows:

BEGIN at the intersection of the East line of said Section 19 and the East right of way line of Maguire Road; thence Northwesterly along said East right of way line to the centerline of an existing ditch; thence Northeasterly along said ditch to the Westerly right of way line of the Atlantic Coast Railroad; thence Southwesterly along said Westerly right of way line to said East line of Section 19; thence Southerly along said East line to the POINT OF BEGINNING.

LESS AND EXCEPT

A portion of said Sections 19 and 30 being more particularly described as follows:

COMMENCE at the intersection of the East right of way line of Marshall Farms Road and the North line of the Southwest 1/4 of the Southeast 1/4 of said Section 19; thence Southwesterly 578 feet more or less along said East right of way line to the POINT OF BEGINNING;

Thence East to County Ditch; thence Southwesterly along said County Ditch to the North right of way line of Colonial Drive (also known as State Road 50); thence Southwesterly to the South right of way line of said Colonial Drive and the Northeast corner of a parcel of land described in Official Records Book 5586 Page 4723, said Public Records; thence Southerly and Easterly along the lines of said parcel of land to the East line of the Northwest 1/4 of the Northwest 1/4 of the Northwest 1/4 of said Section 30; thence Southerly along said East line to the North line of the South 4.00 acres of said Northwest 1/4 of the Northwest 1/4 of the Northwest 1/4; thence Westerly along said North line to said East right of way line of Marshall Farms Road; thence Northerly along said East right of way line to the property line of said parcel of land; thence Easterly and Northerly along the property lines of said parcel of land to said South right of way line of Colonial Drive; Thence Northeasterly to the intersection of said North right of way line of Colonial Drive with the East line of the East 105 feet of the West 369 feet of the Southwest 1/4 of the Southeast 1/4 of said Section 19; thence Northerly along said East line to the North line of the South 578 feet of said Southwest 1/4 of the Southeast 1/4; thence Westerly along said North line to the East line of said East 105 feet of the West 578 feet to said East right of way line of Marshall Farm Road; thence Northeasterly along said East right of way line to the POINT OF BEGINNING.

Containing 1042 acres more or less.

APPROXIMATE
ACREAGE:

TOTAL	1066.8
LESS	20.2
LESS	1.9
LESS	2.3
REMAINDER	1042.4

Drawing No. 50319001
Date: 6/30/05
Sheets 1 and 2, Description
Sheet 3, Overall Sketch
Sheets 4-7, Details
SHEET 2 OF 7

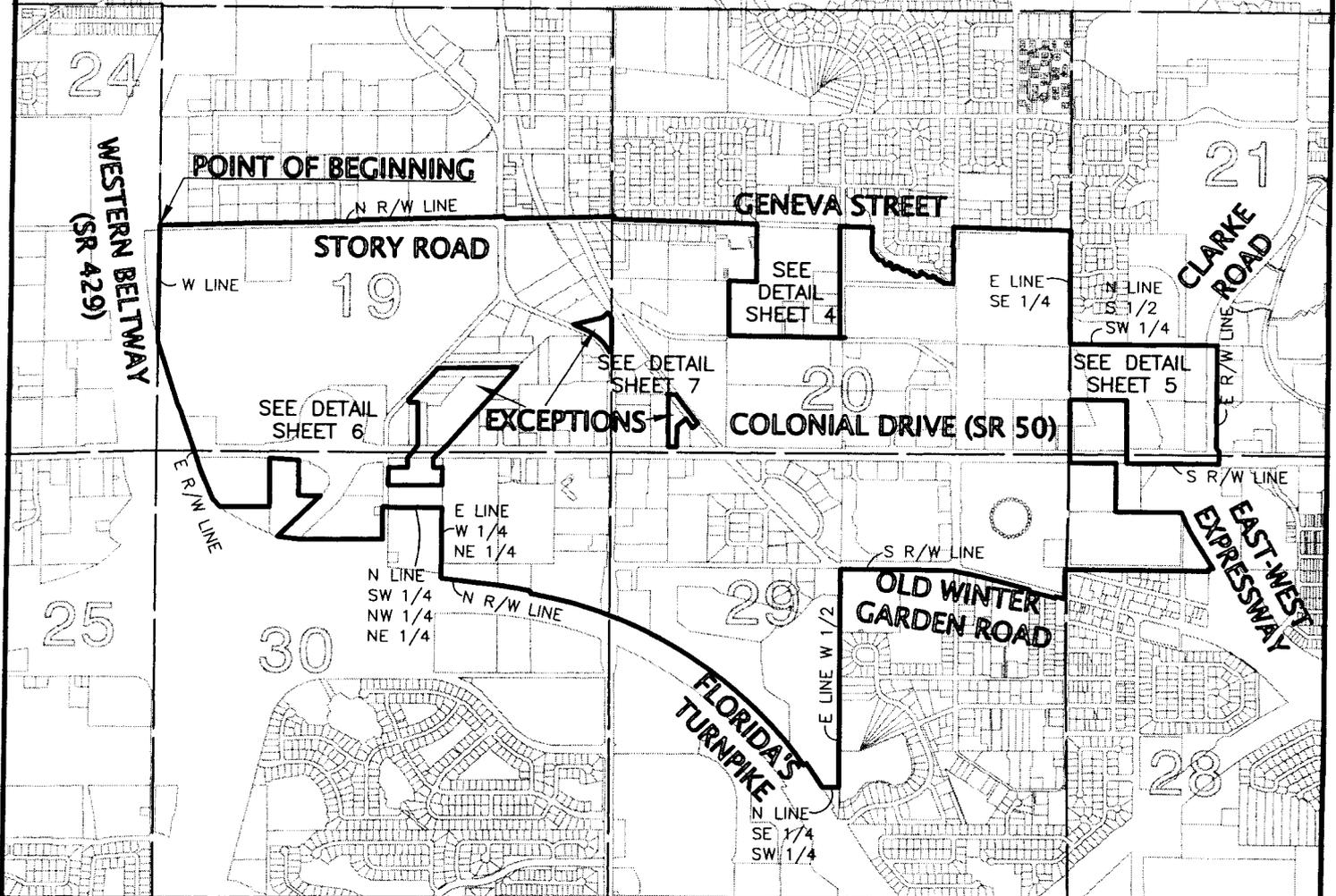


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6500 All American Boulevard
Orlando, Florida 32810-4350
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Cert. No. LB-2108
email:info@southeasternsurveying.com

SKETCH OF DESCRIPTION

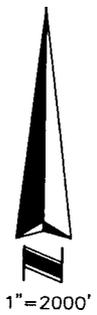
RANGE 27 EAST
RANGE 28 EAST

TOWNSHIP 22 SOUTH



ABBREVIATIONS

- R/W = RIGHT OF WAY
- ORB = OFFICIAL RECORDS BOOK
- SR = STATE ROAD

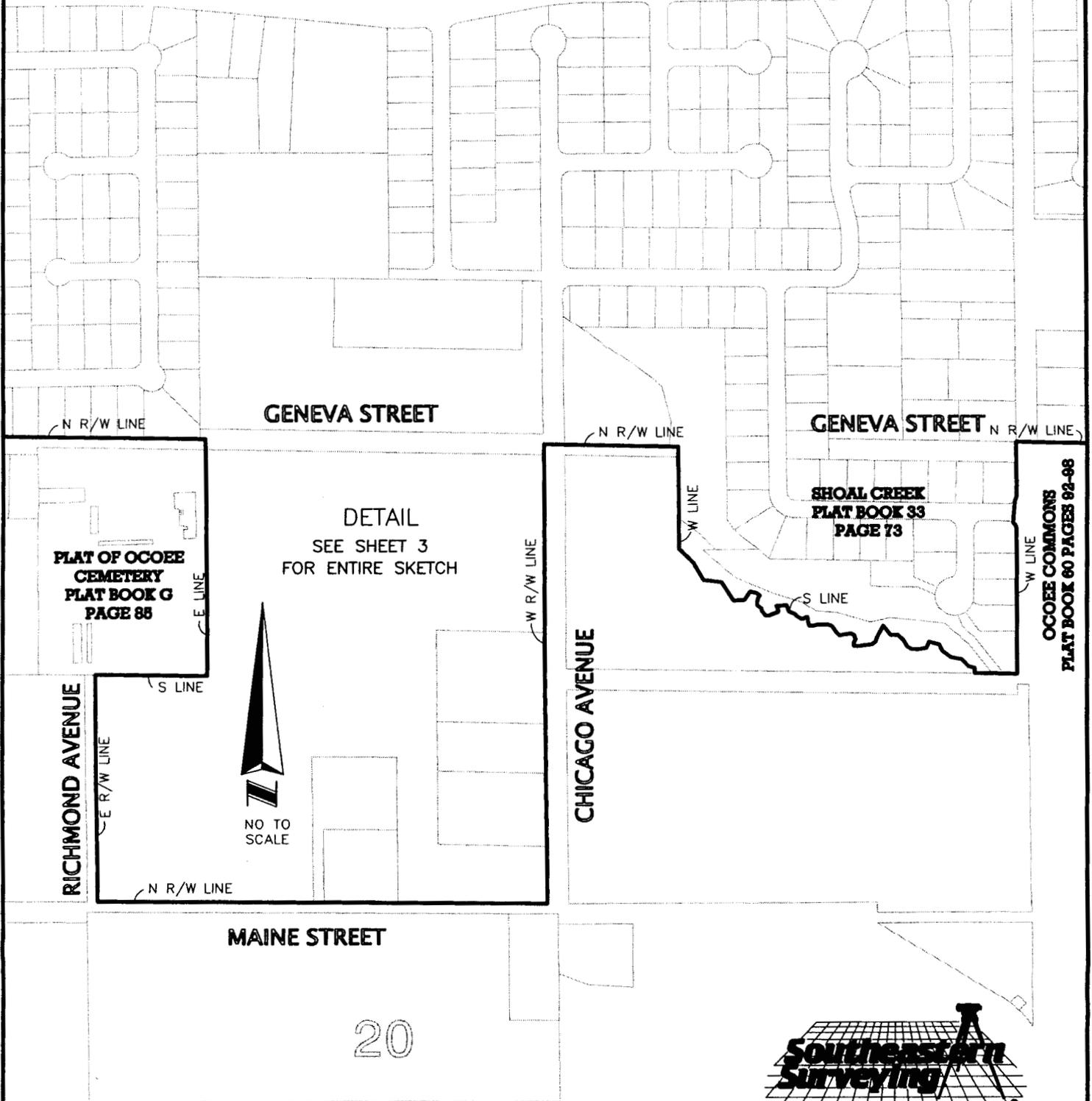


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SHEET 3 OF 7



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OCOEE COMMONS
 PLAT BOOK 60 PAGES 92-98

SHOAL CREEK
 PLAT BOOK 33
 PAGE 73

PLAT OF OCOEE
 CEMETERY
 PLAT BOOK G
 PAGE 88

DETAIL
 SEE SHEET 3
 FOR ENTIRE SKETCH



20

SKETCH OF DESCRIPTION

GENEVA STREET

N R/W LINE

SHOAL CREEK
PLAT BOOK 33
PAGE 73

S LINE

OCOEE
COMMONS
PLAT BOOK 60
PAGES 92-98

E LINE
SE 1/4

20

21

CLARKE ROAD



NO TO
SCALE

DETAIL
SEE SHEET 3
FOR ENTIRE SKETCH

N LINE
S 1/2
SW 1/4

N LINE

SW 1/4
SW 1/4
SW 1/4

E R/W LINE

COLONIAL DRIVE (SR 50)

540.30'±

S R/W LINE

ORB 4867
PAGE 4682

E LINE



29

N LINE

WESTOVER
FARMS
PLAT BOOK O
PAGE 120

EAST-WEST
EXPRESSWAY

W R/W LINE

W R/W LINE

S R/W LINE

OLD WINTER
GARDEN ROAD

S R/W LINE

GROVE STREET

28

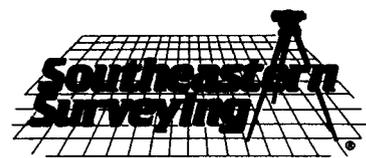
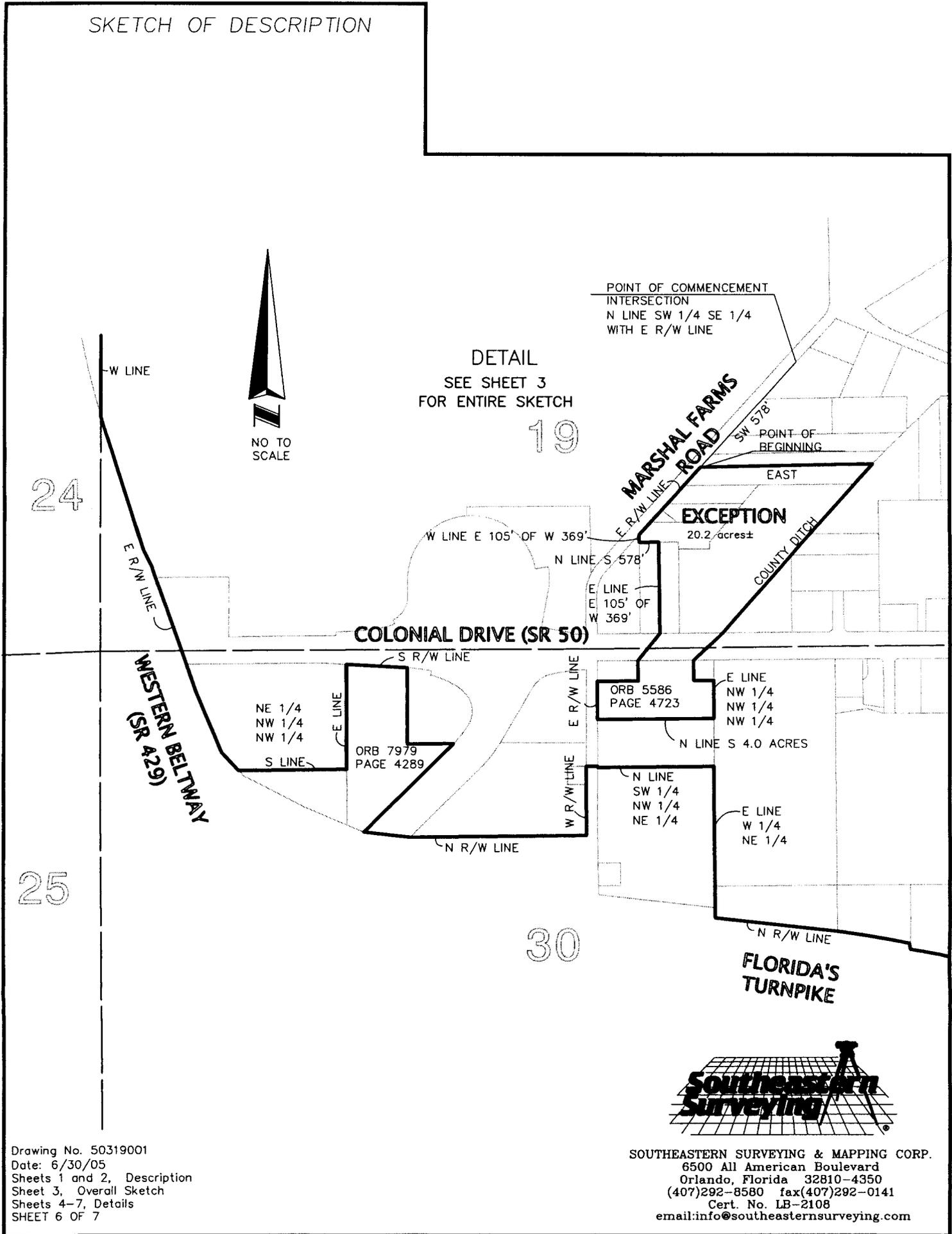
DIVISION AVENUE



Drawing No. 50319001
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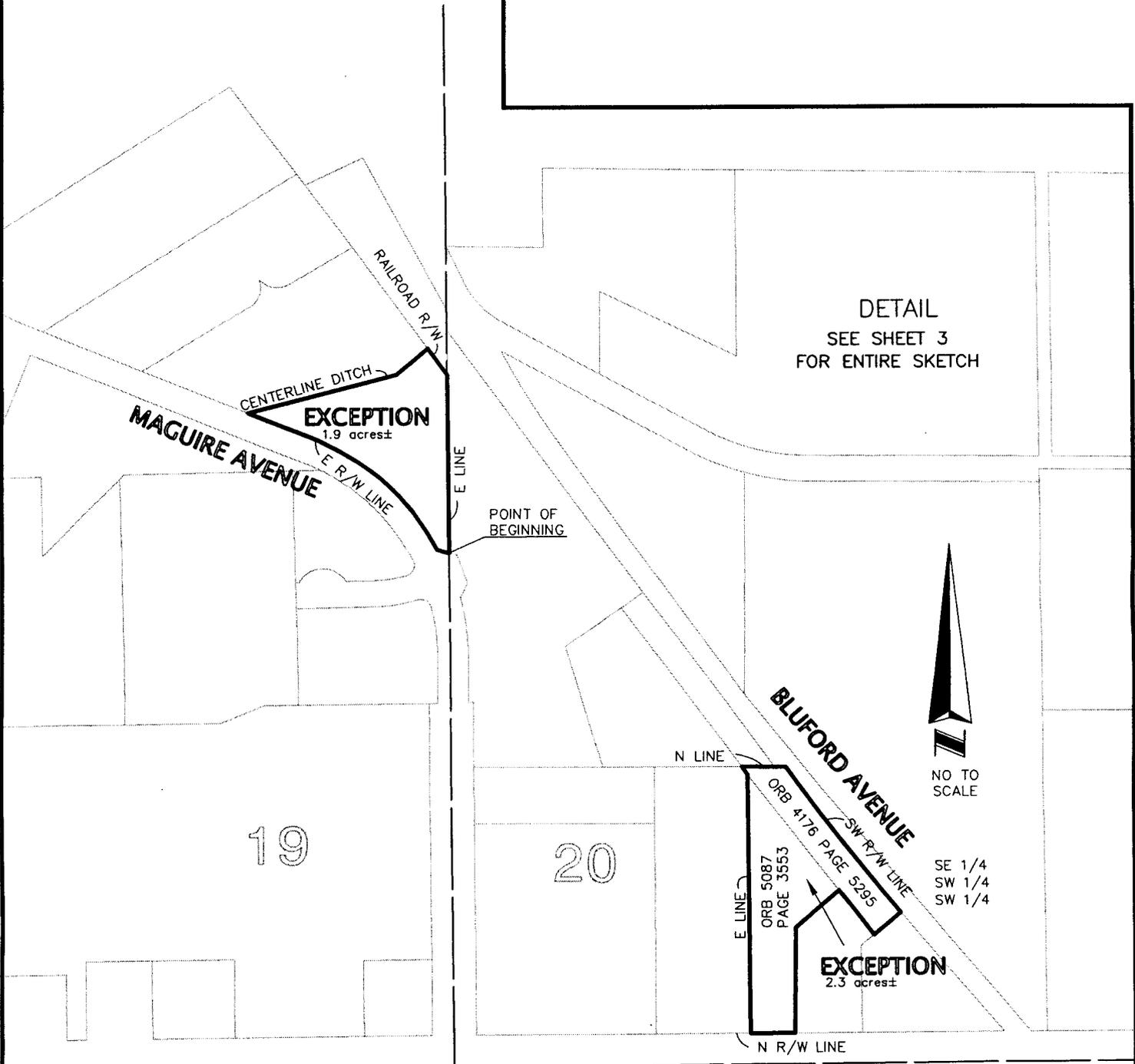


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SKETCH OF DESCRIPTION

DETAIL
SEE SHEET 3
FOR ENTIRE SKETCH



NO TO
SCALE

SE 1/4
SW 1/4
SW 1/4

COLONIAL DRIVE (SR 50)



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