

MAR 24 2009 NP/CAS/JPB

**RESOLUTION**  
*of the*  
**ORANGE COUNTY BOARD OF COUNTY COMMISSIONERS**  
*regarding*  
**DECLARING SURPLUS COUNTY PROPERTY**  
*and*  
**AUTHORIZING PRIVATE SALE**

Resolution No. 2009-M-10

**WHEREAS**, Orange County, a charter county and political subdivision of the State of Florida, pursuant to its home rule power and Section 125.35 of the Florida Statutes (2004), has authority to determine that certain real property owned by the County is not needed for County purposes and to convey such property; and

**WHEREAS**, Section 125.35(2) of the Florida Statutes provides that when the Board of County Commissioners finds that a County-owned parcel of real property is of insufficient size or shape to be issued a building permit for any type of development, or when the Board of County Commissioners determines that the value of a County-owned parcel of real property is Fifteen Thousand Dollars (\$15,000) or less as determined by a Board-approved fee appraiser or the County property appraiser, and when it is determined that due to the parcel's size, shape, location, and value it is only of use to one or more of the adjacent property owners, the Board may then effect a private sale of the parcel; and

**WHEREAS**, the County owns fee simple title to a parcel of land more particularly described in **Exhibit "A"** attached hereto and incorporated herein (the "Parcel") the deed to which largely restricts the County's use to drainage purposes; and

**WHEREAS**, only one entity, TWC Eighty-Eight, Ltd., a Florida limited partnership owns property adjacent to the Parcel; and

**WHEREAS**, the Board determines that the Parcel should be offered for private sale to the adjacent property owner for the highest price feasible, considering its location, and use restrictions, so long as an adequate drainage easement and access easement in favor of the County are retained over the Parcel.

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

*Section 1.* The Board finds that, because of use restrictions on the County, the rights reserved in the grantor, the value of the Parcel is significantly reduced.

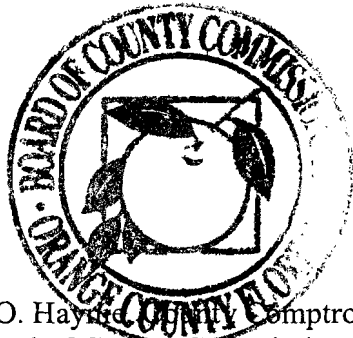
*Section 2.* The Board finds that the Parcel is no longer needed for County purposes so long as sufficient drainage and access easements in favor of the County are obtained, the Parcel comports with the size, shape, and value requirements of Florida Statute 125.35(2), making it appropriate for private sale.

*Section 3.* The Orange County Real Estate Management Division is hereby directed to do all things necessary and proper to effect a private sale of the Parcel to TWC Eighty-Eight Ltd. in accordance with the provisions of Section 125.35(2), so long as sufficient consideration and drainage and access easements are obtained.

*Section 4.* The County Mayor is authorized to execute a statutory county deed conveying the Parcel and to accept drainage and access easements over the Parcel.

*Section 5.* This Resolution shall take effect immediately upon its adoption.

ADOPTED this \_\_\_\_\_ day of MAR 24 2009, 2009.



**ORANGE COUNTY, FLORIDA**  
By: Board of County Commissioners

By: *Richard T. Crotty*  
Richard T. Crotty  
Orange County Mayor

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

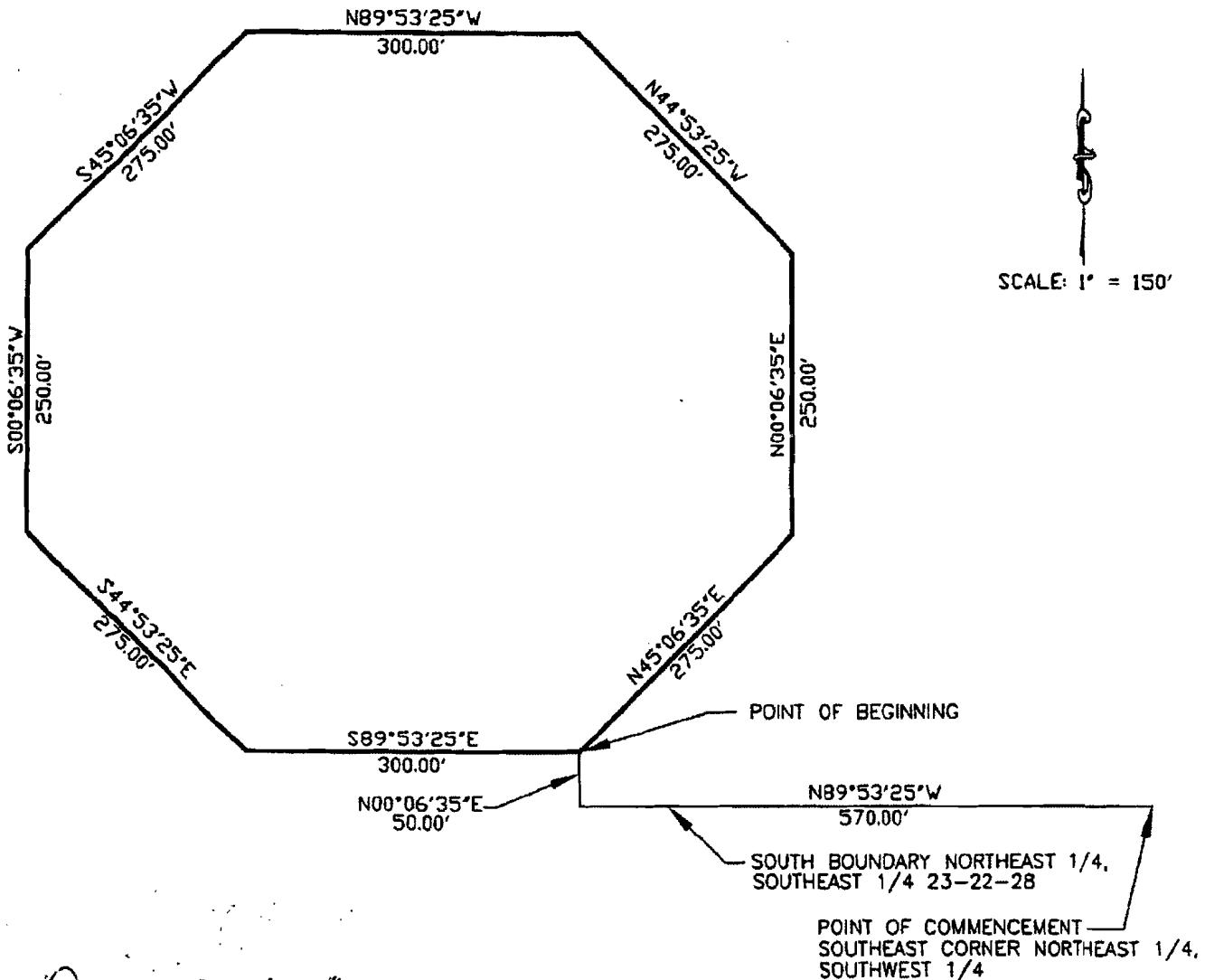
By: *Martha O. Hayden*  
Deputy Clerk  
Print Name: MARTHA O. HAYDEN

SKETCH OF DESCRIPTION

Legal Description:

From the Southeast corner of the Northeast 1/4 of the Southwest 1/4 of Section 23, Township 22 South, Range 28 East, run N89°53'25"W 570 feet along the South boundary of said Northeast 1/4 of Southwest 1/4; thence N00°06'35"E 50 feet to the POINT OF BEGINNING; thence N45°06'35"E 275 feet; thence N00°06'35"E 250 feet; thence N44°53'25"W 275 feet; thence N89°53'25"W 300 feet; thence S45°06'35"W 275 feet; thence S00°06'35"W 250 feet; thence S44°53'25"E 275 feet; thence S89°53'25"E 300 feet to the POINT OF BEGINNING.

Containing 8.37 acres, more or less.



*Dann L. McKee*  
 Dann L. McKee  
 REGISTERED LAND SURVEYOR AND MAPPER  
 STATE OF FLORIDA LICENSE NO. 4168

UNLESS IT BEARS THE SIGNATURE AND THE ORIGINAL RAISED SEAL OF A FLORIDA LICENSED SURVEYOR AND MAPPER THIS DRAWING, SKETCH, PLAT OR MAP IS FOR INFORMATIONAL PURPOSES ONLY AND IS NOT VALID.

THIS IS NOT A BOUNDARY SURVEY

ORANGE COUNTY, FLORIDA			
<b>ENGINEERING DEPARTMENT - SURVEY SECTION</b>			
4200 SOUTH JOHN YOUNG PKWY., ORLANDO FLORIDA 32839-9806			
TELEPHONE NO. (407)-858-7940			
PREPARED FOR: ORANGE COUNTY ROADS AND DRAINAGE			
SECTION: 23	PURPOSE: ROAD RIGHT-OF-WAY	BY:	DATE:
TOWNSHIP: 22 S	SCALE: 1" = 150'	CALC.S:	
RANGE: 24 E	SHEET: 1 OF 1	DRAWN: ZIMMERMAN	8-27-03
DRAWING INDEX NO.:	CHECKED: McKee		8-27-03