

APPROVED  
BY ORANGE COUNTY BOARD  
OF COUNTY COMMISSIONERS  
OCT 16 2012 NP/CAS

of the

**ORANGE COUNTY BOARD OF COUNTY COMMISSIONERS**  
**AUTHORIZING THE EXCHANGE OF**  
**CERTAIN COUNTY PROPERTY INTERESTS**  
**FOR RECEIPT OF OTHER REAL PROPERTY INTERESTS**

Resolution No. 2012-M-42

**WHEREAS**, Orange County, a charter county and political subdivision of the State of Florida ("County"), pursuant to its home rule power and Section 125.37, Florida Statutes (2012), has authority to determine that certain real property is not needed for County purposes and to exchange said property for other real property; and

**WHEREAS**, County owns certain real property interests, referred to as the Unused Right-of-Way and more particularly described in **Exhibit "B"** attached and incorporated into that certain : **Land Exchange Agreement (Moss Park Road/Innovation Way South)** being considered by County's Board of County Commissioners (the "Board") of even date herewith (the "Land Exchange Agreement"); and

**WHEREAS**, Gary T. Randall, as trustee and not individually (“Randall”), is the fee simple owner of certain real property (the “Randall Property”), as more particularly described in the **Exhibit “A”** attached and incorporated into the Land Exchange Agreement; and

**WHEREAS**, County is considering Randall’s petition to vacate the Unused Right-of-Way, such that if approved by County, then Parcel H, as identified in the composite **Exhibit “C”** attached and incorporated into the Land Exchange Agreement, shall be owned by County; and

**WHEREAS**, County has agreed to convey such Parcel H to Randall in exchange for Randall’s conveyance to County of a temporary storm water drainage easement (the “Temporary Easement”) over parcels A and B, as more particularly described in Exhibit “E,” attached and incorporated into the Land Exchange Agreement, and over parcels C and D, as described in the aforementioned composite Exhibit C; and

**WHEREAS**, Orange County and Randall wish to undertake an exchange of property interests by which (1) the County would convey its interest in Parcel H and (2) Randall would grant the County the Temporary Easement, as more particularly described in that certain Land Exchange Agreement.

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

**COMMISSIONERS OF ORANGE COUNTY, FLORIDA:**

*Section 1.* The Board finds that Parcel H will no longer be needed for County purposes upon the grant of the Temporary Easement to the County by Randall and such Parcel H may, to the best interest of the County, be exchanged for the Temporary Easement.

*Section 2.* The Real Estate Management Division is authorized and directed to do all things necessary and proper to effectuate the terms of this exchange; provided, however, that the

following has first occurred: (a) the parties have entered into the Land Exchange Agreement; (b) Randall has complied with all terms of the Land Exchange Agreement; and (c) Randall pays for, or reimburses County for, costs of this exchange as provided in the Land Exchange Agreement.

*Section 3.* This Resolution shall take effect upon adoption by the Board.

**ADOPTED** by the Board of County Commissioners of Orange County, Florida, this  
\_\_\_\_ day of **OCT 16 2012**, 2012.



ORANGE COUNTY, FLORIDA  
By: Board of County Commissioners

By: *Teresa Jacobs*  
Teresa Jacobs  
Orange County Mayor

Date: *10.16.12*

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

By: *Kelli Smith*  
Deputy Clerk