

APPROVED
BY ORANGE COUNTY BOARD
OF COUNTY COMMISSIONERS
MAY 05 2015 *NP/KH*

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

Resolution No. 2015-M-11

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, 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 Board of County Commissioners finds that the two parcels of County property (hereinafter referred to individually as "Parcel" and collectively as the "Parcels") described in Exhibit "A" attached hereto and incorporated herein by reference are no longer needed for County purposes and comport with the size, shape, and value requirements of Florida Statute 125.35(2); and

WHEREAS, the conveyance of the Parcels is also subject to the requirements of Section 710 of Orange County Resolution No. 92-B-06 (the "Bond Resolution") securing the County's Water Utilities System Revenue Refunding bonds, Series 1998, and the County now intends by adoption of this Resolution to comply with such requirements; and

WHEREAS, the Board further determines that the Parcels should be offered for private sale or sale to an adjacent property owners for the highest bid.

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

Section 1. The Board has reviewed and considered findings of the Director of Utilities attached hereto as Exhibit “B” determining that one or more of the conditions for the sale or disposition of utility system assets set forth in Section 710 of the Bond Resolution have been met, and such findings are incorporated herein by reference and made a part of this Resolution.

Section 2. The Orange County Real Estate Management Division is hereby directed to mail notice via certified mail to all owners of property adjacent to the Parcels of the Board’s intention to sell and convey the Parcels at a private sale without publishing notice. Each such notice shall notify the recipient that if the recipient wishes to purchase a Parcel, said recipient must notify the County within ten (10) working days after receiving such mailed notice of the desire to purchase the Parcel.

Section 3. If within ten (10) working days after receiving such mailed notice, two or more owners of property adjacent to a Parcel notify the County of their desire to purchase such Parcel, the County shall then solicit and accept sealed bids for each such Parcel from such property owners and may convey such Parcel to the highest bidder or may reject all offers. In those instances where the highest bid is accepted, the Manager of the Real Estate Management Division is authorized to do all things necessary and proper to effectuate such sale, and the County Mayor is authorized to execute a County deed conveying such Parcel.

Section 4. This Resolution shall take effect immediately upon its adoption.

ADOPTED this _____ day of MAY 05 2015, 2015.



ORANGE COUNTY, FLORIDA
By: Board of County Commissioners

By: *Teresa Jacobs*
Teresa Jacobs
County Mayor

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

By: *Kathie Smith*
Deputy Clerk

EXHIBIT "A"

Partlow Acres 25-22-27-6728-01-012

The South 20 feet of Lot 1, Block A, PARTLOW ACRES, according to plat thereof as recorded in Plat Book V, Page 114, Public Records of Orange County, Florida.

East Highlands 23-22-30-2320-03-082

Begin at the SW corner of Lot 8, Block C, EAST HIGHLANDS SUBDIVISION, according to the plat thereof recorded in Plat Book T, Page 149, Public Records of Orange County, Florida, run East 76.46 feet, thence North 90.63 feet to the Westerly line of said Lot 8, thence Southerly along the Westerly line of said Lot 8 a distance of 118.22 feet and to the Point of Beginning.



Interoffice Memorandum

Date: February 20, 2014

To: William Hurt, Jr., Manager
Real Estate Management Division

From: Raymond E. Hanson, P.E., Director
Utilities Department

A handwritten signature in black ink, appearing to read "R. Hanson".

Subject: **Declaration of Surplus Utilities' Properties:**
2984 West Orange Avenue, Orlando, Florida, Parcel Id No. 06-21-28-7172-02-401, 0.241 Acres;
1140 Partlow Drive, Orlando, Florida, Parcel Id No. 25-22-27-6728-01-012, 0.045 Acres;
7701 Marietta Street, Orlando, Florida, Parcel Id No. 23-22-30-2320-03-082, 0.079 Acres

This memo hereby declares that the above referenced properties have been determined by the Utilities Department to be surplus utilities properties and eligible for disposition from the Water Utilities System.

The Utilities Department have reviewed the documents related to these properties and have determined that the Utilities' assets in question are currently not in service, and provide no financial or operational benefit to the Department. In addition, the disposition of these properties will not adversely affect the security of the Water Utilities System Revenue Bondholders.

Therefore, in accordance with the 1992 Water Utilities System Revenue Bonds Resolution 92-B-06, Article VIII, Section 710, Sale or Other Disposition of the Water Utilities System, I have determined that these properties are not necessary for the operation of the Water Utilities System.

Therefore, please proceed with the sale of the above referenced properties. The proceeds from the sale or transfer should be deposited in Revenue Account No. 4420-038-1300-6410 of the Water Utilities System.

Thank you for your assistance in this matter.

Attachments:

Copy without Attachments:

Ron Nielsen, Deputy Director, Utilities Department
 Jason Herrick, P.E., Deputy Director, Utilities Department
 Glenn Kramer, Manager, Utilities Fiscal & Operational Support Division
 Fritz Goode, Fiscal Administrator, Utilities Fiscal & Operational Support Division
 Steve Lorman, Real Estate Division