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OCT 18 1982

O.R. 3318 PG 2601

RESOLUTION NO. 82-SW-19

1300
JWC

A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF ORANGE COUNTY, FLORIDA AMENDING THE BOUNDARIES OF THE EAST ORANGE COUNTY SEWER MUNICIPAL SERVICES TAXING UNIT CREATED BY RESOLUTION DATED JUNE 29, 1982; RESOLVING AMBIGUITIES BETWEEN EXHIBITS A AND D OF THE JUNE 29, 1982 RESOLUTION TO EXPRESSLY INCLUDE CERTAIN PROPERTY FOR WHICH AN EAST ORANGE COUNTY SEWER APPLICATION AND AGREEMENT WAS EXECUTED; RATIFYING, VALIDATING AND CONFIRMING THE RESOLUTION OF JUNE 29, 1982, AS WELL AS ALL RIGHTS AND OBLIGATIONS UNDER THE EAST ORANGE COUNTY SEWER APPLICATION AND AGREEMENT EXECUTED BY "BML PROPERTIES"; PROVIDING AN EFFECTIVE DATE.

PREMISES

1. The legal description contained in Exhibits A and D of the East Orange County Sewer MSTU Resolution of June 29, 1982 ("Resolution") was ambiguous to the extent that certain property described in Exhibit D and upon which both the Property Owner and the Board of County Commissioners ("Board") intended assessments to be imposed for sewer service was not contained within the external boundaries of the MSTU.

2. Anticipating the concurrence of the Property Owner, the Board now desires to remove the ambiguity and to amend the boundaries of the MSTU to expressly include the property.

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

Section 1. The boundaries of the MSTU described in Exhibit A to the Resolution are hereby amended to include the following property for which "BML Properties", a Florida partnership, executed an East Orange County Sewer Application and Agreement:

The S.E. 1/4 of the N.E. 1/4, less the South 55 feet thereof, and the South 12-1/2 acres (sometimes described as the South 412.05 feet) of the N.E. 1/4 of the N.E. 1/4 of Section 9, Township 23 South, Range 30 East:

Less and except the Bowser lands which are described as follows:

Begin 1044 feet East and 278.5 feet South of the Northwest corner of the South 1/2 of the N.E. 1/4 of the N.E. 1/4 of said Section 9, run East 363 feet; South 120 feet, West 363 feet, North 120 feet to the Point of Beginning; less and except beginning 1044 feet East and 247.5 feet South of the Northwest corner of the South 1/2 of the N.E. 1/4 of the N.E. 1/4 of Section 9, Township 23 South, Range 30 East, run East 363 feet, South 31 feet, West 363 feet, North 31 feet to the Point of Beginning.

Containing 45.481 acres more or less.

All assessments imposed by the Resolution and all rights and obligations of the County and BML Properties under the East Orange County Sewer Application and Agreement are hereby ratified, validated and confirmed.

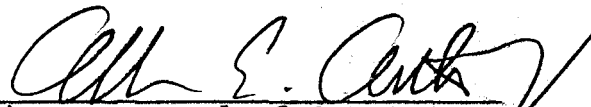
NOTE: This document amends Resolution recorded in O.R. 3292, Pg. 516 on June 30, 1982.

RETURN TO: Clerk's Office - Room 242

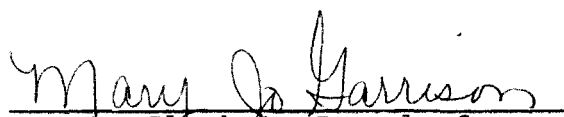
Section 2. This amending resolution shall take effect immediately.

ADOPTED THIS 18th DAY OF OCTOBER, 1982.

ORANGE COUNTY, FLORIDA


Chairman, Board of County
Commissioners

ATTEST:


Deputy Clerk to Board of
County Commissioners

STATE OF FLORIDA)
)
COUNTY OF ORANGE)

I, Thomas H. Locker, Orange County Comptroller and duly qualified and acting Clerk to the Board of County Commissioners of Orange County, Florida, do hereby certify that the above and foregoing constitutes a true and correct copy of a resolution duly adopted at the meeting of the Board of County Commissioners of Orange County held on October 18, 1982.

I further certify that the ayes and nays taken on the passage of the resolution will be entered in the minutes of the Board and that provision has been made for the preservation and indexing of the resolution, which is open for inspection by the public at all reasonable times at the office of the County Clerk in the Orange County Courthouse.

WITNESS my official signature and the official seal of Orange County, this 19th day of October, 1982.



Comptroller and Clerk of the Board of County Commissioners

(SEAL)

RECORDED & RECORD VERIFIED



County Comptroller, Orange Co., Fla.

1300
date

ACKNOWLEDGMENT AND AGREEMENT
OF
BML PROPERTIES

BML Properties, a Florida corporation ("BML") hereby acknowledges and agrees to the following in connection with that certain East Orange County Sewer Application and Agreement ("Agreement") executed by BML for certain property owned by it in Orange County, Florida:

1. BML acquiesces and agrees to the amending resolution of the Board of County Commissioners of Orange County ("Board") adopted on October 18, 1982 (Exhibit A hereto) to expressly include the property described therein and owned by BML in the East Orange County Sewer Municipal Services Taxing Unit ("MSTU"). Furthermore, BML acknowledges actual notice of the Board's intent to adopt both the MSTU Resolution of June 29, 1982 and the amendment thereto on October 18, 1982 and waives its right to published and mailed notice and opportunity to be heard. In connection with this waiver, BML expressly acknowledges (a) that said property was included in the MSTU and specially assessed for sewer service at the request of BML and (b) that said property owned by BML will receive special benefits from the sewer service to be granted under the Agreement equal to or greater than the amount of such special assessments.

2. Subject to its rights and privileges under the Agreement, BML shall pay or cause its successors in interest to pay the assessments on the property regardless of whether such assessments are later found by a court of law to be legally defective, invalid or insufficient for any reason.

3. BML shall deliver this Acknowledgment and Agreement in executed counterparts, if requested by Orange County, and agrees that the County may record this in the Public Records if it desires.

AGREED THIS 19th DAY OF OCTOBER, 1982.

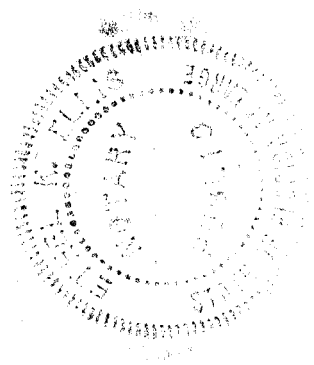
BML PROPERTIES

By: [Signature]
Partner

STATE OF FLORIDA
COUNTY OF ORANGE

BEFORE ME, the undersigned authority, on this day personally appeared Barry S. Goodman known to me to be the person whose name is subscribed to the foregoing instrument and acknowledged to me that he executed the same for the purposes and consideration therein expressed.

GIVEN UNDER MY HAND AND SEAL OF OFFICE this 19th day of October, 1982.



[Signature]
Notary Public in and for
Orange County, Florida

Notary Public, State of Florida at Large
My Commission Expires Apr. 21, 1984
Bonded Thru Troy Fain Insurance, Inc.

PLEASE RETURN TO CLERK TO B.C.C. ROOM 242

OCT 18 1982

RESOLUTION NO. 82-SW-19 O.R. 3318 PG 2605

A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF ORANGE COUNTY, FLORIDA AMENDING THE BOUNDARIES OF THE EAST ORANGE COUNTY SEWER MUNICIPAL SERVICES TAXING UNIT CREATED BY RESOLUTION DATED JUNE 29, 1982; RESOLVING AMBIGUITIES BETWEEN EXHIBITS A AND D OF THE JUNE 29, 1982 RESOLUTION TO EXPRESSLY INCLUDE CERTAIN PROPERTY FOR WHICH AN EAST ORANGE COUNTY SEWER APPLICATION AND AGREEMENT WAS EXECUTED; RATIFYING, VALIDATING AND CONFIRMING THE RESOLUTION OF JUNE 29, 1982, AS WELL AS ALL RIGHTS AND OBLIGATIONS UNDER THE EAST ORANGE COUNTY SEWER APPLICATION AND AGREEMENT EXECUTED BY "BML PROPERTIES"; PROVIDING AN EFFECTIVE DATE.

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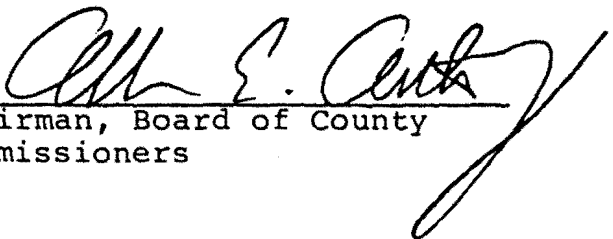
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ORANGE COUNTY, FLORIDA


Chairman, Board of County
Commissioners

ATTEST:


Deputy Clerk to Board of
County Commissioners

RECORDED & RECORD VERIFIED


County Comptroller, Orange Co., Fla.