

APPROVED BY THE BOARD OF COUNTY
COMMISSIONERS AT ITS MEETING
JAN 25 1994 *juwala*

RESOLUTION NO. 94-W-01

A RESOLUTION OF THE BOARD OF COUNTY
COMMISSIONERS OF ORANGE COUNTY, FLORIDA
AUTHORIZING CONVEYANCE OF PIPES AND WATER
METERS IN THE WHITEHILL SUBDIVISION TO THE
CITY OF OCOEE.

WHEREAS, on this date, the Orange County Board of County
Commissioners (hereinafter "Board") entered into a Settlement
Agreement with respect to a majority of annexation and
rezoning ordinances challenged by Orange County in Case No.
CI93-245 (hereinafter the "Settlement Agreement"); and

WHEREAS, the Whitehill Subdivision is a subdivision which
is located within the boundaries of the City of Ocoee and is
currently obtaining water service from both the City of Ocoee
and Orange County; and

WHEREAS, Orange County provides water service to
fifty-five customers in the Whitehill Subdivision (Plat Book
29, Page 68), Public Records of Orange County; and

WHEREAS, as part of the Settlement Agreement dated this
date, Orange County and City of Ocoee have also amended their
existing water and sewer territorial agreements (hereinafter
referred to as the "Water Amendment" and "Sewer Amendment,"
respectively and collectively referred to as the
"Amendments"); and

WHEREAS, the Water Amendment states that the Whitehill
Subdivision will receive water service exclusively from City
of Ocoee rather than Orange County; and

WHEREAS, in connection with the transfer of said
fifty-five customers, the Board desires to transfer to the
City of Ocoee the pipes, and meters currently used to provide
water to the Whitehill Subdivision (hereinafter collectively
referred to as the "Personal Property") as set forth on
Exhibit "A" which is attached hereto and incorporated by
reference; and

WHEREAS, the Amendments will result in an additional twenty eight future wastewater customers for Orange County and an additional seventy eight water customers for Orange County; and

WHEREAS, the Amendments allow for Orange County to keep all connection fees paid by the Whitehill Subdivision for water service; and

WHEREAS, the Water Amendment and Sewer Amendment also ratify the validity of the existing water and sewer territorial agreements between Orange County and the City of Ocoee; and

WHEREAS, nothing contained herein shall be construed as a grant of any real property rights from Orange County.

NOW, THEREFORE, BE IT RESOLVED AS FOLLOWS:

Section 1. That the Board finds that, pursuant to Florida Statute 125.38, and Section 6.05.04 of the County Administrative Regulations (pertaining to surplus Personal Property) and, in consideration of the benefits stated in the foregoing recitals, the Personal Property will not be needed for Orange County purposes and shall be transferred to the City of Ocoee.

Section 2. The Board finds that said transfer, in consideration of the benefits stated in the foregoing recitals, will result in an overall advantage to the Orange County Water Utility System and will not adversely affect the security with regard to the Orange County Water Utilities System Revenue Bonds.

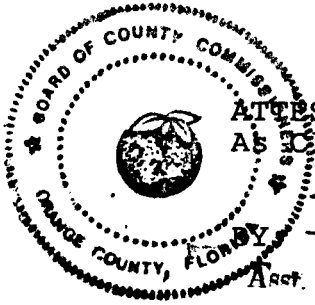
Section 3. The Board hereby authorizes that a bill of sale may be executed in connection with the transfer of the Personal Property.

DONE AND RESOLVED THIS 25th DAY OF January, 1994.

ORANGE COUNTY, FLORIDA

BY: Tom Staley
for the County Chairman

DATE: 2-2-94



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

[Signature]
Deputy Clerk

AMY645 01/26/94

EXHIBIT "A"

The water mains currently located within the rights-of-way which are within the boundary of Whitehill, Phase I, as recorded in Plat Book 29, Page 63, Public Records of Orange County, Florida (hereinafter "Whitehill"); along with all water service lines, water meters, valves, hydrants, and water meter boxes currently located within the boundary of Whitehill Phase I.