



Interoffice Memorandum

August 4, 2014

APPROVED
BY ORANGE COUNTY BOARD
OF COUNTY COMMISSIONERS
AUG 19 2014 *NP/KH*

TO: Mayor Teresa Jacobs
and Board of County Commissioners

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

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

**SUBJECT: BCC AGENDA ITEM – Consent Agenda
August 19, 2014 BCC Meeting
Lease of Portion of Water Conserv II Land at Private Sale
Contact Person: Larry G. Tunnell, P. E., P. G., Manager
Utilities Water Reclamation Division
407-254-9645**

Orange County FFA Alumni, Inc. is a not-for-profit corporation that is a promoter and supporter of the agricultural educational program in Orange County Public Schools. Orange County and the City of Orlando desire to enter into a lease agreement with Orange County FFA Alumni, Inc. to allow Orange County FFA Alumni, Inc. to use approximately 80 acres of Water Conserv II property for hay production.

Under the lease agreement, Orange County FFA Alumni, Inc. is responsible for the maintenance, repair, and restoration of the property at their expense. This lease agreement is for a three-year term with an option to renew this lease agreement on terms and conditions mutually acceptable to all parties. Under the terms of this lease agreement, Orange County FFA Alumni, Inc. will pay for reclaimed water used at the property at the established rate.

Orange County Attorney's staff has reviewed the resolution and finds it acceptable as to form and content. Utilities Department staff has reviewed the resolution and recommends approval.

**Action Requested: Approval of Resolution of the Orange County Board
of County Commissioners Regarding Lease of
Portion of Water Conserv II Land at Private Sale**

District 1.

APPROVED
BY ORANGE COUNTY BOARD
OF COUNTY COMMISSIONERS
AUG 19 2014 NP/KH

RESOLUTION

of the
ORANGE COUNTY BOARD OF COUNTY COMMISSIONERS
Regarding
**LEASE OF PORTION OF
WATER CONSERV II LAND AT PRIVATE SALE**

Resolution No. 2014-M-47

WHEREAS, Orange County, a charter county and political subdivision of the State of Florida, pursuant to its home rule power and Sections 125.35 and 125.38 of the Florida Statutes, has authority to determine that certain real property owned by the County is not needed for County purposes and to lease such property; and

WHEREAS, Section 125.38 of the Florida Statutes provides that when an organization not for profit which may be organized for the purposes of promoting community interest and welfare should desire to lease real property for public or community interest or welfare, then the organization may apply to the Board of County Commissioners for lease of the property; and

WHEREAS, when the Board of County Commissioners is satisfied that a County-owned parcel of real property is required for the requested use by the organization, and the Board of County Commissioners determines that the property is not needed for County purposes, then the Board of County Commissioners may lease the property at private sale to the applicant-organization for such price, whether nominal or otherwise, as the Board may fix regardless of the actual value of the property; and

WHEREAS, Orange County FFA Alumni, Inc., a Florida not for profit corporation (hereinafter the "FFA Alumni"), a promoter and supporter of agricultural education, has asked Orange County and the City of Orlando, having joint ownership of certain property commonly known as the Water Conserv II property, to lease property to FFA Alumni for hay production to promote and support the agricultural education programs in Orange County Public Schools; and

WHEREAS, the Board of County Commissioners has determined that the lease of the portion of the Water Conserv II property jointly owned by Orange County and the City of Orlando (hereinafter referred to as the "Property"), consisting of approximately 80 acres and described in **Exhibit "A"** attached hereto and incorporated herein by reference, to the FFA Alumni in July of 2014 for one dollar a year for a three-year term satisfied the provisions of Florida Statutes Section 125.38 for private sale of the lease; and

WHEREAS, FFA Alumni will pay the cost of receiving reclaimed water and any other

utilities for hay production throughout the term of the lease; and

WHEREAS, the lease of the Property is 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 the Resolution to comply with such requirements; and

WHEREAS, the Board of County Commissioners finds that the Property is no longer needed for County purposes, and the request for use comports with the requirements of Florida Statutes Section 125.38.

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

Section 1. Pursuant to Florida Statutes Section 125.38, the FFA Alumni, a non-profit 501 (c)(3) Florida corporation and promoter and supporter of the agricultural education program in Orange County Public Schools, has applied to Orange County and the City of Orlando, as joint owners of the Property, to lease the Property for hay production to promote and support the agricultural education program in Orange County Public Schools for the three-year term provided in its lease.

Section 2. FFA Alumni has agreed to pay for reclaimed water used by FFA Alumni at the Property in exchange for execution of the lease for a term of three years.

Section 3. The Board of County Commissioners has reviewed and considered the findings of the Director of Utilities attached hereto as **Exhibit “B”** determining that one or more of the conditions for the sale, lease or disposition of utility system assets set forth in Section 710 of the Bond Resolution have been met and the County hereby adopts, approves and concurs in such findings.

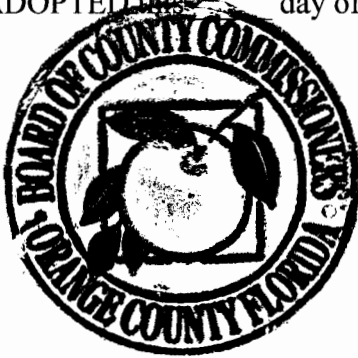
Section 4. The Board of County Commissioners intends to enter into a Lease

Agreement, wherein the Board agrees to lease the Property for one dollar per year for the term of the Lease.

Section 5. The Board of County Commissioners determines that the Property is no longer needed for County purposes and that it is in the best interest of Orange County to lease the Property.

Section 6. This Resolution shall take effect immediately upon its adoption.

ADOPTED this _____ day of AUG 19 2014, 2014.



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: *Martha O. Haynie*
Deputy Clerk

EXHIBIT "A"
LEASED PROPERTY DESCRIPTION

NW 1/4--LESS W 33 FT & LESS S 33 FT FOR RD RWS & LESS E 33 |
FT OF SE 1/4 OF NW 1/4 & LESS S 33 FT OF E 33 FT OF NE 1/4 |
OF NW 1/4 FOR RD R/W--N 1/2 OF NE 1/4--LESS S 33 FT FOR RD |
R/W-- |
ORB 3195 PG 2260 |

EXHIBIT "B"
FINDINGS BY THE DIRECTOR OF ORANGE COUNTY UTILITIES



Interoffice Memorandum

June 16, 2014

TO: Ann Caswell, Acting 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", is written over the name of the sender in the "FROM" field.

SUBJECT: **Surplus Property Declaration - Lease of Portion of Water Conserv II
Land At Private Sale - Parcel Number 26-23-26-000100000100**

The above referenced property located in Lake County at Five Mile Road, Clermont, FL 34711, is jointly owned by Orange County and the City of Orlando, and is part of the Conserv II Effluent Disposal Facility.

I have reviewed the documents related to the resolution for the Lease of Portion of Water Conserv II Land At Private Sale. The lease of approximately 80 acres of the parent parcel containing 233 acres, as described in the attachments to this memo, is to the Orange County FFA Alumni, Inc., a non-profit 501(c)(3) Florida corporation, for hay production to promote and support the agricultural education programs for Orange County Public Schools. 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 this property is currently not in service and not necessary for the operation of the Water Utilities Systems.

Therefore, please proceed with the lease of the above referenced property to the Orange County Alumni FFA, Inc. The proceeds from the lease, \$1.00 per year for the term of the lease, should be deposited in Revenue Account No. 4420-038-1300-6245 of the Water Utilities System. Fifty percent (50%) of the proceeds will be paid to the City of Orlando via Interlocal Agreement S-83-2.

Thank you for your assistance in this matter.

c: Ron Nielsen, Deputy Director, Utilities Department
Jason D. Herrick, P.E., Deputy Director, Utilities Department
Larry G. Tunnell, P.E., Manager, Water Reclamation Division
Andres J. Salcedo, P.E., Manager, Engineering Division
Glenn Kramer, Manager, Utilities Fiscal & Operational Support Division



PROPERTY RECORD CARD

General Information

Alternate Key: 1594561 **Parcel:** 26-23-26-000100000100
Owner Name: CITY OF ORLANDO **Millage:** 0003 (Unincorporated) : 14.6705
 400 S ORANGE
Owner Address: AVE ORLANDO, FL 32801 **Property Location:** FIVE MILE RD CLERMONT FL 34711
 NW 1/4--LESS W 33 FT & LESS S 33 FT FOR RD R/WS & LESS E 33 |
 FT OF SE 1/4 OF NW 1/4 & LESS S 33 FT OF E 33 FT OF NE 1/4 |
Legal Description: OF NW 1/4 FOR RD R/W--N 1/2 OF NE 1/4--LESS S 33 FT FOR RD |
 R/W-- |
 ORB 3195 PG 2260 |

Land Data

Line	Land Use	Frontage	Depth	Notes	No. Units	Type	Class	Value	Just Value
1	(8086)	0	0		213	AC	\$0.00		\$1,718,910.00
3	WASTELANDS (9600)	0	0		20	AC	\$0.00		\$900.00

Miscellaneous Improvements

There is no improvement information to display.

Sales History

O.R. Book / Page	Sale Date	Instrument	Q/U	Vac./Imp.	Sale Price
<u>886 / 441</u>	6/1/1986	TR	U	V	\$1.00
<u>1626 / 1475</u>	3/10/1998	WD	M	V	\$1.00
<u>1626 / 1485</u>	7/13/1998	WD	M	V	\$1.00
<u>3195 / 2260</u>	5/30/2006	CD	M	V	\$1.00

Value

Estimated Tax Calculation

(Assumes qualifying residential property. No additional exemptions included.)

Total Just Value:	=	\$1,719,810.00
Save Our Homes Benefit:	-	\$0.00
Assessed Value:	=	\$1,719,810.00
Other Exemptions:	-	\$1,719,810.00
Total Homestead:	-	\$0.00
Total Taxable Value:	=	\$0.00
Millage Rate:	<input type="checkbox"/> x	0.0146705
Base Ad-Valorem Tax:	=	\$0.00
Non-Exempt School Levies:	+	\$0.00
Estimated Ad-Valorem Tax:	=	\$0.00

What could my ad-valorem taxes be like over time?

- * The just values are NOT certified values and therefore are subject to change before being finalized for ad valorem assessment purposes. The estimated tax totals do not reflect Non-Ad Valorem assessments. (Fire Fees, Solid Waste, etc.) Please consult the Tax Collector for actual taxation amounts.

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