

APPROVED  
BY ORANGE COUNTY BOARD  
OF COUNTY COMMISSIONERS  
JAN 27 2004

gg/bjs

# RESOLUTION

*of the*

## **ORANGE COUNTY BOARD OF COUNTY COMMISSIONERS**

*Regarding*

### **CONVEYANCE OF CERTAIN COUNTY PROPERTY**

**Resolution No. 2004-M-04**

**WHEREAS**, Frank L. Monaco and Rosalie L. Monaco (hereinafter "Monaco") own certain property in Orange County, Florida, more particularly described in Exhibit "A" attached hereto and incorporated herein (hereinafter the "Property"), and

**WHEREAS**, the deed instrument by which Monaco holds title to the Property makes reference to an alleged right-of-way easement covering the west 30 feet of the Property (hereinafter the "Alleged Easement"); and

**WHEREAS**, the County has determined that the Alleged Easement was never offered, nor did the County ever accept such easement for right-of-way and it is therefore nonexistent, and further, that the County would have no use for such right-of-way in the event such easement existed; and

**WHEREAS**, in order to clarify that the title to the Property is not encumbered by the Alleged Easement, Monaco has made application to the County requesting that it renounce or vacate its interest in the Alleged Easement or otherwise quitclaim such interest to Monaco; and

**WHEREAS**, Orange County, a political subdivision of the State of Florida, pursuant to its home rule power has authority to assist residents in clearing their titles by quitclaiming to fee owners interests such as the one at issue in this Resolution; and

**WHEREAS**, the County has duly considered Monaco's application and has determined that it is in the interest of the County, and of Monaco, to assist Monaco in clearing title to the Property.

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

46                   1.       The Board hereby determines that it holds no valid right-of-way interest in the  
Property, and that, were such interest valid, that the County has no need of the right-of-way  
48 thereby described.

                    2.       The Board hereby determines that it is in the best interest of the County to  
50 quitclaim any interest it may have in the Alleged Easement to Monaco.


                    3.       The Board hereby directs that all of the County's right, title and interest in the  
52 Property be conveyed to Monaco for consideration to the County totaling \$10.00, and that the  
County Chairman execute and deliver a Quitclaim Deed to effectuate such conveyance.

54                   4.       The Board hereby directs that a certified copy of this Resolution shall be  
forwarded forthwith to Monaco.

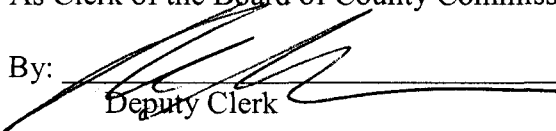
56                   5.       This Resolution shall become effective upon its adoption by the Board.

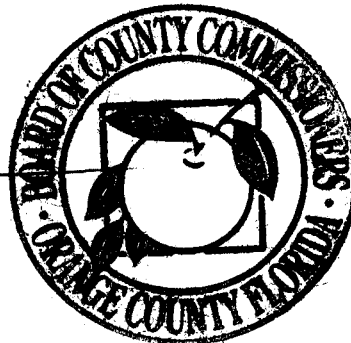
**ADOPTED** this 27 day of JANUARY, 2004.

58                                   ORANGE COUNTY, FLORIDA  
By: Board of County Commissioners

60  
62                                   By:   
  Richard T. Crotty  
64                                    County Chairman

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

68  
69                   By:   
70                                   Deputy Clerk



## **EXHIBIT "A"**

The West 30 feet of the West half of Lot 8, Block 7, Christmas Gardens, No. 1, as recorded in Plat Book P, Page 54, in the Public Records of Orange County, Florida.