

APPROVED
BY ORANGE COUNTY BOARD
OF COUNTY COMMISSIONERS
DEC 14 2004 JW/BS

RESOLUTION

of the

ORANGE COUNTY BOARD OF COUNTY COMMISSIONERS

**AUTHORIZING THE CONVEYANCE
OF CERTAIN COUNTY REAL PROPERTY
IN EXCHANGE
FOR RECEIPT OF OTHER REAL PROPERTY**

Resolution No. 2004- M-53

WHEREAS, Orange County, a political subdivision of the State of Florida, pursuant to its home rule power and Section 125.37, Florida Statutes (2003), has authority to determine that certain real property is not needed for County purposes and to exchange said property for other real property; and

WHEREAS, Orange County and Universal City Property Management III, LLC (“UCPM III”) are parties to that certain Drainage and Easement Modification Agreement, approved by Orange County on May 2, 2000, under which UCPM III has the right to relocate all or part of a county-owned drainage pond onto UCPM III property given certain conditions, including without limitation that the relocation will be at UCPM III’s expense and the new pond configuration will continue to accommodate the county’s drainage needs as provided in the Drainage and Easement Modification Agreement; and

WHEREAS, UCPM III has requested that the County relocate a portion of its drainage pond, exchanging certain county-owned property on which the pond now sits for other adjacent property interests owned by UCPM III, all as provided in that certain Agreement Relating to Pond Relocation, executed by UCPM III and to be considered for approval by Orange County of even date herewith (“Relocation Agreement”); and

WHEREAS, Orange County is satisfied that the relocation and exchange, under the terms of the pending Relocation Agreement are consistent with the terms of the Drainage and Easement Modification Agreement and that, given the proposed pond re-configuration, the real property which the County would surrender is no longer needed for County purposes while the property the County would acquire would be used for drainage purposes; and

WHEREAS, Orange County and UCPM III wish to exchange their respective property interests with each other, all as provided in the Relocation Agreement.

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

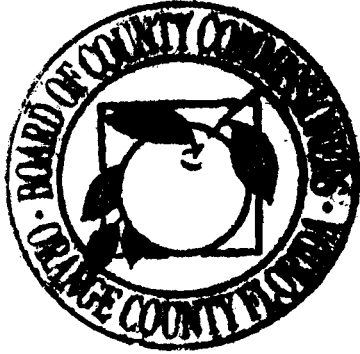
Section 1. The Orange County Board of County Commissioners (the “Board”) finds that the parcel of County-owned real property described in the Relocation Agreement, executed by UCPM III and to be considered for approval by Orange County of even date herewith, is no longer needed for County purposes and such property may be to the best interest of the County exchanged for other real property for County purposes as provided in the Relocation Agreement.

Section 2. The Real Estate Management Division is authorized and directed to convey to UCPM III by County deed all of the County's right, title, and interest in and to those portions of property as required in the Relocation Agreement in consideration of and exchange for conveyance by the Universal City Property Management III, LLC of certain property interests owned by said entity to the County as required in the Relocation Agreement, as well as to perform all other things necessary and proper to effectuate the terms of the exchange.

Section 3. This Resolution shall take effect on the date the Board approves the Relocation Agreement.

ADOPTED by the Board of County Commissioners of Orange County, Florida, this
14th day of December, 2004

(Official Seal)



ORANGE COUNTY, FLORIDA

By: Board of County Commissioners

By: *Richard T. Crotty*

Richard T. Crotty

Richard T. Crotty
County Chairman

Date: 12.14.04

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

By: *Martha O. Haynie*
Deputy Clerk