RESOLUTION

of the

ORANGE COUNTY BOARD OF COUNTY COMMISSIONERS

DECLARING CERTAIN COUNTY PROPERTY SURPLUS

and

AUTHORIZING ITS EXCHANGE

FOR RECEIPT OF OTHER REAL PROPERTY INTERESTS

Resolution No. 2006-M-08

WHEREAS, Orange County, a political subdivision of the State of Florida, pursuant to its home rule power and Section 125.37, Florida Statutes (2005), has authority to determine that certain real property is not needed for County purposes and to exchange said property for other real property interests; and

WHEREAS, the County is the owner of fee simple title to the parcel of real property comprising approximately 16,615.60 square feet of land described more particularly at Exhibit A, attached hereto and incorporated herein by this reference (the “County Pump Station Property”) on which the County operates a wastewater pump station which it plans to demolish after constructing a new wastewater pump station on nearby property also owned by the County; and

WHEREAS, Busch Properties of Florida, Inc. (“Busch Properties”) owns fee simple title to all property surrounding the County Pump Station Property (the “Busch Property”) and desires to acquire said County property; and

WHEREAS, the County desires to acquire several easements for access and utilities purposes over the Busch Property, as more particularly described in the attached Exhibits “B” through “E”, attached hereto and incorporated herein by this reference for the purpose of facilitating ongoing public utilities operations; and
WHEREAS, the County has performed appraisals of the fee interest and easement interests to be exchanged hereunder and has determined that the value of the interests to be received by the County is equal to or greater than the interests it will convey hereunder; and

WHEREAS, it is the determination of the Orange County Board of County Commissioners (the “Board”) that the exchange contemplated herein and in the exchange agreement being between the Board and Busch Properties of even date herewith (the “Exchange Agreement”) is in the public interest and has been advertised as required by statute.

NOW, THEREFORE, in consideration of the foregoing, ten dollars in hand paid each to the other, and other good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, the parties agree as follows:

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

Section 1. The Board finds that the County Pump Station Property is no longer needed for County purposes and such property may be to the best interest of the County exchanged for other real property interests for County purposes as provided in the Exchange Agreement.

Section 2. The Real Estate Management Division is authorized and directed to convey to Busch Properties such of the County's right, title, and interest in and to those portions of property as required in the Exchange Agreement in consideration of and exchange for conveyance by the Owners of certain property interests to the County as required in the Exchange 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 Exchange Agreement.
ADOPTED this 7th day of February, 2006.

(Official Seal)

ORANGE COUNTY, FLORIDA
By: Board of County Commissioners

By: Richard T. Crotty
Orange County Mayor

Date: 2-7-06

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

By: Deputy Clerk
This Warranty Deed Made and executed by Florida Land Company, Post Office Box 44, Winter Park, Florida, a corporation existing under the laws of Florida, and having its principal place of business at Orlando, Florida, whose post office address is hereinafter called the grantor, to County of Orange, Florida, 65 East Central Boulevard, Orlando, Florida, hereinafter called the grantee:

WITNESSETH: That the grantor, for and in consideration of the sum of $1.00 and other valuable considerations, receipt whereof is hereby acknowledged, by these presents does grant, bargain, sell, alien, remise, release, convey and confirm unto the grantee, all that certain land situate in County, Florida, viz:  

Commence at the intersection of the West line of the Florida Power Corporation Utility Easement with the North line of Section 7, Township 24 South, Range 29 East, Orange County, Florida, said point being South 89°18'14", East 1313.57 feet from the Northwest corner of said Section 7; Thence South 08°19'54" East 1260.96 feet for the POINT OF BEGINNING; Thence continue South 00°19'54" East 95.00 feet; Thence South 89°59'30" West, 82.00 feet; Thence North 00°19'54" West, 95.00 feet; Thence North 89°59'30" East, 82.00 feet to the POINT OF BEGINNING. 

Containing 0.135 Acres.

Together with all the tenements, hereditaments and appurtenances thereto belonging or in anywise appurtenant.

To Have and to Hold, the same in fee simple forever.

And the grantor hereby covenants with said grantee that it is lawfully seized of said land in fee simple; that it has good right and lawful authority to sell and convey said land; that it hereby fully warrants the title to said land and will defend the same against the lawful claims of all persons whomsoever; and that said land is free of all encumbrances.

In Witness Whereof the grantor has caused these presents to be executed in its name, and its corporate seal to be hereunto affixed, by its proper officers thereunto duly authorised, the day and year first above written.

ATTEST: 

[Signature]

Secretary

By: [Signature] 

RECORDED 1 RECORD VERIFIED

Vice President

STATE OF FLORIDA
COUNTY OF ORANGE

I, HEREBY CERTIFY that on this day, before me, an officer duly authorised in the State and County aforesaid to take acknowledgments, personally appeared Robert N. Doh and W. J. Abernawld well known to me to be the Vice President and Secretary respectively of the corporation named in grantor in the foregoing deed, and that they severally acknowledged, certifying the same in the presence of two subscribing witnesses, these presents and voluntarily under authority duly vested in them by said corporation and that the real and personal estate in the true instrument was then executed. 

WITNESS my hand and official seal in the County and State aforesaid this 25th day of March 1974.


[Signature]

Notary Public, State of Florida at Large
EXHIBIT "A"

ORANGEWOOD SEWAGE PUMP STATION

Parcel 1

WARRANTY DEED FROM CORPORATION SPECIAL

This Warranty Deed Made and executed the 29th day of April A.D. 19 83 by

FLORIDA LAND COMPANY, a Florida Corporation

a corporation existing under the laws of Florida and having its principal place of business at P.O. Box 44, Winter Park, Florida 32790

hereinafter called the grantor, to COUNTY OF ORANGE, a political subdivision of the State of Florida

whose post office address is P.O. Box 1393, Orlando, Florida 32802

hereinafter called the grantee:

(Wherever used herein the terms "grantor" and "grantee" include all the parties to this instrument and the heirs, legal representatives and assigns of the grantor and grantee and assigns of corporaions)

Witness: That the grantor, for and in consideration of the sum of $3376.00 and other valuable considerations, receipt whereof is hereby acknowledged, by these presents does grant, bargain, sell, alien, remise, release, convey and confirm unto thegrantee, all that certain land situate in Orange County, Florida, viz:

Commence at the intersection of the West line of the Florida Power Corporation Utility Easement with the North line of Section 7, Township 24 South, Range 29 East, Orange County, Florida, said point being 1918'14" East 1113.87 feet from the Northeast corner of said Section 7; thence South 00°19'54" East along the West line of said Power Corporation Easement 2660.96 feet to a point being the Northeast corner of the Orangewood Sewage Pump Station Site, as recorded in O.R. 262, page 1520; thence North 89°59'30" West 63.00 feet for the Point of Beginning; thence continue South 89°59'30" West 113.00 feet; thence South 00°19'54" East 95.00 feet; thence North 89°59'30" East 113.00 feet; thence North 00°19'54" West 95.00 feet to the Point of Beginning. Containing 10,735 square feet. Subject to easements, restrictions and reservations of record, if any, and taxes and drainage district assessments for the year 1983 and thereafter.

Together with all the tenants, hereditaments and appurtenances thereto belonging or in anywise appertaining.

To Have and to Hold, the same in fee simple forever.

And the grantor hereby covenants with said grantee that it is lawfully seised of said land in fee simple, that it has good right and lawful authority to sell and convey said land; that it hereby fully warrants the title to said land and will defend the same against the lawful claims of all persons whomever claiming, by, through or under said grantor, but against no other.

In Witness Whereof the grantor has caused these presents to be executed in its name, and its corporate seal to be hereunto affixed, by its proper officers thereunto duly authorized, the day and year first above written.

(CORPORATE SEAL)

AEST: Doris H. Young, Asst. Secretary

Signed, sealed and delivered in the presence of

James H. Newlon and Doris H. Young

FLORIDA LAND COMPANY

STATE OF FLORIDA
COUNTY OF ORANGE

I HEREBY CERTIFY that on this day, before me, an officer duly authorized in the State and County aforesaid to take acknowledgments, personally appeared

James H. Newlon and Doris H. Young

exec. Vice President and Assistant Secretary respectively of the corporation named as grantor in the foregoing deed, and that they severally acknowledged executing the same in the presence of two subscribing witnesses thereunto voluntarily under authority duly vested in them by said corporation and that the said officer, thereunto authorized, caused the above instrument to be recorded.

RECORDED & RECORD VERIFIED

Recorded 3-31-83

County Commissioner, Orange Cty., Fla.
M. Russell Davison
P.O. Box 44
Winter Park, FL 32790

A.D. 19 83
LEGAL DESCRIPTION (AS PREPARED BY SURVEYOR):

A PORTION OF LOT 1, SHADOW WOOD, AS RECORDED IN PLAT BOOK 27, PAGES 71 AND 72 OF THE PUBLIC RECORDS OF ORANGE COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGIN AT THE NORTHWEST CORNER OF SAID LOT 1, SHADOW WOOD; THENCE N71'53'36"E ALONG THE NORTH LINE OF SAID LOT 1 A DISTANCE OF 519.90 FEET; THENCE S88'34'21"E ALONG SAID NORTH LINE A DISTANCE OF 918.51 FEET; THENCE CONTINUE ALONG THE SAID NORTH LINE S89'46'18"E A DISTANCE OF 311.82 FEET TO A POINT ON THE WEST LINE OF A FLORIDA POWER EASEMENT AS RECORDED IN OFFICIAL RECORDS BOOK 2441, PAGES 245 THROUGH 249 OF THE PUBLIC RECORDS OF ORANGE COUNTY FLORIDA; THENCE S00'19'54"E ALONG SAID WEST LINE A DISTANCE OF 60.00 FEET; THENCE N88'34'21"W A DISTANCE OF 361.97 FEET; THENCE N90'03'22"E A DISTANCE OF 21.03 FEET; THENCE N88'34'21"W A DISTANCE OF 862.83 FEET; THENCE S71'53'36"W A DISTANCE OF 513.01 FEET TO A POINT ON THE EAST RIGHT OF WAY OF INTERNATIONAL DRIVE; THENCE N18'06'24"W ALONG SAID EAST RIGHT OF WAY A DISTANCE OF 40.00 FEET TO THE POINT OF BEGINNING.

CONTAINING 1.768 ACRES, MORE OR LESS.

PROJECT NUMBER: 201009-0006
DRAWING NUMBER: P-1.DWG
DATE: 7/18/05
REVISED: 10/7/05
REVISED: 10/21/05
REVISED: 12/5/05
REVISED: 12/9/05
PREPARED FOR: ORANGE COUNTY

SURVEYOR’S NOTES:
1. THIS IS NOT A BOUNDARY SURVEY, NO MONUMENTS SET OR FOUND.
2. THE BEARINGS SHOWN HEREON ARE BASED ON A BEARING OF N 71'53'36"E ALONG THE NORTH LINE OF LOT 1 SHADOW WOOD, P.B. 27, PGS. 71-72 (ASSUMED).
3. SUBJECT TO EASEMENTS AND/OR RIGHTS OF WAY OF RECORD.
4. R/W DENOTES RIGHT OF WAY; O.R. DENOTES OFFICIAL RECORD BOOK; P.B. DENOTES PLAT BOOK; P.O.C. DENOTES POINT OF COMMENCEMENT; P.O.B. DENOTES POINT OF BEGINNING.

NOT VALID WITHOUT THE SIGNATURE AND THE ORIGINAL RAISED SEAL OF A FLORIDA LICENSED SURVEYOR AND MAPPER.
EXHIBIT "B"
SKETCH OF DESCRIPTION
PARCEL: 802 ESTATE; PERPETUAL EASEMENT
PURPOSE: ACCESS, SEWER AND WATER LINE

BEELINE EXPRESSWAY

LOT 1
INTERNATIONAL COMMERCIAL CENTER
P.B. 29, PGS. 113-114

LOT 1
SHADOW WOOD
P.B. 27, PGS. 71-72

NORTH LINE, LOT 1, SHADOW WOOD
N88°34'21"W 862.83'
N89°46'18"W 361.97'

EASEMENT AREA

PROJECT NUMBER: 2010009-0006
DRAWING NUMBER: P-1.DWG
DATE: 7/18/05
REVISED: 10/7/05
REVISED: 10/21/05
REVISED: 12/5/05
REVISED: 12/9/05
PREPARED FOR:
ORANGE COUNTY

NORTH
SCALE: 1" = 300'

BUCHHEIT ASSOCIATES, INC.
SURVEYORS & MAPPERS
427 CenterPointe Circle, Suite 1811
Altamonte Springs, Florida 32701
(407) 331-0505 Fax: (407) 331-3266
EXHIBIT "C"
SKETCH OF DESCRIPTION
PARCEL: 803 ESTATE; PERPETUAL EASEMENT
PURPOSE: SEWER AND WATER LINE

LEGAL DESCRIPTION (AS PREPARED BY SURVEYOR):

A PORTION OF LOT 1, SHADOW WOOD, AS RECORDED IN PLAT BOOK 27, PAGES 71 AND 72 OF THE PUBLIC RECORDS OF ORANGE COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGIN AT THE NORTHWEST CORNER OF SAID LOT 1, SHADOW WOOD; THENCE N71°53'36"E ALONG THE NORTH LINE OF SAID LOT 1 A DISTANCE OF 30.00 FEET; THENCE S18°06'24"E A DISTANCE OF 490.37 FEET; THENCE S71°53'36"W A DISTANCE OF 30.00 FEET TO THE EAST RIGHT OF WAY LINE OF INTERNATIONAL DRIVE; THENCE N18°06'24"W ALONG THE SAID EAST RIGHT OF WAY A DISTANCE OF 490.37 FEET TO THE POINT OF BEGINNING.

CONTAINING 14,711 SQUARE FEET, MORE OR LESS.

PROJECT NUMBER: 2010009-0006
DRAWING NUMBER: P-2.DWG
DATE: 07/18/05
REVISED: 10/21/05
REVISED: 12/5/05
PREPARED FOR: ORANGE COUNTY

SURVEYOR’S NOTES:
1. THIS IS NOT A BOUNDARY SURVEY, NO MONUMENTS SET OR FOUND.
2. THE BEARINGS SHOWN HEREON ARE BASED ON A BEARING OF N 18°06'24"W ALONG THE EAST RIGHT OF WAY LINE OF INTERNATIONAL DRIVE (ASSUMED).
3. SUBJECT TO EASEMENTS AND/OR RIGHTS OF WAY OF RECORD.
4. R/W DENOTES RIGHT OF WAY; O.R.B. DENOTES OFFICIAL RECORD BOOK; P.B. DENOTES PLAT BOOK; P.O.C. DENOTES POINT OF COMMENCEMENT; P.O.B. DENOTES POINT OF BEGINNING.

BUCHHEIT ASSOCIATES, INC.
SURVEYORS & MAPPERS
427 CenterPointe Circle, Suite 1811
Altamonte Springs, Florida 32701
(407) 331-0505 Fax: (407) 331-3266

NOT VALID WITHOUT THE SIGNATURE AND THE ORIGINAL RAISED SEAL OF A FLORIDA LICENSED SURVEYOR AND MAPPER.

BUCHHEIT ASSOCIATES, INC.
LICENSED BUSINES # L1217

BY: KIMBERLY A. BUCHAR
PROFESSIONAL LAND SURVEYOR
STATE OF FLORIDA, No. 140352
EXHIBIT "D"
SKETCH OF DESCRIPTION

PARCEL: 701
ESTATE: TEMPORARY EASEMENT
PURPOSE: TEMPORARY CONSTRUCTION

LEGAL DESCRIPTION (AS PREPARED BY SURVEYOR):

A PORTION OF LOT 1, SHADOW WOOD, AS RECORDED IN PLAT BOOK 27, PAGES 71 AND 72
OF THE PUBLIC RECORDS OF ORANGE COUNTY, FLORIDA, BEING MORE PARTICULARLY
DESCRIBED AS FOLLOWS:

AN STRIP OF LAND 30.00 FEET IN WIDTH LYING 15.00 FEET ON EACH SIDE OF THE
FOLLOWING DESCRIBED CENTERLINE; COMMENCE AT THE NORTHEAST CORNER OF SAID LOT 1,
SHADOW WOOD; THENCE N89°46'18"W ALONG THE NORTH LINE OF SAID LOT 1 A DISTANCE OF
227.51 FEET TO A POINT ON THE WEST LINE OF A FLORIDA POWER EASEMENT AS RECORDED
IN OFFICIAL RECORDS BOOK 2441, PAGES 245 THROUGH 249 OF THE PUBLIC RECORDS OF
ORANGE COUNTY, FLORIDA; THENCE S00°19'54"E ALONG SAID WEST LINE A DISTANCE OF
718.61 FEET TO THE POINT OF BEGINNING OF SAID CENTERLINE; THENCE S89°59'30"W A
DISTANCE OF 190.00 FEET ALONG A LINE 15.00 FEET NORTH OF AND PARALLEL WITH THE
NORTH LINE OF THE ORANGEWOOD SEWAGE PUMP STATION SITE AS RECORDED IN OFFICIAL
RECORDS BOOK 2527, PAGE 1520 AND OFFICIAL RECORDS BOOK 3376, PAGE 2106 OF THE
PUBLIC RECORDS OF ORANGE COUNTY, FLORIDA; THENCE S00°19'54"E A DISTANCE OF 125.00
FEET ALONG A LINE 15.00 FEET WEST OF AND PARALLEL WITH THE WEST LINE OF SAID PUMP
STATION SITE; THENCE N89°59'30"E A DISTANCE OF 205.00 FEET ALONG A LINE 15.00 FEET
SOUTH OF AND PARALLEL WITH THE SOUTH LINE OF SAID PUMP STATION SITE; THENCE
N00°19'54"W A DISTANCE OF 125.00 FEET ALONG A LINE 15.00 FEET EAST OF AND PARALLEL
WITH THE EAST LINE OF SAID PUMP STATION SITE; THENCE S89°59'30"W A DISTANCE OF
15.00 FEET TO THE POINT OF TERMINATION OF SAID CENTERLINE.

CONTAINING 19,800 SQUARE FEET, MORE OR LESS.

SURVEYOR'S NOTES:

1. THIS IS NOT A BOUNDARY SURVEY, NO MONUMENTS
SET OR FOUND.

2. THE BEARINGS SHOWN HEREON ARE ASSUMED BASED ON A
BEARING OF N 89°46'18" W ALONG THE NORTH LINE, LOT 1
SHADOW WOOD, P.B. 27, PG. 71.

3. SUBJECT TO EASEMENTS AND/OR RIGHTS OF WAY
OF RECORD.

4. R/W DENOTES RIGHT OF WAY; O.R. DENOTES
OFFICIAL RECORD BOOK; P.B. DENOTES PLAT BOOK;
P.O.C. DENOTES POINT OF COMMENCEMENT; P.O.B.
DENOTES POINT OF BEGINNING; P.O.T. DENOTES POINT
OF TERMINATION.

PREPARED FOR:

ORANGE COUNTY

BUCHHEIT ASSOCIATES, INC.
SURVEYORS & MAPPERS
427 CenterPointe Circle, Suite 1811
Altamonte Springs, Florida 32701
(407) 331-0505 Fax: (407) 331-3266

BUCHHEIT ASSOCIATES, INC.
SURVEYORS AND MAPPERS
LICENSED BUSINESS #1167

BY: KIMBERLY A. BUCHHEIT
PROFESSIONAL LAND SURVEYOR
STATE OF FLORIDA, NO. 4838

NOT VALID WITHOUT THE SIGNATURE AND THE ORIGINAL
RAISED SEAL OF A FLORIDA LICENSED SURVEYOR AND
MAPPER.
**EXHIBIT "D"**
**SKETCH OF DESCRIPTION**

**PARCEL:** 701

**ESTATE:** TEMPORARY EASEMENT

**PURPOSE:** TEMPORARY CONSTRUCTION

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**LOT 1**

**SHADOW WOOD**

**P.B. 27, PGS. 71-72**

**ORANGEWOOD SEWAGE PUMP STATION SITE**

(O.R. 2527, PG 1520)

(O.R. 3376, PG. 2106)

**CENTRELINE OF EASEMENT**

**EASEMENT AREA**

(SEE DETAIL)

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**LINE TABLE**

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<td>L2</td>
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<td>S 00° 19' 54&quot; E</td>
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<td>190.00</td>
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</tr>
<tr>
<td>L7</td>
<td>15.00</td>
<td>S 89° 59' 30&quot; W</td>
</tr>
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</table>

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**PREPARED FOR:**

**ORANGE COUNTY**

**BUCHHEIT ASSOCIATES, INC.**

Surveyors & Mappers

427 CenterPointe Circle, Suite 1811

Altamonte Springs, Florida 32701

(407) 331-0505  Fax: (407) 331-3266
LEGAL DESCRIPTION (AS PREPARED BY SURVEYOR):

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COMMENCE AT THE NORTHWEST CORNER OF SAID LOT 1, SHADOW WOOD; THENCE N71°53'36"E ALONG THE NORTH LINE OF SAID LOT 1 A DISTANCE OF 519.90; THENCE S88°34'21"E ALONG SAID NORTH LINE A DISTANCE OF 918.51 FEET; THENCE S89°46'18"E ALONG SAID NORTH LINE A DISTANCE OF 341.82 FEET TO THE POINT OF BEGINNING ALSO BEING A POINT ON THE EAST LINE OF AN ORANGE COUNTY UTILITY EASEMENT AS RECORDED IN OFFICIAL RECORDS BOOK 3418, PAGE 2011 OF THE PUBLIC RECORD OF ORANGE COUNTY, FLORIDA; THENCE CONTINUE ALONG THE NORTH LINE OF SAID LOT 1 S89°46'18"E A DISTANCE OF 80.00 FEET; THENCE S00°19'54"E A DISTANCE OF 828.16 FEET; THENCE S89°59'30"W A DISTANCE OF 80.00 FEET TO THE AFOREMENTIONED EAST LINE OF SAID ORANGE COUNTY EASEMENT; THENCE N00°19'54"W ALONG SAID EASEMENT A DISTANCE OF 828.49 FEET TO THE POINT OF BEGINNING.

CONTAINING 1.521 ACRES, MORE OR LESS.

SURVEYOR'S NOTES:
1. THIS IS NOT A BOUNDARY SURVEY, NO MONUMENTS SET OR FOUND.
3. SUBJECT TO EASEMENTS AND/OR RIGHTS OF WAY OF RECORD.
4. R/W DENOTES RIGHT OF WAY; O.R. DENOTES OFFICIAL RECORD BOOK; P.B. DENOTES PLAT BOOK; P.O.C. DENOTES POINT OF COMMENCEMENT; P.O.B. DENOTES POINT OF BEGINNING.