

APPROVED
BY ORANGE COUNTY BOARD
OF COUNTY COMMISSIONERS
MAY 09 2006 KJ/VH/BS

RESOLUTION
of the
ORANGE COUNTY BOARD OF COUNTY COMMISSIONERS
Relating to
**THE TRANSFER TO THE ORANGE COUNTY PARKS &
RECREATION DIVISION OF CERTAIN WATER
& WASTEWATER ASSETS LOCATED IN ORANGE COUNTY**

Resolution No. 2006-M-32

WHEREAS, Orange County, a political subdivision of the State of Florida (the "County") owns and operates a sanitary wastewater collection, treatment and effluent disposal system in Orange County, Florida (the "Water & Wastewater Utilities System"); and

WHEREAS, the Water & Wastewater Utilities System includes as an asset a pump station located on an approximately 5.7-acre site at 2221 Truman Road, Orlando, Florida (the "Utilities Property"); and

WHEREAS, the Orange County Parks & Recreation Division desires to utilize the Utilities Property for public purposes related to a recreational trailhead for the County's Cady Way Trail, more particularly described at **Exhibit "A"** attached hereto and incorporated herein by this reference (the "Trailhead Parcel"); and

WHEREAS, the transfer of the Trailhead Parcel from the Water & Wastewater Utilities System is subject to the requirements of Section 710 of Orange County Resolution No. 92-B-06 (the "Bond Resolution"), as supplemented and amended, securing the County's Water Utilities System Revenue Refunding Bonds, Series 1998 and the County now intends by adoption of this Resolution to comply with such requirements.

WHEREAS, pursuant to Section 710 of the Bond Resolution, the Director of the Orange County Utilities Department has made written findings determining that the Trailhead Parcel is not necessary or useful in the operation of the Water & Wastewater Utilities System attached hereto as **Exhibit "B"** and incorporated herein by this reference (the "Director's Determination"); and

WHEREAS, in consideration of the transfer of the Trailhead Parcel to the control of the Parks & Recreation Division, an internal budget transfer in the amount of Six Hundred Sixty Seven Thousand Dollars (\$667,000.00) will be made from the Parks & Recreation Division budget to the Utilities Department budget; and

WHEREAS, it is anticipated that approximately two acres of the Trailhead Parcel will be conveyed to the City of Orlando for public right-of-way and related purposes in furtherance of that certain Interlocal Agreement for the Conveyance of Property for the 436 Connector Road and Recreational Trail ("Interlocal Agreement") considered by the Board of County Commissioners of even date herewith; and

WHEREAS, the County has examined the assets to be transferred to the control of Parks & Recreation Division hereunder, has examined the existing financial structure of the Water & Wastewater Utilities System, has examined the long-range needs and goals of the County relative to the provision of water and wastewater service to its present and future citizens, and has determined that the transfer of the Utilities Parcel is in the public interest; and

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY

COMMISSIONERS OF ORANGE COUNTY:

Section 1. The Board of County Commissioners (the "Board") has considered the conditions of the transfer of Trailhead Parcel from the Water & Wastewater Utilities System to the control of the County's Parks & Recreation Division as described in this Resolution. The Board has also considered the Director's Determination that one or more of the conditions for disposition of utility system assets as set forth in Section 710 of the Bond Resolution have been met and the County hereby adopts, approves and concurs in such written findings.

Section 2. This Resolution shall take effect immediately upon its adoption.

THIS RESOLUTION IS ADOPTED THIS 9th DAY OF May, 2006.

ORANGE COUNTY, FLORIDA
By: Board of County Commissioners

By: Richard T. Crotty
Richard T. Crotty
Orange County Mayor

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

By: Martha O. Haynie
Deputy Clerk

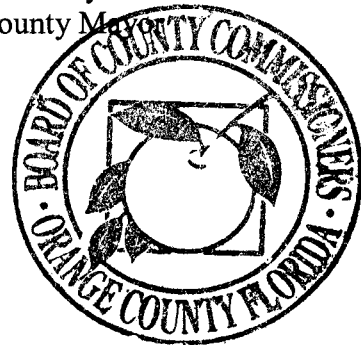


EXHIBIT "A"

COMMENCE AT THE NORTHWEST CORNER OF THE NORTHEAST 1/4 OF THE SOUTHEAST 1/4 OF SECTION 16, TOWNSHIP 22 SOUTH, RANGE 30 EAST. RUN THENCE SOUTH 0°22'00" WEST ALONG THE WEST LINE THEREOF 535 FEET, THENCE SOUTH 89°14'00" EAST PARALLEL TO THE NORTH LINE OF SAID NORTHEAST 1/4 OF THE SOUTHEAST 1/4 30 FEET TO THE POINT OF BEGINNING. FROM SAID POINT OF BEGINNING RUN THENCE SOUTH 89°14'00" EAST 436.30 FEET, THENCE NORTH 23°27'43" EAST 417.30 FEET, THENCE NORTH 0°22'00" EAST 100 FEET, THENCE NORTH 89°14'00" WEST 600 FEET, THENCE SOUTH 0°22'00" WEST 485 FEET TO THE POINT OF BEGINNING. SUBJECT TO A DRAINAGE EASEMENT AS RECORDED IN O.R. BOOK 1116, PAGE 514, PUBLIC RECORDS OF ORANGE COUNTY, FLORIDA.

TOGETHER WITH

FROM THE EAST 1/4 CORNER OF SECTION 16, TOWNSHIP 22 SOUTH, RANGE 30 EAST, RUN THENCE S 89°55'54" W ALONG THE NORTH LINE OF THE NE 1/4 OF THE SE 1/4, A DISTANCE OF 687.10 FEET; THENCE S 00°22'00" W, A DISTANCE OF 50 FEET FOR A POINT OF BEGINNING; THENCE S 00°22'00" W, A DISTANCE OF 89.98 FEET; THENCE S 23°27'43" W, A DISTANCE OF 417.30 FEET; THENCE N 89°14'00" W, A DISTANCE OF 19.81 FEET; THENCE N 22°45'05" E, A DISTANCE OF 403.91 FEET; THENCE N 00°19'20" W, A DISTANCE OF 100 FEET TO A POINT 50 FEET SOUTH OF THE NORTH LINE OF SAID NE 1/4 OF THE SE 1/4 ; THENCE N 89°55'54 E, A DISTANCE OF 30.88 FEET TO THE POINT OF BEGINNING.

ALL LYING AND SITUATED IN ORANGE COUNTY, FLORIDA.



Interoffice Memorandum

May 8, 2006

TO: George Hart, Jr., Manager
Real Estate Management Division

FROM: for Michael L. Chandler, Director
Utilities Department

A handwritten signature in black ink, appearing to read "Michael L. Chandler", written over the "FROM" line.

SUBJECT: **Sale of Surplus Utilities Property – Corrine Terrace Wastewater Treatment Plant Property, 2221 Truman Road, Parcel I.D. # 16-22-30-0000-00-026**

I have reviewed the recommended compensation related to the sale of the approximate 5.7 acres of property that formerly was the Corrine Terrace Wastewater Treatment Plant at 2221 Truman Road, reserving a 50-foot wide access easement, an 80-foot-by-80-foot permanent easement for pump station site, and a permanent easement for future water and wastewater mains. In addition, a temporary easement for an existing wastewater force main (see-attached survey for details). The above referenced Utilities property is to be sold to the Orange County Parks and Recreation Division for the development of the Cady Way Trail/Little Econ Greenway Trailhead Site.

In accordance with the 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 not necessary for the operation of the Water Utilities System.

Please proceed with the sale of this property, in the amount of \$667,000.00. The proceeds from the sale should be deposited in Account No. **4420-038-1300-6410** of the Water Utilities System.

Thank you for your assistance in this matter.

- C: Ron Nielsen, Manager, Utilities Fiscal & Administrative Support Division
William Potter, Manager, Parks & Recreation Division
Daniel Allen, P.E., Deputy Director, Utilities Department
Ray Hanson, P.E., Manager, Wastewater Division
Rick Wilson, P.E., Manager Utilities Engineering Division
William K. Hurt, Jr., Assistant Manager, Acquisition & Valuation, Real Estate Management Division