

# RESOLUTION

of the

## ORANGE COUNTY BOARD OF COUNTY COMMISSIONERS

### AUTHORIZING THE EXCHANGE OF CERTAIN COUNTY PROPERTY

### FOR RECEIPT OF OTHER REAL PROPERTY

#### **Resolution No. 2006- M-42**

**WHEREAS**, Orange County, a charter 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; and

**WHEREAS**, the County owns certain real property comprising approximately 1.62 acres, more or less, as more particularly described in Exhibit "A", attached hereto and incorporated herein by this reference (the "County Parcel"); and

**WHEREAS**, Richard A. Taylor and Cheryl M. Taylor, his wife, Peggy E. Craig, Personal Representative of the Estate of Scott M. Moeller, Susan Crampton, Personal Representative of the Estate of Stephanie Moeller, and David R. Lach (collectively, Owners) own access easements across certain property owned in fee by the County, such easements comprising approximately 19,558.44 square feet, as more particularly described in Exhibit "B", attached hereto and incorporated herein by this reference ("Owners' Easements"); and

**WHEREAS**, the Owners' Easements are used for the purpose of allowing Owners to access their respective properties across the County property and the County seeks relocation of this access to maximize its use of the County property for a public park; and

**WHEREAS**, of even date herewith, the County will consider entering into an exchange agreement with Owners (the "Exchange Agreement") by which Owners commit to exchange their easements for fee simple interest in the County Parcel, the effect of which is to provide Owners with alternative access to their properties while removing the easements which heretofore had bisected the County's property, hindering development of a public park.

**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 County Parcel is no longer be needed for County purposes pursuant to the Exchange Agreement and such Parcel may be to the best interest of the County be exchanged for the Owners' Easements.

*Section 2.* The Real Estate Management Division is authorized and directed to do all things necessary and proper to effectuate the terms of this exchange; provided, however, that the County has first entered into the Exchange Agreement.

*Section 3.* This Resolution shall take effect upon adoption by the Board.

**ADOPTED** by the Board of County Commissioners of Orange County, Florida, this

18<sup>th</sup> day of July, 2006



ORANGE COUNTY, FLORIDA  
By: Board of County Commissioners

By: [Signature]  
Richard T. Crotty  
Orange County Mayor

Date: 7.18.06

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

By: [Signature]  
Deputy Clerk

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EXHIBIT "A"

Description :

A portion of the W 1/2 of the NE 1/4 of Section 5, Township 24 South, Range 28 East, Orange County, Florida being more particularly described as follows :

Begin at the intersection of the East right of way line of Winter Garden Vineland Road per right of way project No. YO-808B and the South line of the North 424.00 feet of the South 1071.70 feet of said W 1/2 of the NE 1/4; thence N 00°04'22" E along said East right of way line a distance of 257.72 feet; thence S 89°55'38" E a distance of 28.25 feet; thence S 35°13'11" E a distance of 79.73 feet; thence S 04°08'15" E a distance of 112.83 feet; thence S 49°21'51" E a distance of 45.30 feet to a point that is 50.00 feet from, measured at a right angle to, said South line; thence N 89°45'04" E along a line that is 50.00 feet North of and parallel to said South line a distance of 473.87 feet to the point of curvature of a curve, concave Northwesterly, having a central angle of 93°55'55" and a radius of 114.00 feet; thence Northeasterly along the arc of said curve a distance of 186.89 feet to the point of compound curvature of a curve ( chord bearing and distance between said points being N 42°47'06" E 166.66 feet ), concave Easterly, having a central angle of 12°11'08" and a radius of 180.00 feet; thence Northerly along the arc of said curve a distance of 38.28 feet to a point on the North line of the South 857.70 feet of said W 1/2 of the NE 1/4 ( chord bearing and distance between said points being N 01°54'42" E 38.21 feet ; thence N 89°45'04" E along said North line a distance of 81.75 feet to a point on the East line of the West 830.00 feet of said W 1/2 of the NE 1/4; thence S 00°04'42" W along said East line a distance of 210.00 feet to a point on said South line; thence S 89°45'04" W along said South line a distance of 786.89 feet to the Point of Beginning.

Containing 1.62 acres more or less.

EXHIBIT "B"

The North 20 feet of the West 830 feet of the South 879.7 feet and also over the East 20 feet of the West 830 feet of the North 212 feet of the South 859.7 feet of aforesaid West  $\frac{1}{2}$  of the Northeast  $\frac{1}{4}$  of Section 5, Township 24 South, Range 28 East, lying and being in Orange County, Florida.