

APPROVED  
BY ORANGE COUNTY BOARD  
OF COUNTY COMMISSIONERS  
JAN 9 2007 JW/bw

# RESOLUTION

*of the*

**ORANGE COUNTY BOARD OF COUNTY COMMISSIONERS**

*regarding*

**THE APPROVAL OF THE PURCHASE OF PARCEL 142, ALSO  
KNOWN AS HAMPTON BAY, AND THE RESERVATION OF  
THE RIGHT TO REIMBURSE THE CONSERVATION TRUST  
FUND FOR THE PURCHASE OF PARCEL 142 WITH  
MITIGATION FUNDS IF APPROPRIATE;  
PROVIDING FOR AN EFFECTIVE DATE**

**Resolution No. 2007- M-03**

WHEREAS, the Orange County Board of County Commissioners (the "Board") finds that it is in the best interest of the citizens of Orange County (the "County") and serves a public purpose to protect and acquire environmentally sensitive lands within the County and to use County mitigation funds to facilitate the acquisition of environmentally sensitive lands;

WHEREAS, the Board finds that it is in the best interest of the County and its citizens to partner with governmental entities and other parties to facilitate the acquisition of environmentally sensitive lands and to share the costs of such acquisition;

WHEREAS, in order to accomplish the public purpose set forth above, the County has identified a parcel of land known as Parcel 142, also known as Hampton Bay, (the "Property") for future acquisition;

WHEREAS, the County will pay the purchase price for the Property from the Green PLACE funds, but reserves the right to use the Property as mitigation for the Orlando Water Sports Project (the "Water Sports Project") using funds paid to the County to offset environmental impacts resulting from the Water Sports Project. Mitigation funds will be deposited into the Conservation Trust Fund; and

WHEREAS, the County reserves the right to designate any area of the Property not used for mitigation as a sending area for the purpose of the transfer development rights; and

WHEREAS, in addition to accomplishing the public purpose set forth above, a portion of the Property may also serve as mitigation for the Narcoossee Road Widening Project, a County project (the "Narcoossee Project"), as well as for the Water Sports Project.

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

Section 1. Approval of Purchase. The Board of County Commissioners hereby approves the purchase of the Property and authorizes the Mayor, his appointee, and/or County Staff to do all things necessary and incidental to complete the purchase of the Property.

Section 2. Funds for Purchase of Property. The Board hereby authorizes the disbursement of Green PLACE funds to pay the purchase price of the Property, when acquired. However, the County reserves the right to reimburse the Conservation Trust Fund for the purchase of the Property with mitigation monies received from the Water Sports Project, the Narcoossee Project, or both.

Section 3. Reservation of Development Rights. The Board hereby reserves the right to designate any area within the Property as a sending area for the purpose of transferring development rights from Parcel 142 to any parcel within Innovation Way designated as a receiving area. Only areas within the Property not used for mitigation may be designated as a sending area. Furthermore, the Board hereby reserves the right to sell portions of the Property not used as mitigation land. Proceeds from the sale of any portion of the Property or from the sale of any development rights shall be deposited into the Conservation Trust Fund.

Section 4. Effective date. This Resolution shall be effective upon passage by the Orange County Board of County Commissioners.

ADOPTED this 9<sup>th</sup> day of January, 2007.

ORANGE COUNTY, FLORIDA  
By: Board of County Commissioners

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

ATTEST; Martha O. Haynie, County Comptroller  
As Clerk to the Board of County Commissioners

By: Martha O. Haynie  
Deputy Clerk

