RESOLUTION
of the
ORANGE COUNTY BOARD OF COUNTY COMMISSIONERS
regarding
DECLARING SURPLUS COUNTY PROPERTY
and
AUTHORIZING PRIVATE SALE

Resolution No. 2007-M-57

WHEREAS, Orange County, a charter county and political subdivision of the State of Florida, pursuant to its home rule power and Section 125.35 of the Florida Statutes (2006), has authority to determine that certain real property owned by the County is not needed for County purposes and to convey such property; and

WHEREAS, Section 125.35(2) of the Florida Statutes provides that when the Board of County Commissioners finds that a County-owned parcel of real property is of insufficient size or shape to be issued a building permit for any type of development, or when the Board of County Commissioners determines that the value of a County-owned parcel of real property is Fifteen Thousand Dollars ($15,000) or less as determined by a Board-approved fee appraiser or the County property appraiser, and when it is determined that due to the parcel’s size, shape, location, and value it is only of use to one or more of the adjacent property owners, the Board may, after sending notice of its intended action to adjacent property owners by certified mail, then effect a private sale of the parcel; however, if, within 10 working days after receiving such mailed notice, two or more owners of adjacent property notify the board of their desire to purchase the parcel, the board shall accept sealed bids for the parcel from such property owners and may convey such parcel to the highest bidder or may reject all offers; and

WHEREAS, the County owns fee simple title to a parcel of land more particularly described in Exhibit “A” attached hereto and incorporated herein (the “Parcel”); and

WHEREAS, because of zoning restrictions, the value of the Parcel is significantly reduced and is valued by the Orange County Property Appraiser’s Office at less than Fifteen Thousand Dollars ($15,000); and
WHEREAS, four parcels of property are located adjacent to the Parcel; and

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

Section 1. The Board finds that the Parcel is no longer needed for County purposes and that the Parcel comports with the size, shape, and value requirements of Florida Statute 125.35(2), making it appropriate for private sale.

Section 2. The Orange County Real Estate Management Division (the "Division") is hereby directed to notify all adjacent owners by certified mail of the County's intention to sell the Parcel. If, within 10 working days after receiving such notice, more than one adjacent owner indicates a desire to obtain the Parcel, the Division shall obtain sealed bids from such parties and shall accept the highest and best bid so long as it meets or exceeds the Orange County Property Appraiser's listed value of the Parcel. If, after receiving such notice, less than two adjacent owners indicate a desire to obtain the Parcel, the Division is directed to attempt a private sale to one of the adjacent owners so long as the sale price meets or exceeds the Orange County Property Appraiser’s listed value of the Parcel.

Section 3. The Division is hereby authorized and directed to do all things necessary and convenient to effect a sale of the Parcel on the terms hereinabove.

Section 4. In the event the Division arranges a sale as provided herein, the County Mayor is authorized to execute a statutory county deed conveying the Parcel.

Section 5. This Resolution shall take effect immediately upon its adoption.

ADOPTED this 23rd day of OCTOBER, 2009.

ORANGE COUNTY, FLORIDA
By: Board of County Commissioners

By: Richard T. Crotty
Orange County Mayor

ATTEST: Martha O. Haynes
Comptroller
As Clerk to the Board of County Commissioners

By: Deputy Clerk
Print Name: JANE JOHNSON
"EXHIBIT A"

TAX DEED

STATE OF FLORIDA
COUNTY OF ORANGE

KNOW ALL MEN BY THESE PRESENTS: That whereas, the following Tax Certificate held by the County of Orange, State of Florida, Numbered 9905 issued on May 22, 1990, was filed in the office of the Tax Collector of this County and application made for the issuance of a Tax Deed. Due notice of the sale having been published as required by law, and no person entitled to do so having appeared to redeem said land; such land was on the 19th day of October, 1993, offered for sale as required by law for cash to the highest bidder. There being NO BIDDERS at the Tax Deed Sale on this parcel of land, it was on the 19th day of October, 1993, placed on the “List of Lands” Available for Taxes in Orange County, Florida; and it has remained on said list for the required number of years (Florida Statute 197.502(8)) with no offer of purchase from the public.

NOW, THEREFORE, THIS 31st day of October, 2000, pursuant to Florida Statute 197.502(8), the County Comptroller of Orange County, Florida, does hereby transfer and convey to the COUNTY OF ORANGE, STATE OF FLORIDA, the following described land:

ROCKET CITY UNIT 2A PLAT BOOK Z PAGES 82-85 A/K/A CAPE ORLANDO EST
UNIT 2A 155'-921/2" FT OF TR 89 A
SECTION 13 TOWNSHIP 23 RANGE 32
PARCEL ID # 13-23-32-7600-00895

MARTHA O. HAYNIE, COUNTY COMPTROLLER
ORANGE COUNTY, FLORIDA

BY: M. McCausland, Deputy Comptroller

Signed, sealed and delivered in the presence of:

STATE OF FLORIDA
COUNTY OF ORANGE

On this 31st day of October, 2000, before me, personally appeared M. McCausland, Deputy County Comptroller in and for the State and County aforesaid, who executed the foregoing instrument, and acknowledged the execution of this instrument to be her own free act and deed for the use and purposes therein mentioned, who is personally known to me and who did not take an oath.

Witness my hand and official seal on the date aforesaid.

TAX DEED FILE NUMBER 9905-1990