

APPROVED
BY ORANGE COUNTY BOARD
OF COUNTY COMMISSIONERS
DEC 16 2008 NP/Sg

RESOLUTION

of the

ORANGE COUNTY BOARD OF COUNTY COMMISSIONERS
regarding
**AUTHORIZING THE CONVEYANCE
OF CERTAIN COUNTY REAL PROPERTY
(CADY WAY TRAIL SEGMENT)**

Resolution No. 2008- M-62

WHEREAS, Orange County ("County"), a political subdivision of the State of Florida, pursuant to its home rule power and Section 125.38 of the Florida Statutes (2007), has authority to determine that ownership of certain County property is not needed for County purposes and to convey said property, for nominal price or otherwise, to the State of Florida, or any political subdivision or agency thereof; and

WHEREAS, County and the Board of Trustees of the Internal Improvement Trust Fund of the State of Florida ("Board of Trustees") have entered into an Agreement for Sale and Purchase (the "Agreement") of real property, which agreement was approved and executed by the Board of County Commissioners; and

WHEREAS, by virtue of the aforesaid Agreement, the Board of Trustees has made application to the County requesting conveyance of the County's right, title and interest in the real property described in Exhibit "A" attached hereto and incorporated herein by this reference (the "Property"); and

WHEREAS, the amount of land to be conveyed by the County to the Board of Trustees and the purchase price to be paid by Board of Trustees to County originally agreed to in the referenced Agreement has changed due to encroachments and land title issues; and

WHEREAS, since less land is to be conveyed by the County to the Board of Trustees, the purchase price in the Agreement is reduced; and

WHEREAS, the Board of Trustees is qualified, as a public agency under the laws of the State of Florida, to make application for, and receive conveyance of the property pursuant to Section 125.38, Florida Statutes (2007); and

WHEREAS, the County has determined that ownership of the Property is no longer required for County purposes and that the conveyance to the Board of Trustees is in the public interest; and

WHEREAS, the County and the Board of Trustees have performed all due diligence pursuant to the aforesaid Agreement; and

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

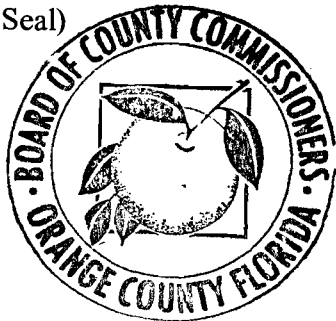
1. The recitals stated above are true and correct and hereby incorporated into this Resolution.

2. To accomplish this conveyance, the County Mayor is hereby authorized to execute a County Deed conveying the property described in "Exhibit A" on behalf of the County to the Board of Trustees of the Internal Improvement Trust Fund of the State of Florida for the consideration set forth in the amendment to the Agreement called the Closing Agreement for the Cady Way Trail, approved by the Board of County Commissioners.

3. The Real Estate Management Division is authorized and directed to do all things necessary and proper to effectuate the terms of the conveyance.

ADOPTED by the Board of County Commissioners of Orange County, Florida, this 16th day of December, 2008.

(Official Seal)



ORANGE COUNTY, FLORIDA

By: Board of County Commissioners

By: [Signature]
Richard T. Crotty
County Mayor

Date: 12.16.08

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

By: [Signature]
Deputy Clerk

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