RESOLUTION

of the

ORANGE COUNTY BOARD OF COUNTY COMMISSIONERS

AUTHORIZING THE EXCHANGE OF

CERTAIN COUNTY PROPERTY INTERESTS

FOR RECEIPT OF OTHER REAL PROPERTY INTERESTS

Resolution No. 2010-M-16

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 (2008), 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 interests, particularly a drainage and utilities easement comprising approximately 1.24 acres (the “County Easement”), as more particularly described in Exhibit “F”, attached and incorporated into that certain Exchange and Donation Agreement by and among Daniels Petroleum Company, Lee Chira Holdings, Ltd., and Orange County being considered by the Board of even date herewith (the “Exchange and Donation Agreement”); and

WHEREAS, Daniels Petroleum Company (“Daniels”) is the fee simple owner of certain real property (the “Daniels Parcel”), as more particularly described in the Exhibit “A”, attached and incorporated into the Exchange and Donation Agreement, over part of which Daniels intends to grant the County a new drainage and utilities easement comprising approximately 0.41 acres (the “Alternative County Easement”) as more particularly described in Exhibit “G”, attached and incorporated into the Exchange and Donation Agreement; and
WHEREAS, Daniels is also the fee simple owner of certain real property comprising approximately 2.244 acres, which underlies half of a large drainage pond ("Daniels Pond Parcel"), as more particularly described in Exhibit "B", attached and incorporated into the Exchange and Donation Agreement; and

WHEREAS, Lee Chira Holdings, Ltd. ("LCH") is the fee simple owner of certain real property comprising approximately 2.040 acres, which underlies the other half of the aforementioned drainage pond ("LCH Pond Parcel"), as more particularly described in Exhibit "C", attached and incorporated into the Exchange and Donation Agreement; and

WHEREAS, Orange County, Daniels, and LCH wish to undertake an exchange and donation by which (1) the County would release its interest in the County Easement; (2) Daniels would grant the County the Alternative County Easement, and (3) Daniels and LCH would convey fee simple interest in their respective pond parcels to the County, all as more particularly described in that certain Exchange and Donation Agreement.

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 Easement will no longer be needed for County purposes upon the grant of the Alternative County Easement to the County by Daniels and such County Easement may be to the best interest of the County exchanged for the Alternative County Easement.

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 following has first occurred: (a) the County has entered into the Exchange and Donation Agreement; (b) Daniels and LCH have complied with all terms of the Exchange and Donation Agreement; and (c) Daniels and/or LCH pays for, or reimburses County for, costs of this exchange and donation as provided in the Exchange and Donation 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 [signature]

day of MAR 09 2010, 2010.

ORANGE COUNTY, FLORIDA
By: Board of County Commissioners

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

Date: 3.9.10

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

By: [signature]
Deputy Clerk

ADSP-C-02