

2 RESOLUTION

4 of the

ORANGE COUNTY BOARD OF COUNTY COMMISSIONERS

6 AUTHORIZING THE EXCHANGE OF

CERTAIN COUNTY PROPERTY INTERESTS

8 FOR RECEIPT OF OTHER REAL PROPERTY INTERESTS

10 Resolution No. 2010-M-16

12 WHEREAS, Orange County, a charter county a political subdivision of the State of  
14 Florida, pursuant to its home rule power and Section 125.37, Florida Statutes (2008), has  
16 authority to determine that certain real property is not needed for County purposes and to  
exchange said property for other real property; and

18 WHEREAS, the County owns certain real property interests, particularly a drainage and  
20 utilities easement comprising approximately 1.24 acres (the "County Easement"), as more  
22 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

24 WHEREAS, Daniels Petroleum Company ("Daniels") is the fee simple owner of certain  
26 real property (the "Daniels Parcel"), as more particularly described in the Exhibit "A", attached  
28 and incorporated into the Exchange and Donation Agreement, over part of which Daniels intends  
30 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

32           **WHEREAS**, Daniels is also the fee simple owner of certain real property comprising  
34 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

36           **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  
38 aforementioned drainage pond (“LCH Pond Parcel”), as more particularly described in **Exhibit**  
**“C”**, attached and incorporated into the Exchange and Donation Agreement; and

40           **WHEREAS**, Orange County, Daniels, and LCH wish to undertake an exchange and  
42 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  
44 convey fee simple interest in their respective pond parcels to the County, all as more particularly  
described in that certain Exchange and Donation Agreement.

46

**NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY**

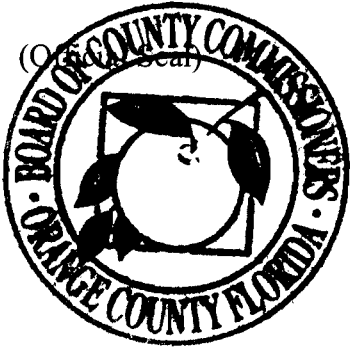
48 **COMMISSIONERS OF ORANGE COUNTY, FLORIDA:**

*Section 1.*     The Orange County Board of County Commissioners (the “Board”) finds  
50 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  
52 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  
54 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  
56 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  
58 exchange and donation as provided in the Exchange and Donation Agreement.

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

60 ADOPTED by the Board of County Commissioners of Orange County, Florida, this  
day of MAR 09 2010, 2010.



ORANGE COUNTY, FLORIDA  
By: Board of County Commissioners

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

Date: 3.9.10

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

76 By: *Martha O. Haynie*  
78 Deputy Clerk

80 *ADSP-C-02*