RESOLUTION
of the
ORANGE COUNTY BOARD OF COUNTY COMMISSIONERS
regarding
AUTHORIZATION TO CONVEY CERTAIN COUNTY PROPERTY INTERESTS TO
THE CITY OF WINTER GARDEN, FLORIDA
Resolution No. 2010-M-86

WHEREAS, Orange County, a political subdivision of the State of Florida ("County"), pursuant to its home rule power and Section 125.38, Florida Statutes, has authority to determine that certain County property is not needed for County purposes and to convey such property, for nominal price or otherwise, to the United States or any department or agency thereof, the State or any political subdivision or agency thereof, or any municipality of Florida, or any corporation or non-profit entity organized for the purpose of promoting community interest and welfare;

WHEREAS, the City of Winter Garden, a municipal corporation created by and existing under the laws of the State of Florida ("City"), has applied for and proposes to accept certain real property, currently owned in fee by the County, which will be used for retention pond purposes for the benefit of East Bay Estates, a single family residential subdivision platted in Plat Book 33, Pages 92 and 93;

WHEREAS, the subject real property, known as Tract "B" on the plat for East Bay Estates, is presently used for retention pond purposes;

WHEREAS, East Bay Estates was annexed by the City on or about May 25, 1995, but the City never accepted a deed from the County for the retention pond known as Tract "B";

WHEREAS, the City has applied with the County for a Statutory County Deed conveying to the City all of the County's right, title and interest in the subject real property used for retention pond purposes (Tract "B") described in Exhibit "A," attached hereto and incorporated herein by this reference ("Property") for public purposes;

WHEREAS, the County has duly considered such request, and by adopting this Resolution, the County has determined that the Property is no longer needed for County purposes, and that its conveyance to the City is in the best interests of the County; and

WHEREAS, the City is qualified, as a municipality of the State of Florida, to make application for and to receive County property pursuant to Section 125.38, Florida Statutes.
NOW THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF ORANGE COUNTY:

Section 1. The Board hereby determines that the Property is no longer needed for County purposes and that it is in the best interests of the County to convey the Property to the City for use as retention pond to serve East Bay Estates in the City. The Board recognizes that the City must approve the conveyance of the Property for such conveyance to occur.

Section 2. The Board hereby directs that all of the County’s right, title and interest in the Property be conveyed to the City for the consideration of ONE DOLLAR, and that the Orange County Mayor execute and deliver to the City a Statutory County Deed to effectuate such conveyance.

Section 3. The Board hereby directs that a certified copy of this Resolution be forwarded forthwith to the City Clerk by the Board’s Clerk.

Section 4. This Resolution shall become effective upon its adoption by the Board.

ADOPTED THIS ____ DAY OF ____DEC 14____, 2010.

ORANGE COUNTY, FLORIDA
By: Board of County Commissioners

By: _______ ____________________________
Richard T. Crotty
County Mayor

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

By: ____________________________
Deputy Clerk
Exhibit "A"

East Bay Estates Retention Pond

**Estate:** Fee Simple  
**Purpose:** Storm water Retention

**Description:**

Tract "B", East Bay Estates according to the plat thereof as recorded in Plat Book 33, Page 92 of the Public Records of Orange County Florida.

Said tract being and lying in the Northeast ¼ of Section 24, Township 22 South, Range 27 East of Orange County, Florida. Containing 2.9275 acres, more or less.