RESOLUTION

of the

ORANGE COUNTY BOARD OF COUNTY COMMISSIONERS

regarding

AUTHORIZATION TO CONVEY CERTAIN
COUNTY PROPERTY INTERESTS TO
THE ORLANDO UTILITIES COMMISSION

Resolution No. 2011- _______________

WHEREAS, Orange County, a political subdivision of the State of Florida, pursuant to its home rule power and Section 125.38 of the Florida Statutes (2010), has authority to determine that certain County property is not needed for County purposes and to convey said property, for a 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; and

WHEREAS, the Orlando Utilities Commission, a duly established and validly existing municipal utility organized and existing under and by virtue of the laws of the State of Florida ("OUC"), in order to enhance security at a solar facility to be constructed at OUC’s Curtis H. Stanton Energy Center (the “Solar Facility”), has requested Orange County convey to OUC all of the County’s right, title and interest in that portion of a 6-foot high chain link fence that runs along the boundary of the Solar Facility, as depicted in Exhibit “A”, attached hereto and incorporated herein by reference, running approximately 2,815 feet in length beginning at the Northerly right-of-way line of Pope Street where it intersects with Innovation Way to the Northerly reference point described as N1511844.56/E598215.93 (the “Fence”); and

WHEREAS, the County has determined that the Fence is no longer needed for County purposes and that the conveyance to OUC is in the public interest; and

WHEREAS, OUC is qualified, as a municipal utility under the laws of the State of Florida, to make application for, and receive unneeded County property pursuant to Section 125.38, Florida Statutes (2010).

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

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1. The Board hereby determines that the Fence is no longer needed for County purposes and that it is in the best interest of Orange County and the public that its interests in the Fence be conveyed to OUC.

2. The Fence is located on a County right-of-way and, once conveyed, will provide security for the OUC Solar Facility as required by the U.S. Department of Homeland Security.

3. The Fence was erected in consideration of OUC’s conveyance of its portion of Alafaya Trail right-of-way to the County, at no cost, as set forth in that certain Amendment to Alafaya Trail Agreement dated July 31, 2001, by and among between Orange County, Orlando Business Park, the City of Orlando, and the Orlando Utilities Commission.

4. The Board hereby directs that all of the County’s right, title and interest in the Fence be conveyed to OUC for the consideration of TEN DOLLARS ($10.00), and that the Orange County Mayor execute and deliver a Bill of Sale to effectuate such conveyance.

5. The Board hereby directs that a certified copy of this Resolution shall be forwarded forthwith to the Authority.

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

ADOPTED this ___ day of FEB 2 2 2011, 2011.

ORANGE COUNTY, FLORIDA
By: Board of County Commissioners

By: Teresa Jacobs
Orange County Mayor

ATTEST: Martha O. Haynie, County Comptroller
As Clerk of the Board of County Commissioners
By: Deputy Clerk
EXHIBIT A

DEPICTION OF FENCE