

BCC Mtg. Date: Dec. 13, 2016

# RESOLUTION

*of the*  
**ORANGE COUNTY BOARD OF COUNTY COMMISSIONERS**  
*regarding*  
**DESIGNATING CERTAIN LAND WITHIN  
UNINCORPORATED ORANGE COUNTY CONSISTING OF  
APPROXIMATELY 34.321 ACRES WITHIN PARCEL ID  
06-24-29-0000-00-004 AS THE UNIVERSAL BOULEVARD  
EAST: ROCC (REDEVELOPING ORANGE COUNTY  
COMMUNITIES) AND AS A BROWNFIELD AREA FOR THE  
PURPOSE OF ENVIRONMENTAL REMEDIATION,  
REHABILITATION AND ECONOMIC DEVELOPMENT**

Resolution No. 2016-N-59

WHEREAS, the Brownfields Redevelopment Act, (the "Act"), Sections 376.77 - 376.85, Florida Statutes, authorizes and provides for designation by resolution, at the request of the property owner, of certain lands as a "Brownfield Area," and for the corresponding provision of environmental remediation, rehabilitation, and economic development for such areas; and

WHEREAS, Universal City Property Management III, LLC ("UCPM"), the property owner of property parcel ID: 06-24-29-0000-00-004 located on Universal Boulevard west of the intersection of Universal Boulevard and Destination Parkway within unincorporated Orange County, has requested that approximately 34.321 acres within the property located on the north side of Universal Boulevard in close proximity to the intersection of Universal Boulevard and Tradeshow Boulevard to the east be designated as the UNIVERSAL BOULEVARD EAST: ROCC (Redeveloping Orange County Communities), more particularly described in Exhibit "A," attached hereto and incorporated by reference herein, and as a brownfield area; and

WHEREAS, on September 19, 2016 and November 29, 2016, public hearings were held near the area to be designated and at the Orange County Board of County Commissioners (the "Board"), respectively, to provide an opportunity for public input on the size of the area, the objectives for rehabilitation, job opportunities and economic developments anticipated, neighborhood residents' considerations, and other relevant local concerns in accordance with Section 376.80, Florida Statutes; and

WHEREAS, the Board has reviewed the requirements for designation set forth in Section 376.80(2)(c), Florida Statutes, based on the representations of UCPM, and has determined that the proposed area qualifies for designation as a Brownfield Area because the following requirements have been satisfied:

1. The property owner, UCPM, has requested the designation and has agreed to rehabilitate and redevelop the brownfield site;

2. The rehabilitation and redevelopment of the proposed brownfield site will result in economic productivity of the area and will potentially result in the creation of at least 5 new permanent jobs at the brownfield site that are full-time equivalent positions not associated with the implementation of the brownfield site rehabilitation agreement and that are not associated with redevelopment project demolition or construction activities pursuant to the redevelopment of the proposed brownfield area;
3. The redevelopment of the proposed brownfield site is consistent with the Orange County 2010-2030 Comprehensive Policy Plan and is a permissible use under the County's land development regulations;
4. Notice of the proposed rehabilitation of the brownfield area has been provided to neighbors and nearby residents of the proposed area to be designated pursuant to Section 376.80(1)(c), Florida Statutes, and UCPM has afforded to those receiving notice the opportunity for comments and suggestions about rehabilitation; and
5. UCPM has provided reasonable assurance that it has sufficient financial resources to implement and complete the rehabilitation agreement and redevelopment of the brownfield site; and

WHEREAS, the Board wishes to notify the Florida Department of Environmental Protection ("FDEP") of its decision to designate a Brownfield Area for remediation, rehabilitation, and economic development for the purposes set forth in the Act; and

WHEREAS, the procedures set forth in Section 376.80(1), Florida Statutes, including the notice and public hearing requirements set forth in Sections 125.66, 125.66(4)(b)1., and 125.66(4)(b)2., Florida Statutes, have been complied with.

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

**Section 1.** The recitals and findings set forth in the Preamble to this Resolution are hereby adopted by reference thereto and incorporated herein as if fully set forth in this Section.

**Section 2.** Upon application by UCPM, the property described in Exhibit "A," attached hereto and incorporated herein by reference, which is located within and coincides with the boundaries of that portion located in the unincorporated area of the County, less any real property for which a property owner within the area depicted in Exhibit "A" requests in writing to have his or her property removed from the designation provided for herein, is hereby designated as the "UNIVERSAL BOULEVARD EAST:

ROCC (Redeveloping Orange County Communities)” which shall hereafter be known as the “UNIVERSAL BOULEVARD EAST: ROCC” and as a brownfield area for environmental remediation, rehabilitation, and economic development as set forth in the Act, under the following terms and conditions:

a. Pursuant to Section 376.80(3), Florida Statutes, UCPM shall be the “person responsible for the brownfield site rehabilitation” as that term is defined in Section 376.79(13), Florida Statutes.

b. The designation of the brownfield area by this Resolution does not in any sense render Orange County or its Board responsible for any costs or liabilities associated with site remediation, rehabilitation, economic development, or source removal, as those terms are defined in the Act.

c. Nothing in this Resolution shall be deemed to prohibit, limit, or amend the authority and power of the Board, otherwise legally available, to designate any other property or properties as a brownfield site or brownfield area, or to modify, amend, or withdraw the designation as established herein.

**Section 3.** In accordance with Section 376.80(1), Florida Statutes, the Board hereby directs the Orange County Environmental Protection Division to notify the FDEP of Orange County’s decision to designate this brownfield area for the purposes of remediation, rehabilitation, and economic development.

**Section 4.** This Resolution shall take effect upon the date of its adoption.

ADOPTED THIS \_\_\_\_\_ DAY OF DEC 13 2016, 2016.

ORANGE COUNTY, FLORIDA  
By: Board of County Commissioners

By: *Teresa Jacobs*  
Teresa Jacobs  
Orange County Mayor

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

By: *Kate Smith*  
Deputy Clerk



**EXHIBIT A  
LEGAL DESCRIPTION**

(UNIVERSAL BOULEVARD EAST: ROCC)  
(34.321 acres of Parcel ID: 06-24-29-0000-00-004)

A TRACT OF LAND, BEING A PORTION OF THE LANDS DESCRIBED IN THAT CERTAIN SPECIAL WARRANTY DEED, AS RECORDED IN OFFICIAL RECORDS BOOK 5638, PAGE 3517, PUBLIC RECORDS OF ORANGE COUNTY, FLORIDA, LYING IN SECTION 31, TOWNSHIP 23 SOUTH, RANGE 29 EAST, SECTION 6, TOWNSHIP 24 SOUTH, RANGE 29 EAST AND SECTION 36, TOWNSHIP 23 SOUTH, RANGE 28 EAST, BEING DESCRIBED AS FOLLOWS:

BEGIN AT THE SOUTHEAST CORNER OF LOT 2, VILLAGE OF IMAGINE, ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 71, PAGES 95 THROUGH 97, SAID PUBLIC RECORDS, THENCE RUN ALONG THE EASTERLY AND NORTHERLY LINES OF SAID LOT 2, THE FOLLOWING COURSES; NORTH 02°55'13" EAST, 71.96 FEET TO THE POINT OF CURVATURE OF A CURVE CONCAVE SOUTHWESTERLY; THENCE RUN NORTHWESTERLY, ALONG SAID CURVE, HAVING A RADIUS OF 100.00 FEET, A CENTRAL ANGLE OF 43°00'30", AN ARC LENGTH OF 75.06 FEET, A CHORD LENGTH OF 73.31 FEET AND A CHORD BEARING OF NORTH 18°35'02" WEST TO THE POINT OF REVERSE CURVATURE OF A CURVE, CONCAVE NORTHEASTERLY; THENCE RUN NORTHWESTERLY, ALONG SAID CURVE, HAVING A RADIUS OF 300.00 FEET, A CENTRAL ANGLE OF 35°53'12", AN ARC LENGTH OF 187.90 FEET, A CHORD LENGTH OF 184.85 FEET AND A CHORD BEARING OF NORTH 22°08'41" WEST TO THE POINT OF TANGENCY; THENCE RUN NORTH 04°12'05" WEST, 190.59 FEET TO A POINT ON A NON-TANGENT CURVE, CONCAVE SOUTHWESTERLY; THENCE RUN NORTHWESTERLY, ALONG SAID NON-TANGENT CURVE, HAVING A RADIUS OF 200.00 FEET, A CENTRAL ANGLE OF 59°40'47", AN ARC LENGTH OF 208.32 FEET, A CHORD LENGTH OF 199.03 FEET AND A CHORD BEARING OF NORTH 55°40'29" WEST TO THE POINT OF REVERSE CURVATURE OF A CURVE, CONCAVE NORTHEASTERLY; THENCE RUN NORTHWESTERLY, ALONG SAID CURVE, HAVING A RADIUS OF 600.00 FEET, A CENTRAL ANGLE OF 45°37'29", AN ARC LENGTH OF 477.78 FEET, A CHORD LENGTH OF 465.26 FEET AND A CHORD BEARING OF NORTH 62°42'08" WEST TO THE POINT OF REVERSE CURVATURE OF A CURVE, CONCAVE SOUTHWESTERLY; THENCE RUN NORTHWESTERLY, ALONG SAID CURVE, HAVING A RADIUS OF 500.00 FEET, A CENTRAL ANGLE OF 36°59'01", AN ARC LENGTH OF 322.74 FEET, A CHORD LENGTH OF 317.17 FEET AND A CHORD BEARING OF NORTH 58°22'54" WEST; THENCE RUN NORTH 89°32'46" WEST, NON-TANGENT TO SAID CURVE, 140.17 FEET; THENCE DEPARTING SAID NORTHERLY LINE, RUN NORTH 00°01'40" EAST, 8.54 FEET; THENCE RUN SOUTH 89°58'20" EAST, 107.68 FEET TO THE POINT OF CURVATURE OF A CURVE CONCAVE SOUTHWESTERLY; THENCE RUN SOUTHEASTERLY, ALONG SAID CURVE, HAVING A RADIUS OF 450.00 FEET, A CENTRAL ANGLE OF 26°33'50", AN ARC LENGTH OF 208.63 FEET, A CHORD LENGTH OF 206.77 FEET AND A CHORD BEARING OF SOUTH 76°41'25" EAST; THENCE RUN NORTH 38°56'58" EAST, 949.22 FEET TO A POINT LYING ON THE SOUTHERLY LINE OF A WATER DRAINAGE AGREEMENT, AS RECORDED IN

OFFICIAL RECORDS BOOK 6159, PAGE 1936 AND OFFICIAL RECORDS BOOK 6983, PAGE 2192 OF SAID PUBLIC RECORDS; THENCE RUN ALONG SAID SOUTHERLY LINE THE FOLLOWING COURSES; THENCE RUN SOUTH 51°03'02" EAST, 300.99 FEET; THENCE RUN SOUTH 43°03'56" EAST, 640.28 FEET; THENCE RUN SOUTH 45°32'44" EAST, 333.01 FEET THENCE DEPARTING SAID SOUTHERLY LINE, RUN SOUTH 00°32'43" EAST, 938.75 FEET TO A POINT LYING ON THE NORTHERLY RIGHT-OF-WAY LINE OF UNIVERSAL BOULEVARD, USI-SOUTH CAMPUS UNIT ONE, ACCORDING TO THE PLAT THEREOF AS RECORDED IN PLAT BOOK 46, PAGES 13 THROUGH 16 OF SAID PUBLIC RECORDS; SAID POINT ALSO LIES ON A NON-TANGENT CURVE, CONCAVE SOUTHWESTERLY; THENCE RUN NORTHWESTERLY, ALONG SAID NORTHERLY RIGHT-OF-WAY LINE AND SAID NON-TANGENT CURVE, HAVING A RADIUS OF 2864.58 FEET, A CENTRAL ANGLE OF 14°55'48", AN ARC LENGTH OF 746.44 FEET, A CHORD LENGTH OF 744.33 FEET AND A CHORD BEARING OF NORTH 79°36'54" WEST TO THE POINT OF BEGINNING.

THE ABOVE DESCRIBED TRACT OF LAND LIES IN ORANGE COUNTY, FLORIDA AND CONTAINS 34.321 ACRES MORE OR LESS.

