

# RESOLUTION

*of the*

## ORANGE COUNTY BOARD OF COUNTY COMMISSIONERS

**regarding**

### AUTHORIZATION TO CONVEY CERTAIN COUNTY PROPERTY TO FISHER PLANTATION HOMEOWNERS ASSOCIATION, INC.

**Resolution No. 2017-M-25**

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

**WHEREAS**, Tract "A" of the Fisher Plantation Subdivision ("Tract 'A'") is a drainage and retention tract that was conveyed to the County in fee simple by dedication on the subdivision plat, which plat was recorded on October 6, 2006, in Plat Book 67,

Pages 29-31, of the Official Records of Orange County, Florida, a copy of which is attached hereto as **Exhibit “A”** (“Plat”); and

**WHEREAS**, the County has determined that Tract “A” is not needed for County purposes, as the County’s Public Works Department has confirmed that Tract “A” serves only the subdivision represented on the Plat, and does not provide drainage for any adjacent County-maintained roads or facilities; and

**WHEREAS**, on February 15, 2017, the Apopka City Council adopted Ordinance 2547, which provided for the annexation of the Fisher Plantation subdivision, contingent upon a majority vote for annexation within the referendum area, and established an effective date of April 21, 2017, for Ordinance 2547; and

**WHEREAS**, on April 11, 2017, the City of Apopka (“City”) conducted a referendum of the registered electors within the Fisher Plantation subdivision, which resulted in an affirmative majority vote for annexation of the subdivision; and

**WHEREAS**, as a result, the lands described by the Plat, along with Tract “A”, are now located within the jurisdictional limits of the City; and

**WHEREAS**, the Fisher Plantation Homeowners Association, Inc. (“HOA”) is a Florida not-for-profit corporation, originally organized for the purpose of maintenance and preservation of the subdivision’s lots and common areas and promotion of the residents’ health, safety and welfare, and as such is qualified to accept title to County property pursuant to Section 125.38, Florida Statutes; and

**WHEREAS**, the HOA has indicated willingness to accept title to Tract “A”; and

**WHEREAS**, the County has determined that in accordance with Section 125.38 of the Florida Statutes, Tract “A” should be conveyed to the HOA in the form attached

hereto as **Exhibit “B,”** and such conveyance is in the public interest;

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

1. The above recitals are hereby incorporated by reference into the body of this Resolution and such recitals are adopted as findings of fact.

2. The Board hereby determines that Tract “A” is not needed for County purposes, that it is in the best interests of Orange County that Tract “A” be conveyed to the HOA for nominal consideration, and that the requirements of Section 125.38, Florida Statutes, for a private sale of property have been met.

3. The Board directs that all of the County’s right, title, and interest in Tract “A” be conveyed to the HOA and, as consideration, the HOA will assume all of the County’s rights, duties, and obligations as to Tract “A.”

4. The Board directs the Orange County Mayor to execute and deliver a County Deed in the form attached hereto as **Exhibit “B”** to effectuate such conveyance, and that staff do all things necessary and appropriate to conclude this transaction.

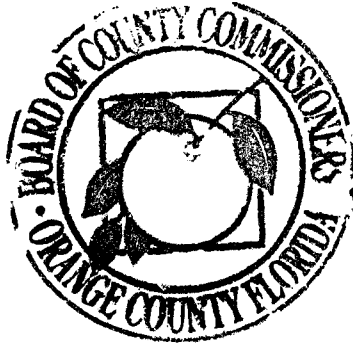
5. The Board hereby directs that a certified copy of this Resolution shall be forwarded forthwith to the President of the HOA.

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

**ADOPTED** this \_\_\_ day of **AUG 01 2017**, 2017.

*{Signature Page Follows}*

Resolution No. 2017-M-\_\_\_\_  
Authorization to Convey Tract "A" of Fisher Plantation Subdivision to City of Apopka Following Annexation of  
Subdivision by Referendum



ORANGE COUNTY, FLORIDA  
By: Board of County Commissioners

By: *Teresa Jacobs*  
Teresa Jacobs  
Orange County Mayor

ATTEST: Phil Diamond, CPA, County Comptroller  
As Clerk of the Board of County Commissioners

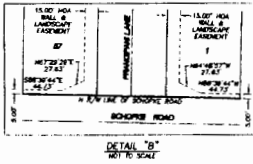
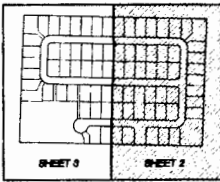
By: *Katie Smith*  
Deputy Clerk

Katie Smith  
Printed Name

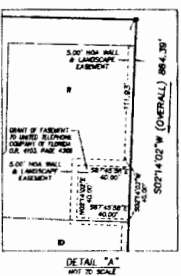
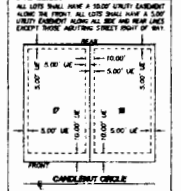
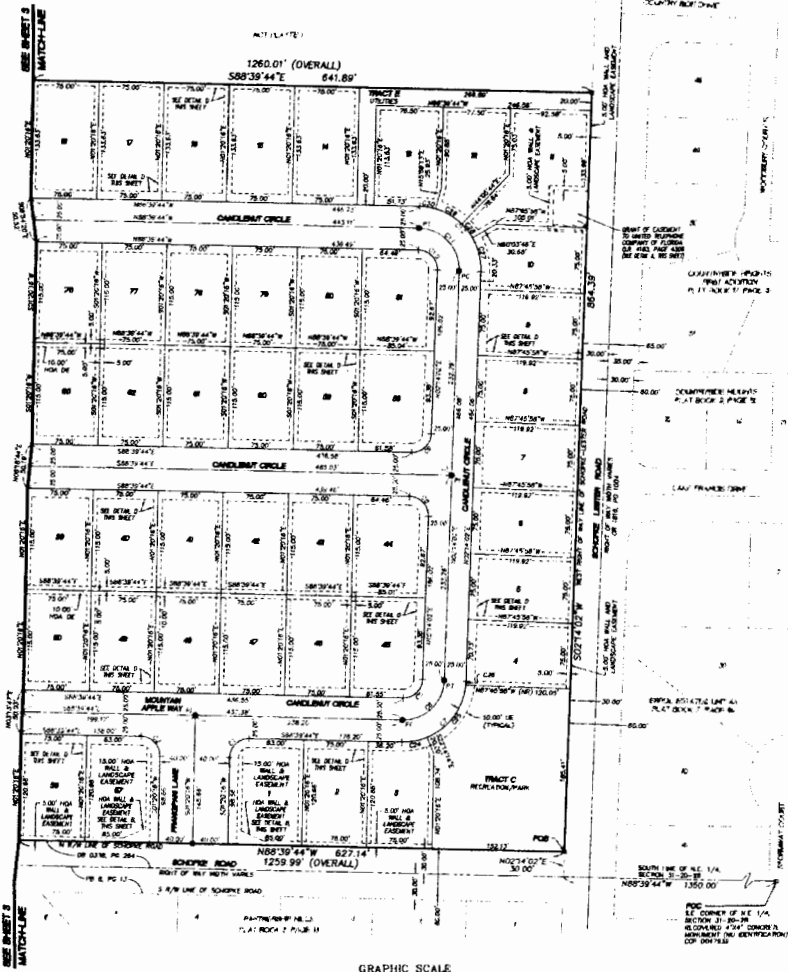


# FISHER PLANTATION

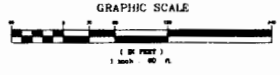
LOCATED IN SECTION 31, TOWNSHIP 20 SOUTH, RANGE 28 EAST  
ORANGE COUNTY, FLORIDA



CURVE TABLE					
CURVE	CENTRAL ANGLE	RADIUS	LENGTH	CHORD BEARING	CHORD
C1	90°00'00"	22.00'	34.86'	S46°20'18"W	37.11'
C2	80°00'00"	22.00'	34.86'	N43°39'44"E	37.11'
C3	89°36'34"	22.00'	34.21'	N45°47'09"E	30.87'
C4	89°36'34"	22.00'	34.21'	N45°47'09"E	30.87'
C5	89°36'34"	22.00'	34.21'	N45°47'09"E	30.87'
C6	89°36'34"	22.00'	34.21'	N45°47'09"E	30.87'
C7	89°36'34"	22.00'	34.21'	N45°47'09"E	30.87'
C8	89°36'34"	22.00'	34.21'	N45°47'09"E	30.87'
C9	89°36'34"	22.00'	34.21'	N45°47'09"E	30.87'
C10	89°36'34"	22.00'	34.21'	N45°47'09"E	30.87'
C11	89°36'34"	22.00'	34.21'	N45°47'09"E	30.87'
C12	89°36'34"	22.00'	34.21'	N45°47'09"E	30.87'
C13	89°36'34"	22.00'	34.21'	N45°47'09"E	30.87'
C14	89°36'34"	22.00'	34.21'	N45°47'09"E	30.87'
C15	89°36'34"	22.00'	34.21'	N45°47'09"E	30.87'
C16	89°36'34"	22.00'	34.21'	N45°47'09"E	30.87'
C17	89°36'34"	22.00'	34.21'	N45°47'09"E	30.87'
C18	89°36'34"	22.00'	34.21'	N45°47'09"E	30.87'
C19	89°36'34"	22.00'	34.21'	N45°47'09"E	30.87'
C20	89°36'34"	22.00'	34.21'	N45°47'09"E	30.87'



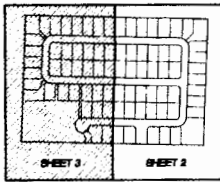
- LEGEND**
- L.B. LOCATED BUSINESS
  - L.S. LICENSED LAND SURVEYOR
  - P.S.M. PROFESSIONAL SURVEYOR & MAPPER
  - R. RADUS
  - A. CENTRAL ANGLE
  - C. CHORD
  - CH. CHORD BEARING
  - CM. CHORD TO MIDPOINT
  - OC. OFFICIAL RECORD BOOK
  - PC. PLAT BOOK
  - PM. PERMANENT MONUMENT MARKING
  - PP. PERMANENT CONTROL POINT
  - PE. CENTERLINE
  - PMR. POINT OF BEGINNING
  - PM. POINT OF MIRRORS
  - PA. POINT OF ANGLE
  - PT. POINT OF TANGENCY
  - PC. POINT OF CURVATURE
  - PR. POINT OF REVERSE CURVATURE
  - RP. RADUS POINT
  - DE. DRAINAGE EASEMENT
  - LE. LOT EASEMENT
  - SE. SIDEWALK EASEMENT
  - FW. FRONT YARD
  - OW. OVERALL
  - OC. OVERALL CENTERLINE
  - HW. HOME OWNERS ASSOCIATION
  - OC. OFFICIAL RECORD BOOK



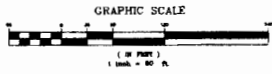
**BEARS SURVEYING COMPANY**  
1160 Solano Avenue, Winter Park, Florida 32789 (407) 645-1332

# FISHER PLANTATION

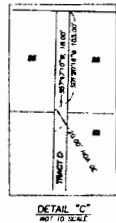
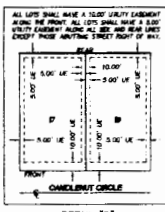
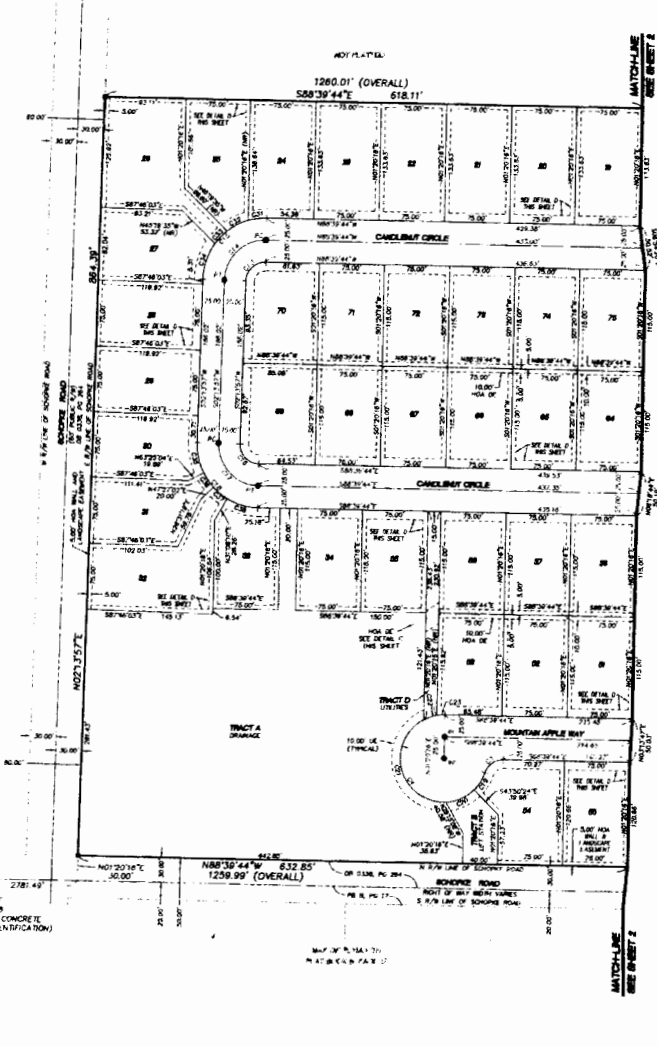
LOCATED IN SECTION 31, TOWNSHIP 20 SOUTH, RANGE 28 EAST  
ORANGE COUNTY, FLORIDA



CURVE	CENTRAL ANGLE	RADIUS	LENGTH	CHORD BEARING	CHORD
C1	22°12'30"	50.00	22.71	S33°19'11"W	28.81
C4	252°12'30"	50.00	220.08	S44°45'58"E	80.79
C13	89°38'18"	75.00	34.27	S48°47'07"W	30.87
C14	89°38'18"	75.00	73.00	S48°47'07"W	65.85
C15	89°38'18"	75.00	111.87	S48°47'07"W	101.03
C16	90°53'41"	75.00	34.80	S43°12'24"E	31.52
C17	90°53'41"	75.00	74.58	S43°12'24"E	66.99
C18	90°53'41"	75.00	114.22	S43°12'24"E	102.62
C19	273°12'30"	50.00	23.59	N32°28'41"E	23.47
C20	41°32'06"	50.00	26.25	N68°25'40"E	35.48
C21	154°18'17"	50.00	134.83	S15°20'07"E	87.49
C22	182°17'38"	50.00	15.05	S71°39'58"W	15.88
C23	173°44'47"	50.00	8.28	S85°20'13"W	9.17
C31	18°38'28"	75.00	20.81	S83°01'03"W	20.84
C32	222°12'30"	75.00	27.79	S83°40'38"W	27.53
C33	19°38'02"	75.00	20.08	S44°40'24"W	20.00
C34	14°27'28"	75.00	43.50	S18°27'41"W	43.62
C35	28°28'53"	75.00	36.87	S12°12'28"E	35.83
C36	19°38'02"	75.00	20.08	S44°40'24"W	20.00
C37	18°18'50"	75.00	20.20	S50°52'24"E	20.43
C38	28°47'24"	75.00	27.49	S12°42'17"E	27.02



**BEARS SURVEYING COMPANY**  
1160 Solano Avenue Winter Park, Florida 32789 (407) 645-1332



- LEGEND**
- LA IMPAVED ADDRESS
  - LA-1 RECORDED LAND MARKER
  - P.M. PROFESSIONAL SURVEYOR & MAPPER
  - R RADIUS
  - A CENTRAL ANGLE
  - L LENGTH
  - CH CHORD
  - CB CHORD BEARING
  - CM CHORD BEARING MONUMENT
  - OR OFFICIAL RECORDS BOOK
  - PAE PERMANENT REFERENCE MONUMENT
  - PO PLAT BOOK
  - IP IRON PIPE
  - E CENTERLINE
  - PC POINT OF COMMENCEMENT
  - PBB POINT OF BEGINNING
  - DBI NON-BRICK
  - PC POINT OF CURVATURE
  - POI POINT OF INTERSECTION
  - PI POINT OF INTERSECTION
  - PI POINT OF BEGINNING
  - PCO POINT OF COMMENCEMENT CURVATURE
  - POC POINT OF BEGINNING CURVATURE
  - RP RADIUS POINT
  - OR OFFICIAL RECORDS BOOK
  - LE LEFTLY EASEMENT
  - RE RIGHTLY EASEMENT
  - R/W RIGHT OF WAY
  - OR(1) OVERALL
  - OR(2) OVERALL CENTERLINE
  - (TYP) TYPICAL
  - HOA HOME OWNERS ASSOCIATION
  - OR(1) IDENTIFIED CORNER RECORD

## **Exhibit "B"**

Project: City of Apopka – Fisher Plantation Annexation (ANX-AP-1719)

### **COUNTY DEED**

THIS DEED, made as of the date signed below, by Orange County, a charter county and political subdivision of the state of Florida, whose address is P. O. Box 1393, Orlando, Florida, 32802-1393, GRANTOR, and Fisher Plantation Homeowners Association, Inc., a Florida not for profit corporation, whose address is 2180 West SR 434, Suite 5000, Longwood, Florida, 32799, GRANTEE.

WITNESSETH: That the GRANTOR, for and in consideration of the sum of \$1.00 and other valuable considerations, in hand paid by the GRANTEE, the receipt whereof is hereby acknowledged, does hereby remise, release, and quit-claim unto the said GRANTEE forever, all the right, title, interest, claim, and demand which the GRANTOR has in and to the following described lot, piece, or parcel of land, situate, lying and being in the county of Orange, state of Florida, to-wit:

Tract A, Fisher Plantation, according to the plat thereof, as recorded in Plat Book 67, pages 29 through 31, Public Records of Orange County, Florida.

#### **Property Appraiser's Parcel Identification Number:**

**31-20-28-2833-00-001**

TO HAVE AND TO HOLD the same together with all and singular the appurtenances thereunto belonging or in anywise appertaining, and all the estate, right, title, interest, lien, equity, and claim whatsoever of the GRANTOR, either in law or equity, to the only proper use, benefit, and behoove of the GRANTEE forever.



Project: City of Apopka – Fisher Plantation Annexation (ANX-AP-1719)

IN WITNESS WHEREOF, the said GRANTOR has caused these presents to be executed in its name by its Board, acting by the County Mayor, the day and year as written below.

(Official Seal)

ORANGE COUNTY, FLORIDA  
By: Board of County Commissioners

BY: \_\_\_\_\_  
Teresa Jacobs  
Orange County Mayor

DATE: \_\_\_\_\_

ATTEST: Phil Diamond, CPA, County Comptroller  
As Clerk of the Board of County Commissioners

BY: \_\_\_\_\_  
Deputy Clerk  
  
\_\_\_\_\_  
Printed Name

**This instrument prepared by:**  
Paul Sladek, a staff employee  
in the course of duty with the  
Real Estate Management Division  
of Orange County, Florida

BCC Mtg. Date: Aug. 1, 2017

Project: City of Apopka – Fisher Plantation Annexation (ANX-AP-1719)

### **COUNTY DEED**

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WITNESSETH: That the GRANTOR, for and in consideration of the sum of \$1.00 and other valuable considerations, in hand paid by the GRANTEE, the receipt whereof is hereby acknowledged, does hereby remise, release, and quit-claim unto the said GRANTEE forever, all the right, title, interest, claim, and demand which the GRANTOR has in and to the following described lot, piece, or parcel of land, situate, lying and being in the county of Orange, state of Florida, to-wit:

Tract A, Fisher Plantation, according to the plat thereof, as recorded in Plat Book 67, pages 29 through 31, Public Records of Orange County, Florida.

**Property Appraiser's Parcel Identification Number:**

**31-20-28-2833-00-001**

TO HAVE AND TO HOLD the same together with all and singular the appurtenances thereunto belonging or in anywise appertaining, and all the estate, right, title, interest, lien, equity, and claim whatsoever of the GRANTOR, either in law or equity, to the only proper use, benefit, and behoove of the GRANTEE forever.

Project: City of Apopka – Fisher Plantation Annexation (ANX-AP-1719)

IN WITNESS WHEREOF, the said GRANTOR has caused these presents to be executed in its name by its Board, acting by the County Mayor, the day and year as written below.

(Official Seal)



ORANGE COUNTY, FLORIDA

By: Board of County Commissioners

BY: *Teresa Jacobs*

Teresa Jacobs  
Orange County Mayor

DATE: 8.1.17

ATTEST: Phil Diamond, CPA, County Comptroller  
As Clerk of the Board of County Commissioners

BY: *Katie Smith*  
Deputy Clerk

**Katie Smith**

Printed Name

**This instrument prepared by:**  
Paul Sladek, a staff employee  
in the course of duty with the  
Real Estate Management Division  
of Orange County, Florida