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. 2018- M-32

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 that, upon such an application, 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;

WHEREAS, the County obtained right-of-way and easement interests in certain property by virtue of a Drainage Easement recorded on July 30, 1991, in Official Records Book 4311, Page 40, of the Public Records of Orange County, Florida.
WHEREAS, the County obtained easement interests in certain property by virtue and Drainage Easement recorded on July 30, 1991 in Official Records Book 4311, Page 43, of the Public Records of Orange County, Florida ("Easement Two"); and

WHEREAS, the County obtained easement interests in certain property by virtue of a Drainage Easement recorded on June 26, 1995 and recorded in Official Records Book 4909, Page 2021, of the Public Records of Orange County, Florida ("Easement Three"); and

WHEREAS, by virtue of an annexation that occurred through Ordinance 01-80 adopted by the City Commission of the City of Winter Garden on December 13, 2001, all of the lands subject to Easement One, all of the lands subject to Easement Two, and all of the lands subject to Easement Three are now located within the jurisdictional limits of the City of Winter Garden;

WHEREAS, the lands subject to Easement One, Easement Two, and Easement Three that are now located within the jurisdictional limits of the City of Winter Garden are described in the attached as Schedule "A" (the "Annexed Lands"); and

WHEREAS, the City of Winter Garden has applied to the County to be assigned County's interests in Easement One, Easement Two, and Easement Three applicable to the Annexed Lands (collectively, the "Assigned Interests") for the public interest or welfare; and

WHEREAS, the County has determined that, pursuant to the City of Winter Garden's application, the Assigned Interests should be assigned to the City of Winter Garden, and such assignment is in the public interest; and
WHEREAS, the City of Winter Garden is qualified, as a municipality under the laws of the State of Florida, to be assigned the Assigned Interests pursuant to Section 125.38, Florida Statutes.

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

1. The Board hereby determines that the Assigned Interests are not needed for County purposes and that it is in the best interests of Orange County and the City of Winter Garden that the Assigned Interests be assigned to the City of Winter Garden.

2. The Board directs that all of the County’s right, title, and interest in the Assigned Interests, to the extent assignable, be assigned to the City of Winter Garden and, as consideration, the City of Winter Garden will assume all of the County’s rights, duties, and obligations that exist under the terms and conditions of Easement One, Easement Two, and Easement Three.

3. The Board directs the Orange County Mayor to execute and deliver an Assignment of Easements to effectuate such assignment, and that staff do all things necessary and appropriate to conclude this transaction.

4. The Board hereby directs that a certified copy of this Resolution shall be forwarded forthwith to the Mayor of the City of Winter Garden.

5. This Resolution shall become effective upon its adoption by the Board.
ADOPTED this 11 day of SEPTEMBER, 2018.

ORANGE COUNTY, FLORIDA
By: Board of County Commissioners

By: Teresa Jacobs
Orange County Mayor

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

By: [Signature]
Deputy Clerk
SCHEDULE "A"
LEGAL DESCRIPTION &
SKETCH OF DESCRIPTION

LOT 7, BLOCK A

THE HARBOR
PLAT BOOK 13, PAGE 140

LOT 6, BLOCK C
EMERALD ACRES
PLAT BOOK X, PAGE 47

The North 10.00 feet of the South 30.00 feet of the Westerly most 109.35 feet of the Vacated 60.00 foot right of way known as Olson Street, as recorded in Official Record Book 3845, Page 1247 of the Public Records of Orange County, Florida;

together with

The West 20.00 feet of the South 20.00 feet of the South 30.00 feet of the Westerly most 109.35 feet of the Vacated 60.00 foot right of way known as Olson Street, as recorded in Official Record Book 3845, Page 1247 of the Public Records of Orange County, Florida.

Containing 1,493.50 square feet more or less.
The South 10.00 feet of the North 30.00 feet of the Westerly most 109.35 feet of the Vacated 60.00 foot right of way known as Olson Street, as recorded in Official Record Book 3845, Page 1247 of the Public Records of Orange County, Florida;

together with

The West 20.00 feet of the North 20.00 feet of the North 30.00 feet of the Westerly most 109.35 feet of the Vacated 60.00 foot right of way known as Olson Street, as recorded in Official Record Book 3845, Page 1247 of the Public Records of Orange County, Florida.

Containing 1,493.50 square feet more or less.
Beginning at the Northwest corner of Lot 6, Block C of the Plat of Emerald Acres as recorded in Plat Book X Page 47 of the Public Records of Orange County, Florida; thence run S 89°45'55" E along the North line of said Lot 6, said line being the South Right of way line of Olson Street, a 60 foot right of way, a distance of 60.85 feet; thence run S 01°06'15" E a distance of 113.98 feet; thence run S 48°43'02" E a distance of 39.67 feet to the South line of said Lot 6; thence run N 89°45'55" W along the South line of said Lot 6 a distance of 93.02 feet to the Southwest corner of aforementioned Lot 6; thence run N 00°04'04" E along the West line of said Lot 6 a distance of 140.00 feet to the Point of Beginning. 

Containing 9100 square feet more or less.