RESOLUTION NO. 86-M-44

A RESOLUTION STATEING THAT NO OFFER BY ANY PARTY TO DEDICATE PROPERTY BY AN INSTRUMENT OF CONVEYANCE TO ORANGE COUNTY FOR A PUBLIC USE SHALL BE ACCEPTED, AND THE PROPERTY THEREBY DEEMED DEDICATED, UNLESS THE INSTRUMENT IS FORMALLY APPROVED AND ACCEPTED BY THE BOARD OF COUNTY COMMISSIONERS; PROVIDING AN EFFECTIVE DATE.

WHEREAS, Florida law recognizes that there can be no dedication of property to a governing authority for a public use without the essential elements of offer and acceptance;

WHEREAS, acceptance of an offer to dedicate property by an instrument of conveyance for a public use may occur expressly or impliedly;

WHEREAS, Orange County has learned that, in some circumstances, instruments of conveyance offering to dedicate property (or "dedicating" property) to Orange County for a public use have been recorded with the Comptroller's Office, and, upon recording, the property referred to in these instruments of conveyance has been deleted by the Property Appraiser's Office from the tax rolls, despite the fact that such instruments of conveyance have not been accepted by Orange County;

WHEREAS, generally speaking, Orange County has no desire to accept an offer to dedicate property for a public use by an instrument of conveyance;

WHEREAS, when Orange County does wish to accept such an offer, it desires to declare that, in order for the offer to be accepted, the instrument of conveyance must be formally approved and accepted by the Board of County Commissioners in writing; and

WHEREAS, Orange County wishes to announce that the mere fact that instruments of conveyance containing offers to dedicate property for public uses have been previously recorded, and the property referred to in these instruments of conveyance has been subsequently removed from the tax rolls...
rolls, does not, without more, constitute acceptance by implication of the offers.

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

1. Unless an instrument of conveyance containing an offer to dedicate property (or "dedicating" property) to Orange County for a public use is henceforth formally approved and accepted by the Board of County Commissioners in writing, it shall retain its status as a mere offer.

2. Property shall not be deemed to have been dedicated to Orange County for a public use by implication where, without more, an instrument of conveyance containing an offer to dedicate property (or "dedicating" property) for a public use has been previously recorded, and the property referred to in the instrument of conveyance was subsequently removed from the tax rolls.

3. This Resolution shall take effect on the date of its adoption.


ORANGE COUNTY, FLORIDA

By: [Signature]
Chairman, Board of County Commissioners

DATE: OCT 22 1986

ATTEST: THOMAS H. LOCKER, Clerk to the Board of County Commissioners

By: [Signature]
Deputy Clerk

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