

JUN 26 1989

RESOLUTION NO. 89-M-42

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3 A RESOLUTION AUTHORIZING THE EXECUTION OF A  
4 COUNTY DEED TO BETTY B. SPENCER, TRUSTEE, TO  
5 CORRECT A MUTUAL ERROR ARISING FROM AN  
6 EXCESS TAKING IN AN EMINENT DOMAIN ACTION.

7 WHEREAS, National Leasing, Inc., a Florida  
8 corporation, was a defendant as to a parcel in a certain  
9 eminent domain action prosecuted in the Circuit Court of  
10 Orange County, styled Orange County, Florida vs. Joretta M.  
11 Musselwhite, et al., Case No. CI85-10894; and

12 WHEREAS, by virtue of an incorrect legal description  
13 stated in the said Petition filed by Orange County as  
14 plaintiff in the aforementioned eminent domain action and the  
15 Order of Taking which was entered pursuant to said Petition,  
16 Orange County became vested with title to certain real estate  
17 which it did not intend to acquire through the said eminent  
18 domain proceeding and for which Orange County did not  
19 compensate National Leasing, Inc., the owner of such real  
20 estate; and

21 WHEREAS, the said National Leasing, Inc. has now  
22 become a dissolved Florida corporation and Betty B. Spencer,  
23 as the last surviving director of the said National Leasing,  
24 Inc. has become the person to whom reconveyance of the said  
25 excess real estate, which is rightfully an asset of National  
26 Leasing, Inc., should be made in order to rectify said  
27 excess conveyance; and

28 WHEREAS, the said Betty B. Spencer has entered into  
29 a certain letter of instructions and indemnification to  
30 Orange County, a copy of which is attached hereto as Exhibit  
31 "A" and incorporated herein by this reference, which  
32 indemnification does and shall hold harmless Orange County  
33 from any liability which might arise from the reconveyance  
34 authorized hereinbelow.

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

SECTION 1. EXECUTION OF DEED.

37 The Chairman of the Board of County Commissioners is  
38 hereby authorized to execute a deed to Betty B. Spencer,  
39 Trustee, conveying to her from Orange County, Florida, that  
40 parcel of property described in Exhibit "B" attached hereto  
41 and made a part hereof by this reference; the purpose of such  
42 conveyance being to correct a mutual mistake as hereinabove  
43 recited.  
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SECTION 2. EFFECTIVE DATE.

This Resolution shall take effect upon adoption.

ADOPTED THIS 26th DAY OF June, 1989.

BOARD OF COUNTY COMMISSIONERS  
OF ORANGE COUNTY, FLORIDA

BY: Tom Deaman  
Chairman

ATTEST:

Martha O. Haynie, Clerk to the  
Board of County Commissioners

BY: Mary Jo Garrison  
Deputy Clerk