RESOLUTION NO. 89-M-42

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

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

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

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

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

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

SECTION 1. EXECUTION OF DEED.

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

ATTEST:

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

BY:   
Deputy Clerk