

CS/MSK

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RESOLUTION NO. 95-M-10

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**A RESOLUTION CONCERNING SATISFACTION
OF CERTAIN LIABILITIES**

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9 WHEREAS, the Board of County Commissioners ("Board")
11 finds that, after certain discussions between the Orange
13 County Chairman and Representative Marvin Couch, it is no
15 longer either necessary or desirable for the County to pursue
enforcement of Final Order No. COE 92-13 issued by the State
of Florida Commission on Ethics on July 22, 1992 (the "Final
Order"); and

15

17 WHEREAS, the Board has not requested the State of Florida
19 Commission on Ethics to forward the Final Order to the State
of Florida Department of Legal Affairs, for enforcement; and

19

21 WHEREAS, the Board is now willing to waive its right,
23 pursuant to Section 112.317(8), Florida Statutes, to enforce
the Final Order.

23

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

Section 1. The Orange County Board of County
27 Commissioners hereby authorizes and directs the Orange County
Chairman and the Orange County Comptroller to execute,
29 attest, and to file in the Official Records of Orange County
a "Satisfaction of Judgment and Order", substantially in the
31 form attached hereto as Exhibit A, as full and complete
satisfaction for all duties, obligations and liabilities
33 arising out of both the Florida Commission on Ethics Final
Order No. COE 92-13, recorded at O. R. Book 4807, Page 2614,
35 of the Official Records of Orange County, Florida, and the
Judgment of the Fifth District Court of Appeal, recorded at

37 O. R. Book 4807, Page 2596, of the Official Records of Orange
County, Florida, and to send notification of the Satisfaction
39 of Judgment and Order to the State of Florida Commission on
Ethics and the State of Florida Department of Legal Affairs
41 by letter, substantially in the form attached hereto as
Exhibit B.

43 Section 2. This resolution shall take effect upon its
adoption.

45 ADOPTED THIS 14th DAY OF February, 1995.

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ORANGE COUNTY, FLORIDA

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51

BY: Mary D. Johnson
FOR THE County Chairman

53

DATE: FEB 14 1995

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57 ATTEST: Martha O. Haynie, County Comptroller
As Clerk of the Board of County Commissioners

59

61 BY:

[Signature]
Deputy Clerk

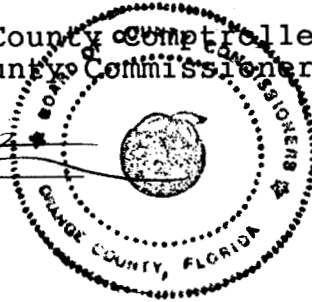


EXHIBIT "A"

SATISFACTION OF ORDER AND JUDGMENT

This ____ day of _____, 1995, Orange County hereby declares that all duties, obligations, and liabilities on the part of Marvin Couch arising out of both the Florida Commission on Ethics Final Order COE 92-13, recorded at O.R. Book 4807, Page 2614, of the Official Records of Orange County, Florida, and the Judgment of the Fifth District Court of Appeal, recorded at O.R. Book 4807, Page 2596, of the Official Records of Orange County, Florida, are satisfied in full, and Orange County hereby waives any right, title, or interest in the above-described documents, including the enforcement thereof.

ORANGE COUNTY, FLORIDA

BY: _____
Linda W. Chapin
County Chairman

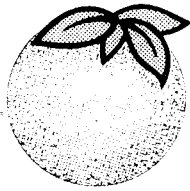
DATE: _____

ATTEST: Martha O. Haynie, County Comptroller
As Clerk of the Board of County Commissioners

BY: _____
Deputy Clerk

JC442

Orange



County

County Attorney's Office
Thomas J. Wilkes, County Attorney
201 South Rosalind Avenue - 5th Floor
Reply To: Post Office Box 1393
Orlando, Florida 32802-1393
Telephone (407) 836-7320
FAX (407) 836-5888

EXHIBIT "B"

February 3, 1995

Phil Claypool
General Counsel
State of Florida
Commission on Ethics
Post Office Drawer 15709
Tallahassee, Florida 32317-5709

Re: In Re Linda Chapin - Complaint No. 91-63,
Final Order No. COE 92-13

Dear Mr. Claypool:

Enclosed for your information is Orange County Resolution No. _____, which pertains to both Final Order No. COE 92-13 and the Judgment of the Fifth District Court of Appeal in Couch v. Chapin, 617 So. 2d 1119 (5th DCA 1993), which affirmed Final Order No. COE 92-13. The Resolution, which was passed by the Orange County Board of County Commissioners on _____, 1995, authorized the execution and recording of a "Satisfaction of Judgment and Order", a copy of which is also enclosed.

The Orange County Board of County Commissioners hereby waives any right Orange County may have for collection of attorney's fees or enforcement of any other actions pursuant to Final Order No. COE 92-13. It is our request and expectation that neither the Commission on Ethics nor the Florida Department of Legal Affairs will take any further action in this matter.

For its convenience, the Department of Legal Affairs will receive a copy of this letter and its enclosures, along with a

Phil Claypool
February 3, 1995
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copy of Final Order No. COE 92-13 and the Fifth District's decision to supplement its records which pertain to the above-referenced matter, if any.

Sincerely,

Linda W. Chapin
Orange County Chairman

JTC:vlpl617
Enclosures

cc: Virlindia Doss, Assistant Attorney General, Department of
Legal Affairs
Members of the Orange County Board of County Commissioners
Jean C. Bennett, County Administrator
Thomas J. Wilkes, County Attorney
Joy Terese C. Carmichael, Assistant County Attorney