

RESOLUTION NO. 96-M-26

WINTER GARDEN COMMUNITY REDEVELOPMENT  
SUPPLEMENTAL RESOLUTION

A RESOLUTION SUPPLEMENTING RESOLUTION NO. 94-M-45 PERTAINING TO REDEVELOPMENT OF A SPECIFIED PART OF ORANGE COUNTY, FLORIDA ; DELEGATING CERTAIN COMMUNITY REDEVELOPMENT POWERS FROM THE BOARD OF COUNTY COMMISSIONERS TO THE CITY OF WINTER GARDEN TO EXPAND THE BOUNDARIES OF THE WINTER GARDEN COMMUNITY REDEVELOPMENT AREA AND PROVIDING FOR OTHER MATTERS IN CONNECTION THEREOF; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, by Resolution No. 94-M-45 (the "Resolution"), the Board of County Commissioners of Orange County, Florida (the "Board") re delegated to the City of Winter Garden (the "City") the power to create or declare itself to be a Community Redevelopment Agency and a portion of the City designated therein as the "Community Redevelopment Area", in accordance with the Community Redevelopment Act of 1969, as codified in Part III of Chapter 163, Florida Statutes; and

WHEREAS, the Resolution prohibited the expansion of the boundaries of the Community Redevelopment Area without the further express consent of the Board, evidenced by an additional delegating resolution; and

WHEREAS, pursuant to the delegation contained in the Resolution, the City has adopted its resolution in accordance with Section 163.355, Florida Statutes, containing the City's findings of necessity for the creation of a Community Redevelopment Agency, has declared its city commission to be the Community Redevelopment Agency, and has created an advisory board to the Community Redevelopment Agency; and

WHEREAS, the City and its Community Redevelopment Agency (the "CRA") have determined that there is a need to expand the Community Redevelopment Area to include the three areas from Winter Garden's Community Redevelopment Area Reserve Area established by Section 1(b) of Resolution 94-M-45. The legal descriptions for these areas are attached in Exhibit A and were annexed by the City of Winter Garden by the City's ordinance numbers 95-10, 94-39, and 92-19. The City and its CRA have requested the Board to consent to the expansion of the boundaries of the Community Redevelopment Area.

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

Section 1. Expansion of Boundaries of Community Redevelopment Area.

49 A. The City is hereby delegated the further power to expand the boundaries of its  
existing Community Redevelopment Area to include the part of the City of Winter Garden described  
51 in the attached Exhibit "A". If the City so expands the boundaries of its Community Redevelopment  
Area, then the existing City Community Redevelopment Agency shall carry out the community  
53 redevelopment purposes and powers as set forth in the Community Redevelopment Act of 1969.

B. The boundaries of the Community Redevelopment Area, as expanded pursuant to the  
55 additional delegation contained in this resolution, may not be expanded without the further express  
consent of the Board evidenced by an additional delegating resolution. However, the City may  
57 contract the boundaries of the Community Redevelopment Area, removing up to but not exceeding  
ten percent (10%) of the area, without the Board's consent.

59 Section 2. Amendment to the Community Redevelopment Plan.

A. The City is hereby delegated the power to adopt a resolution in accordance with  
61 Section 163.355, Florida Statutes, relating to the expanded Community Redevelopment Area, and  
to prepare (or to have prepared) an amendment (the "Amendment") to its Community Redevelopment  
63 Plan (the "Plan") in accordance with Section 163.360, Florida Statutes provided that the Board  
expressly retains the power to review and approve such amendment, either as prepared by the City  
65 or as modified by the Board. The Amendment shall not take effect until such time as the Board has  
approved it, as evidenced by an approving resolution of the Board.

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69 B. As contemplated or implied by Sections 163.360, 163.362, and other pertinent  
sections of Florida Statutes, the Amendment shall set forth with specificity:

- 71 (1) the projects to be funded by the City in whole or in part with tax increment  
revenues;
- (2) the location and estimated cost of each such capital project;
- 73 (3) the site, size, design, and other descriptive elements of each such project; and
- (4) the schedule or estimated timing of each project.

75 C. Neither the City nor the CRA may expend any tax increment revenues deposited by  
the County in the Community Redevelopment Trust Fund arising from the real property contained  
77 within the geographic boundaries of the expansion to the Community Redevelopment Area as  
contained in Exhibit "A" attached hereto until the Amendment has been approved by the Board and  
79 adopted by the CRA in accordance with Section 163.360, Florida Statutes, and for that purpose, the  
fund shall contain separate accounts segregating County deposits from all other deposits, and further  
81 segregating the deposits arising from the real property described in Exhibit "A" attached hereto from  
the remainder of the real property contained within the Community Redevelopment Area. However,  
83 notwithstanding the foregoing, the City and the CRA may expend increment revenues necessary for  
the preparation of the CRA Plan.

85 D. After its approval by the Board, the Plan as amended shall not be further amended  
without the express consent of the Board, as evidenced by an approving resolution, and the City and  
87 the CRA shall not deviate substantially from the projects set forth in the Plan (as amended)  
(including their nature, size, design, location, schedule and estimated cost) without a further  
89 amendment to the Plan.

Section 3. Delegation of Powers. Upon approval of the Amendment to the Plan by the

91 Board, the CRA shall be deemed to have been delegated all other powers necessary or convenient  
to carry out and effectuate the purposes and provisions of Part III of Chapter 163, Florida Statutes,  
93 including the powers set forth in Section 163.370, Florida Statutes, within the expanded Community  
Redevelopment Area.

95 Section 4. Liability. Nothing contained herein shall impose any liability upon Orange

County for any acts of the City or any community redevelopment agency.

97 Section 5. Financing.

A. The City or the CRA may issue revenue bonds pursuant to Section 163.385, Florida  
99 Statutes, provided that the City or the CRA first obtain Board approval of (i) the projects to be  
funded by the bonds, (ii) the principal amount of the bonds to be issued, and (iii) the maturity  
101 schedule and interest rates for the bonds to be issued.

B. The issuance of revenue bonds shall not create a pledge of the faith and credit of  
103 Orange County, but shall be payable solely from the tax increment revenues generated from the  
Community Redevelopment Area as expanded by this resolution, plus any other non-ad valorem  
105 revenues expressly approved by the Board.

C. Any extension of the maturity of the bonds and any increase in the interest rates for  
107 the bonds, whether as part of an issuance of refunding bonds or otherwise, shall be prohibited  
without the express consent of the Board.

109 Section 6. Sunset Provision. Unless the Board expressly approves otherwise, this

resolution and any amendments or supplements hereto, as well as the Plan and the existence of a  
111 separate Community Redevelopment Agency, if any, shall expire and terminate on September 30,

2023. Furthermore, this resolution shall be deemed repealed and of no further effect if the Board  
113 has not received and approved the Amendment to the Plan on or before August 1, 1997.

Section 7. Severability. The provisions of this resolution are not severable. If any part  
115 of this instrument is held invalid by a court of law or is superseded by any existing or future statute,  
this resolution shall be deemed void and of no further effect.

Section 8. Interlocal Agreement. This resolution shall expire and be of no further effect  
117 if, as of May 1, 1997, the City and Orange County have not entered into an interlocal agreement  
119 under which the City is obligated by contract to rebate back to the County each year, as  
consideration for its willingness to delegate the powers described herein, the following portion of  
121 the amount deposited by the County in the Community Redevelopment Trust Fund pursuant to  
Section 163.387, Florida Statutes for the particular year:

123 A. Thirty (30%) percent of the amount in excess of \$1,000,000 but less than or equal to  
\$2,000,000 plus

125 B. Fifty (50%) percent of the amount in excess of \$2,000,000.

Section 9. Tax Assessment Roll. To the extent permitted by law, it is also the intent of  
127 the City and County that, for purposes of determining the tax-increment revenues to be deposited  
into the Community Redevelopment Trust Fund, the most recent assessment roll used in connection  
129 with the taxation of the property pursuant to Section 163.387(1)(b), Florida Statutes, shall mean the  
1996 final tax assessment roll as it related to the Community Redevelopment Area, as expanded  
131 pursuant to this resolution.

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ADOPTED THIS 14<sup>th</sup> DAY OF May, 1996.

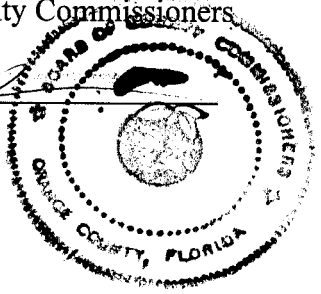
ORANGE COUNTY, FLORIDA

BY: Maryd. Johnson  
COUNTY CHAIRMAN

DATE: MAY 17 1996

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

BY: [Signature]



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EXHIBIT "A"

Area #1

Commence at the North quarter of Section 24, Township 22 South, Range 27 East, Orange County, Florida; Thence run S. 00°10'23" E. along the East line of the North-South center line of said Section 24, for a distance of 30.00 feet to the South Right-of-Way line of East Bay Street; Thence run N. 89°48'09" E., along said Right-of-Way line, for a distance of 634.53 feet to the Westerly Right-of-Way line of Bethune Avenue; Thence run S. 00°09'31" E., along said Right-of-Way line, for a distance of 517.30 feet to the Northerly Right-of-Way line of the S.A.L. Railroad; Thence run Southwesterly, along a curve concave Northwesterly, having a radius of 1155.00 feet from a radial line bearing N. 23°46'40" W., through a central angle of 23°40'16" for an arc length of 477.17 feet; Thence run S. 89°53'35" W., along said railroad Right-of-Way, for a distance of 170.57 feet to the East line of BAY STREET PARK as recorded in Plat Book "Y", Page 42 of the Public Records of Orange County, Florida and the aforementioned North-South centerline of Section 24; Thence run N. 00°10'23" W., along said East Line, for a distance of 176.03 feet to the Southeast corner of Lot 7 of BAY STREET PARK; Thence run N. 89°49'37" E., for a distance of 2.00 feet; Thence run N. 00°10'23" W. for a distance of 72.47 feet; Thence run S. 89°49'37" W. for a distance of 2.00 feet to the Northeast corner of said Lot 7; Thence run N. 00°10'23" W. for a distance of 60.00 feet to the Southeast corner of Lot 5 of BAY STREET PARK; Thence run N. 89°49'37" E. for a distance of 1.00 feet; Thence run N. 00°10'23" W. for a distance of 60.00 feet; Thence run S. 89°49'37" W. for a distance of 1.00 feet to the Northeast corner of Lot 5; Thence run N. 00°10'23" W. for a distance 244.98 feet to the Point of Beginning.

Containing 8.60 acres more or less.

Area #2

A PORTION OF SECTION 13, TOWNSHIP 22 SOUTH, RANGE 27 EAST, ORANGE COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGIN AT THE WEST QUARTER CORNER OF SECTION 13, TOWNSHIP 22 SOUTH, RANGE 27 EAST; THENCE SOUTH  $00^{\circ}07'40''$  EAST, ALONG THE WEST LINE OF THE NORTHWEST ONE-QUARTER (NW 1/4) OF THE SOUTHWEST ONE-QUARTER (SW 1/4) OF SAID SECTION 13, A DISTANCE OF 478.68 FEET TO A POINT ON THE ARC OF A NON-TANGENT CURVE (RADIAL LINE THROUGH SAID POINT BEARS SOUTH  $32^{\circ}41'02''$  WEST); THENCE SOUTHERLY ALONG THE ARC OF SAID NON-TANGENT CURVE BEING CONCAVE TO THE WEST, HAVING A RADIUS OF 599.57 FEET, A CENTRAL ANGLE OF  $57^{\circ}12'04''$ , AN ARC DISTANCE OF 598.58 FEET; THENCE NORTH  $89^{\circ}53'06''$  EAST, 70.00 FEET; THENCE SOUTH  $00^{\circ}06'54''$  EAST, 15.00 FEET; THENCE SOUTH  $89^{\circ}53'06''$  WEST, 70.00 FEET; THENCE SOUTH  $00^{\circ}06'54''$  EAST, 255.96 FEET; THENCE SOUTHERLY ALONG THE ARC OF A TANGENT CURVE BEING CONCAVE TO THE WEST, HAVING A RADIUS OF 500.26 FEET, A CENTRAL ANGLE OF  $08^{\circ}56'58''$ , AN ARC DISTANCE OF 78.14 FEET; (THE LAST SIX (6) COURSES DESCRIBED BEING COINCIDENT WITH THE EASTERLY RIGHT-OF-WAY OF NINTH STREET AS DESCRIBED IN OFFICIAL RECORD BOOK 2936, PAGE 1504, OF THE PUBLIC RECORDS OF ORANGE COUNTY, FLORIDA); THENCE NORTH  $89^{\circ}38'21''$  EAST, ALONG THE SOUTH LINE OF THE NORTHWEST 1/4 OF THE SOUTHWEST 1/4 OF SAID SECTION 13, A DISTANCE OF 572.18 FEET; THENCE NORTH  $41^{\circ}08'38''$  EAST, ALONG THE NORTHERLY RIGHT-OF-WAY OF THE ATLANTIC COAST LINE RAILROAD ACCORDING TO THE RIGHT-OF-WAY MAP THEREOF DATED JULY 30, 1927, A DISTANCE OF 697.31 FEET; THENCE NORTH  $00^{\circ}08'55''$  WEST ALONG A LINE 30 FEET WEST OF AND PARALLEL WITH THE EAST LINE OF THE NORTHWEST ONE-QUARTER (NW 1/4) OF THE SOUTHWEST ONE-QUARTER (SW 1/4) OF SAID SECTION 13, A DISTANCE OF 120.92 FEET; THENCE SOUTH  $89^{\circ}52'00''$  WEST, 440.63 FEET; THENCE NORTH  $00^{\circ}04'51''$  WEST, 22.35 FEET (THE LAST TWO (2) COURSES DESCRIBED BEING COINCIDENT WITH THE SOUTHERLY AND WESTERLY LINE OF GEORGE STREET AS RECORDED IN OFFICIAL RECORD BOOK 3937, PAGE 1372, OF THE PUBLIC RECORDS OF ORANGE COUNTY, FLORIDA); THENCE SOUTH  $89^{\circ}34'36''$  WEST ALONG THE SOUTH LINE OF THE NORTHEAST ONE-QUARTER (NE 1/4) OF THE NORTHWEST ONE-QUARTER (NW 1/4) OF THE SOUTHWEST ONE-QUARTER (SW 1/4) OF SAID SECTION 13, A DISTANCE OF 194.70 FEET; THENCE NORTH  $00^{\circ}08'17''$  WEST ALONG THE WEST LINE OF THE NORTHEAST ONE-QUARTER (NE 1/4) OF THE NORTHWEST ONE-QUARTER (NW 1/4) OF THE SOUTHWEST ONE-QUARTER (SW 1/4) OF SAID SECTION 13, A DISTANCE OF 667.02 FEET; THENCE SOUTH  $89^{\circ}30'51''$  WEST ALONG THE NORTH LINE OF THE NORTHWEST ONE-QUARTER (NW 1/4) OF THE SOUTHWEST ONE-QUARTER (SW 1/4) OF SAID SECTION 13, A DISTANCE OF 665.19 FEET TO THE POINT OF BEGINNING.

SAID LANDS LYING IN ORANGE COUNTY, FLORIDA CONTAINING 22.639 ACRES, MORE OR LESS.



Area #3

PARCEL A - R-1 SINGLE-FAMILY RESIDENTIAL DISTRICT

A portion of Section 13, Township 22 South, Range 27 East, Orange County, Florida, being more particularly described as follows:

BEGIN at the intersection of the east right-of-way line of West Crown Point Road with the south right-of-way line of Crown Point Cross Road; thence easterly along the south right-of-way line of Crown Point Cross Road, 1936 feet; thence southerly along the west right-of-way line of East Crown Point Road, 1249 feet; thence westerly along a line 30.00 feet north of and parallel with the north line of the west one-half (W 1/2) of the southeast one-quarter (SE 1/4) of the northeast one-quarter (NE 1/4) of said Section 13, a distance of 556.00 feet; thence northerly along a line 556.00 feet west of and parallel with the westerly right-of-way line of East Crown Point Road, 452 feet; thence westerly along a line 800.00 feet south of and parallel with the south right-of-way line of Crown Point Cross Road, 1372 feet; thence northerly along the east right-of-way line of West Crown Point Road, 800 feet to the point of beginning.

Said lands lying in Orange County, Florida containing 41 acres more or less.

PARCEL B - I-1 INDUSTRIAL DISTRICT

A portion of Section 13, Township 22 South, Range 27 East, Orange County, Florida, being more particularly described as follows:

Commence at the intersection of the east right-of-way line of West Crown Point Road with the south right-of-way line of Crown Point Cross Road; thence southerly along the east right-of-way line of West Crown Point Road 800 feet to the POINT OF BEGINNING; thence easterly along a line 800 feet south of and parallel with the south right-of-way line of Crown Point Cross Road, 1372 feet; thence southerly along a line 556 feet west of and parallel with the west right-of-way line of East Crown Point Road, 1801 feet to a point on the south line of the west one-half (W 1/2) of the southeast one-quarter (SE 1/4) of the northeast one-quarter (NE 1/4) of said Section 13; thence southerly 35 feet to the northwest corner of the parcel described in Official Record Book 4256, Page 3900 of the Public Records of Orange County, Florida; thence westerly along a line 34.90 feet south of and parallel with the south line of Block C, Overstreet Crate Company Subdivision according to the plat thereof as recorded in Plat Book F, Page 9 of the Public Records of Orange County, Florida, 1365 feet; thence northerly along the east right-of-way line of West Crown Point Road, 1846 feet to the point of beginning.

Said land lying in Orange County, Florida containing 58 acres more or less.

PARCEL C - C-2 ARTERIAL COMMERCIAL DISTRICT

A portion of Section 13, Township 22 South, Range 27 East, Orange County, Florida, being more particularly described as follows:

Commence at the intersection of the east right-of-way line of West Crown Point Road with the south right-of-way line of Crown Point Cross Road; thence easterly along the south right-of-way line of Crown Point Cross Road, 1936 feet; thence southerly along the west right-of-way line of East Crown Point Road, 1249 feet to the POINT OF BEGINNING; thence continue southerly along said westerly right-of-way line, 1385 feet; thence westerly along the north line of the parcel described in Official Records Book 4256, Page 3900 of the Public Records of Orange County, Florida, 558 feet; thence northerly along a line 556 feet west of and parallel with the west right-of-way line of East Crown Point Road, 1384 feet; thence easterly along a line 30 feet north of and parallel with the north line of the west one-half (W 1/2) of the southeast one-quarter (SE 1/4) of the northeast one-quarter (NE 1/4) of said Section 13, a distance of 556 feet to the point of beginning.

Said lands lying in Orange County, Florida containing 18 acres more or less.

PARCEL D - C-2 ARTERIAL COMMERCIAL DISTRICT

A portion of Section 13, Township 22 South, Range 27 East, Orange County, Florida, being more particularly described as follows:

BEGIN at the northwest corner of the parcel described in Official Records Book 4256, Page 3900 of the Public Records of Orange County, Florida; thence southerly along the west line of said parcel, 444 feet; thence southwesterly along the northerly right-of-way line of State Road 438, a distance of 1431 feet; thence northerly along the east right-of-way line of West Crown Point Road, 954 feet; thence easterly along a line 34.90 feet south of and parallel with the south line of Block C, Overstreet Crate Company Subdivision according to the plat thereof as recorded in Plat Book F, Page 9 of the Public Records of Orange County, Florida, 1365 feet to the point of beginning.

Said lands lying in Orange County, Florida containing 21 acres more or less.

PARCEL E - C-2 ARTERIAL COMMERCIAL DISTRICT

A portion of Section 13, Township 22 South, Range 27 East, Orange County, Florida, being more particularly described as follows:

BEGIN at the intersection of the southerly right-of-way line of State Road 438 with the west line of Block "D", Overstreet Crate Company Subdivision according to the plat thereof as recorded in Plat Book F, Page 9 of the Public Records of Orange County, Florida; thence northeasterly along the southerly right-of-way line of State Road 438, a distance of 2766 feet; thence southerly along the east line of the southeast one-quarter (SE 1/4) of said Section 13, a distance of 1298 feet; thence southwesterly along the northerly right-of-way line of the railroad, 1160 feet; thence northerly along a line 360 feet east of and parallel with the east right-of-way line of Dunbar Avenue, 875 feet; thence westerly along a line 260 feet north of and parallel with the north line of Dunbar Manor according to the plat thereof as recorded in Plat Book 11, Page 3 of the Public Records of Orange County, Florida, 1721 feet; thence northerly along the west line of the southeast one-quarter (SE 1/4) of said Section 13, a distance of 547 feet to the point of beginning.

Said lands lying in Orange County, Florida containing 70 acres more or less.

PARCEL F - R-2 RESIDENTIAL DISTRICT

A portion of Section 13, Township 22 South, Range 27 East, Orange County, Florida, being more particularly described as follows:

Commence at the intersection of the southerly right-of-way line of State Road 438 with the west line of Block "D", Overstreet Crate Company Subdivision according to the plat thereof as recorded in Plat Book F, Page 9 of the Public Records of Orange County, Florida; thence southerly along the west line of said Block D and the west line of the southeast one-quarter (SE 1/4) of said Section 13, a distance of 547 feet to the POINT OF BEGINNING; thence easterly along a line 260 feet north of and parallel with the north line of Dunbar Manor according to the plat thereof as recorded in Plat Book 11, Page 3 of the Public Records of Orange County, Florida, 1721 feet; thence southerly along a line 360 feet east of and parallel with the east right-of-way line of Dunbar Avenue, 875 feet; thence southwesterly along the northerly right-of-way line of the railroad, 216 feet; thence westerly along the north right-of-way line

of East Bay Street, 185 feet; thence northerly along the east right-of-way line of Dunbar Avenue, 611 feet; thence westerly along the north right-of-way line of Basin Street, 315 feet; thence northerly, 131 feet; thence westerly, 510 feet; thence southerly, 285 feet (the last three (3) courses described being coincident with the east, north and west lines of Dunbar Manor according to the plat thereof as recorded in Plat Book 11, Page 3 of the Public Records of Orange County, Florida); thence westerly along a line 125 feet north of and parallel with the north right-of-way line of Edgeway Drive, 535 feet; thence northerly along the west line of the southeast one-quarter (SE 1/4) of said Section 13, a distance of 544 feet to the point of beginning.