

# RESOLUTION

*of the*

**ORANGE COUNTY BOARD OF COUNTY COMMISSIONERS**

*regarding*

**DECLARING COUNTY PROPERTY SURPLUS AND  
AUTHORIZATION TO EXCHANGE CERTAIN COUNTY PROPERTY  
FOR RECEIPT OF OTHER REAL PROPERTY**

**Resolution No. 2020-M-49**

**WHEREAS**, Orange County, a charter county and political subdivision of the State of Florida, ("County") pursuant to its home rule power and Section 125.37, Florida Statutes (2020), has the authority to determine that certain real property of County is not needed for County purposes and to exchange said real property of County for other real property; and

**WHEREAS**, City of Orlando, a municipal corporation organized and existing under the laws of the State of Florida, ("City") and County each own in fee simple a fifty percent (50%) interest in certain real property consisting of approximately 15.1 acres located in Orange County, Florida, (the "Edwards Parcel") as more particularly described in **Exhibit "B"**, attached and incorporated into that certain "Land Exchange Agreement (Hamlin Fire Station Site)" (the "Exchange Agreement") between County and SLF/IV Boyd Horizon West JV, LLC, a Delaware limited liability company, ("Boyd") which Exchange Agreement is being considered by the Orange County Board of County Commissioners (the "Board") on even date herewith; and

**WHEREAS**, Boyd owns in fee simple certain real property consisting of

approximately 2.5 acres located in Orange County, Florida, (the "Fire Station Site") as more particularly described in **Exhibit "A"**, attached and incorporated into the Exchange Agreement; and

**WHEREAS**, on even date herewith, County will consider entering into that certain "Purchase Agreement" (the "Purchase Agreement") between County and City by which County will purchase City's fifty percent (50%) interest in the Edwards Parcel and County will become the sole owner in fee simple of the Edwards Parcel; and

**WHEREAS**, on even date herewith, County will consider entering into the Exchange Agreement by which County will commit to exchange its fee simple interest in the Edwards Parcel for a fee simple interest in the Fire Station Site (the "Exchange") upon such terms and conditions as more particularly set forth in the Exchange Agreement; and

**WHEREAS**, County desires to exchange ownership of the Edwards Parcel for ownership of the Fire Station Site to accommodate the objectives of County and City, as the Water Conserv II Partners, to dispose of surplus land no longer required by the Water Conserv II Partners and to accommodate the objectives of the County's Fire Rescue Department to acquire land for use as a County fire station site; and

**WHEREAS**, pursuant to Subsection 125.37, Florida Statutes (2020), whenever the Board determines that "*the county holds and possesses any real property, not needed for county purposes, and such property may be to the best interest of the county exchanged for other real property, which the county may desire to acquire for county purposes, the said board of county commissioners of any county is authorized and empowered to make such an exchange*"; and

**WHEREAS**, the Board has determined that the Edwards Parcel is no longer

needed for County purposes; and

**WHEREAS**, the Board has determined that the Edwards Parcel may be to the best interest of County and of the public exchanged for the Fire Station Site; and

**WHEREAS**, the terms and conditions of the Exchange have been advertised in accordance with the requirements of Section 125.37, Florida Statutes (2020); and

**WHEREAS**, the Board has determined that the requirements of Section 125.37, Florida Statutes (2020), for an exchange of the Edwards Parcel have been met.

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

1. The above recitals are hereby incorporated by reference into the body of this Resolution and such recitals are adopted as findings of fact.
2. The Board hereby declares the Edwards Parcel as surplus real property.
3. The Board hereby authorizes and directs the Real Estate Management Division to do all things necessary and proper to effectuate the Exchange; provided, however, that: (i) County and City shall have entered into the Purchase Agreement; (ii) County and Boyd shall have entered into the Exchange Agreement; and (iii) City and Boyd shall have complied with all terms and provisions of the Purchase Agreement and the Exchange Agreement, respectively.
4. The Board hereby directs that a certified copy of this Resolution shall be forwarded forthwith to the Real Estate Management Division.
5. This Resolution shall become effective upon its adoption by the Board.

*(signature page follows)*

ADOPTED on OCT 27 2020

ORANGE COUNTY, FLORIDA  
By: Board of County Commissioners

By: *Jerry L. Demings*  
*Jerry L. Demings*  
Orange County Mayor

ATTEST: Phil Diamond, CPA, County Comptroller  
As Clerk of the Board of County Commissioners

By: *Craig Stopyra*  
for Deputy Clerk  
Craig Stopyra  
Printed Name

