

# **RESOLUTION**

*of the*

**ORANGE COUNTY BOARD  
OF COUNTY COMMISSIONERS**

*regarding*

**AUTHORIZATION TO CONVEY THE  
COUNTY'S PROPERTY RIGHTS AND INTERESTS IN A  
PARCEL OF PROPERTY  
TO THE CITY OF OCOEE**

**Resolution No. 2021-M- 51**

**WHEREAS**, Orange County, a charter county and political subdivision of the State of Florida (the "County"), pursuant to its home rule power and Section 125.38, Florida Statutes, upon an application by the United States, the State of Florida, any political subdivision or agency thereof, any municipality of the State of Florida, or any corporation or not for profit entity organized for the purpose of promoting the public or community interest and welfare, has the authority to determine, upon such an application, that certain County property is not needed for County purposes, and to convey such property, for nominal price or otherwise, for the purpose of promoting the public or community interest and welfare;

**WHEREAS**, a certain parcel of property was conveyed to the County for nominal consideration by a Deed recorded on October 17, 1946, in Deed Book 719, Pages 458

and 459, in the Official Records of Orange County, Florida, a copy of which is attached hereto as **Appendix “A”** (the “Parcel”);

**WHEREAS**, the City of Ocoee, a municipality of the State of Florida (the “City”), has applied to the County under Section 125.38, Florida Statutes, to convey or otherwise transfer the Parcel to the City so that it may be used for public road purposes;

**WHEREAS**, the Parcel has never been used, and the County has determined that the Parcel is not needed for a road or any other public purposes;

**WHEREAS**, moreover, the lands that include the Parcel have been annexed by the City, and are located within the jurisdictional limits of the City; and

**WHEREAS**, therefore, the County has determined that, in accordance with Section 125.38 Florida Statutes, the Parcel should be conveyed by Deed to the City for nominal consideration in the form attached hereto as **Appendix “B,”** and such conveyance will be in the public interest and welfare.

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

1. ***Recitals.*** The above recitals are hereby incorporated by reference into the body of this Resolution, and such recitals are adopted as findings of fact.

2. ***Determination.*** The Board hereby determines that the Parcel is not needed for public purposes by the County, it is in the best interests of the County that the Parcel be conveyed to the City for nominal consideration for public road purposes, and the requirements of Section 125.38, Florida Statutes, have been met.

3. ***Authorization.*** Pursuant to Section 125.38, Florida Statutes, the Board directs that all of the County’s rights, title, and interests in and to the Parcel be conveyed

to the City for nominal consideration, that the Orange County Mayor execute and deliver a Deed for the Parcel to the City in the form attached hereto as **Appendix "B"** to effectuate such conveyance, that the County staff do all things necessary and appropriate to conclude this transaction, and that the Deed be recorded at the City's expense within five days after receipt of the Deed.

4. **Effective date.** This Resolution shall become effective upon its adoption by the Board.

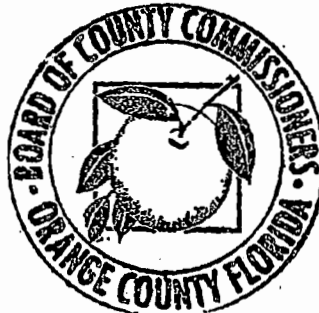
**ADOPTED** this 26th day of October, 2021.

ORANGE COUNTY, FLORIDA  
By: Board of County Commissioners

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

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

By: *Katie Smith*  
Deputy Clerk  
**Katie Smith**  
Printed Name



# APPENDIX "A"

WARRANTY DEED  
SHORT FORM WITH RELINQUISHMENT

DREW'S FORM R, E. 34

Manufactured and for sale by The E. & W. E. Drew Company  
Jacksonville, Florida

OCT 17 1946 12:15 PM

164217

145 pm 719 458

This Deed, Made the \_\_\_\_\_ day of September A. D. 19 46, by  
L. U. Wallace and Mabel M. Wallace, his wife,

of the County of Orange, State of Florida  
hereinafter called the grantor s, to County of Orange, a governmental sub-  
division of the State of Florida.

hereinafter called the grantee

Witnesseth, That the said grantor s, in consideration of

TEN

Dollars,

the receipt whereof is hereby acknowledged, do give, grant, bargain, sell, alien, remise, re-  
lease, enfeoff, convey and confirm unto the said grantee and its successors heirs and assigns  
in fee simple, the lands situate in Orange County, State of Florida, described  
as follows:

The North 60 feet of the W $\frac{1}{2}$  of  
NW $\frac{1}{4}$  of Section 9, Township 22  
South, Range 28 East.

To Have and to Hold the same together with the hereditaments and appurtenances, unto  
the said grantee, and its successors heirs and assigns in fee simple.

And the said grantor s, for themselves and their heirs and legal  
representatives, covenant with said grantee its successors heirs, legal representatives and  
assigns: That said grantor s are indefeasibly seized of said land in fee simple; that  
said grantors have full power and lawful right to convey said lands in fee simple, as  
aforesaid; that it shall be lawful for said grantee its successors heirs, legal representatives  
and assigns, at all times peaceably and quietly to enter upon, hold, occupy and enjoy said land;  
that said land is free from all encumbrances; that said grantors their heirs and legal  
representatives; will make such further assurances to perfect the fee simple title to said land in  
said grantee its successors heirs, legal representatives and assigns, as may reasonably be re-  
quired; and that said grantors do hereby fully warrant the title to said land and will  
defend the same against the lawful claims of all persons whomsoever.

Witness the hand s and seal s of said grantor s the day and year first above written.

Signed, Sealed and Delivered in the Presence of:

Charles S. Givens  
Helen Massock

L. U. Wallace  
Mabel M. Wallace

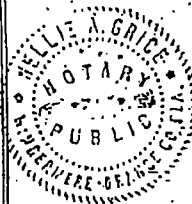
LS  
LS

State of FLORIDA  
County of ORANGE

I Hereby Certify, That on this day, before me, an officer duly authorized in the State aforesaid and in the County aforesaid to take acknowledgments, personally appeared  
L. U. Wallace and Mabel M. Wallace

to me known to be the persons described in and who executed the foregoing instrument and they acknowledged before me that they executed the same.

Witness my hand and official seal in the County and State last aforesaid this 19th day of September, A. D. 1946.



FILED IN THE OFFICE OF THE CLERK OF THE  
CIRCUIT COURT OF ORANGE COUNTY, FLORIDA ON  
OCT 17 1946 AT 12:15 P.M.  
AND RECORDED IN DEED BOOK NO. 719 PAGE 458-459  
AND RECORD VERIFIED

Nellie A. Grice  
Notary Public,  
My commission expires  
Notary Public, State of Florida at Large.  
My commission expires September 17, 1947.  
Bonded by American Surety Co. of N. Y.

Arthur W. Newell  
ad interim CLERK

CHAPTER 21748-1943

Warranty Deed  
SHORT FORM WITH RELINQUISHMENT

Abstract of Description

State of Florida,  
County of \_\_\_\_\_

On this \_\_\_\_\_ day of \_\_\_\_\_, A. D. 19\_\_\_\_, at \_\_\_\_\_ o'clock \_\_\_\_\_ m., this instrument was filed for record, and being duly acknowledged and proven, I have recorded the same on pages \_\_\_\_\_ of Book \_\_\_\_\_ in the public records of said County.

In Witness Whereof, I have hereunto set my hand and affixed the seal of the Circuit Court of the Judicial Circuit of said State, in and for said County.

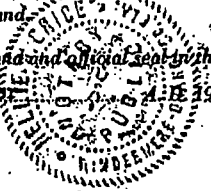
Clerk, \_\_\_\_\_  
D. C. \_\_\_\_\_

(1) This is a Warranty Deed, Substantive, Florida, 1933.

STATE OF Florida, COUNTY of Orange, SS:

And I Further Certify, That the said Mabel M. Wallace known to me to be the wife of the said L. U. Wallace on a separate and private examination, taken and made in the above named State and County by and before me, separately and apart from her said husband, did this day acknowledge before me, an officer authorized to take acknowledgments of deeds, that she executed the foregoing instrument freely and voluntarily and without any compulsion, constraint, apprehension or fear of or from her said husband.

Witness my hand and official seal in the County and State last aforesaid this 19th day of September, A. D. 1946.



Nellie A. Grice  
Notary Public,  
My commission expires  
Notary Public, State of Florida at Large.  
My commission expires September 17, 1947.  
Bonded by American Surety Co. of N. Y.

**APPENDIX "B"**

**Project: Transfer of Parcel (Located Perpendicular to Lauren Beth Avenue) from Orange County to City of Ocoee**

**COUNTY DEED FOR TRANSFER OF PARCEL PERPENDICULAR TO  
LAUREN BETH AVENUE**

THIS DEED, dated \_\_\_\_\_, 2021, by ORANGE COUNTY, a charter county and political subdivision of the State of Florida, whose address is P. O. Box 1393, Orlando, Florida 32802-1393, GRANTOR, and the CITY OF OCOEE, a municipal corporation, under the laws of the state of Florida, whose address is 150 N. Lakeshore Dr., Ocoee, Florida 34761, GRANTEE.

WITNESSETH: That the GRANTOR, for and in consideration of the sum of \$1.00 and other valuable considerations, in hand paid by the GRANTEE, the receipt whereof is hereby acknowledged, does hereby remise, release, and quit-claim unto the said GRANTEE forever, all the right, title, interest, claim, and demand which the GRANTOR has in and to the following described lot, piece, or parcel of land, situate, lying and being in the county of Orange, state of Florida, to-wit:

**The North 60 feet of the W1/4 of the NW1/4 of Section 9, Township 22 South, Range 28 East**

Property Appraiser's Parcel Identification Number(s): **09-22-28-0000-00-059**

Unassigned

THIS COUNTY DEED is being given by the GRANTOR pursuant to the terms of a Resolution adopted by the Orange County Board of County Commissioners under Section 125.38, Florida Statutes, for the above referenced parcel of property that is located perpendicular to Lauren Beth Avenue.

TO HAVE AND TO HOLD the same together with all and singular the appurtenances thereunto belonging or in anywise appertaining, and all the estate, right, title, interest, lien, equity, and claim whatsoever of the GRANTOR, either in law or equity, to the only proper use, benefit, and behoove of the GRANTEE forever.

**Project: Transfer of Parcel (Located Perpendicular to Lauren Beth Avenue) from Orange County to City of Ocoee**

IN WITNESS WHEREOF, the said GRANTOR has caused these presents to be executed in its name by its Board, acting by the County Mayor, the day and year aforesaid.

(Official Seal)

**ORANGE COUNTY, FLORIDA**  
By Board of County Commissioners

By: \_\_\_\_\_  
Jerry L. Demings,  
Orange County Mayor

Date: \_\_\_\_\_

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

By: \_\_\_\_\_  
Deputy Clerk

Printed Name \_\_\_\_\_

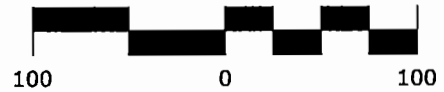
# SKETCH & DESCRIPTION

PROJECT: Lauren Beth Ave. Parcel  
SURVEY PROJECT NUMBER: 8669  
SECTION 09  
TOWNSHIP 22 SOUTH  
RANGE 28 EAST

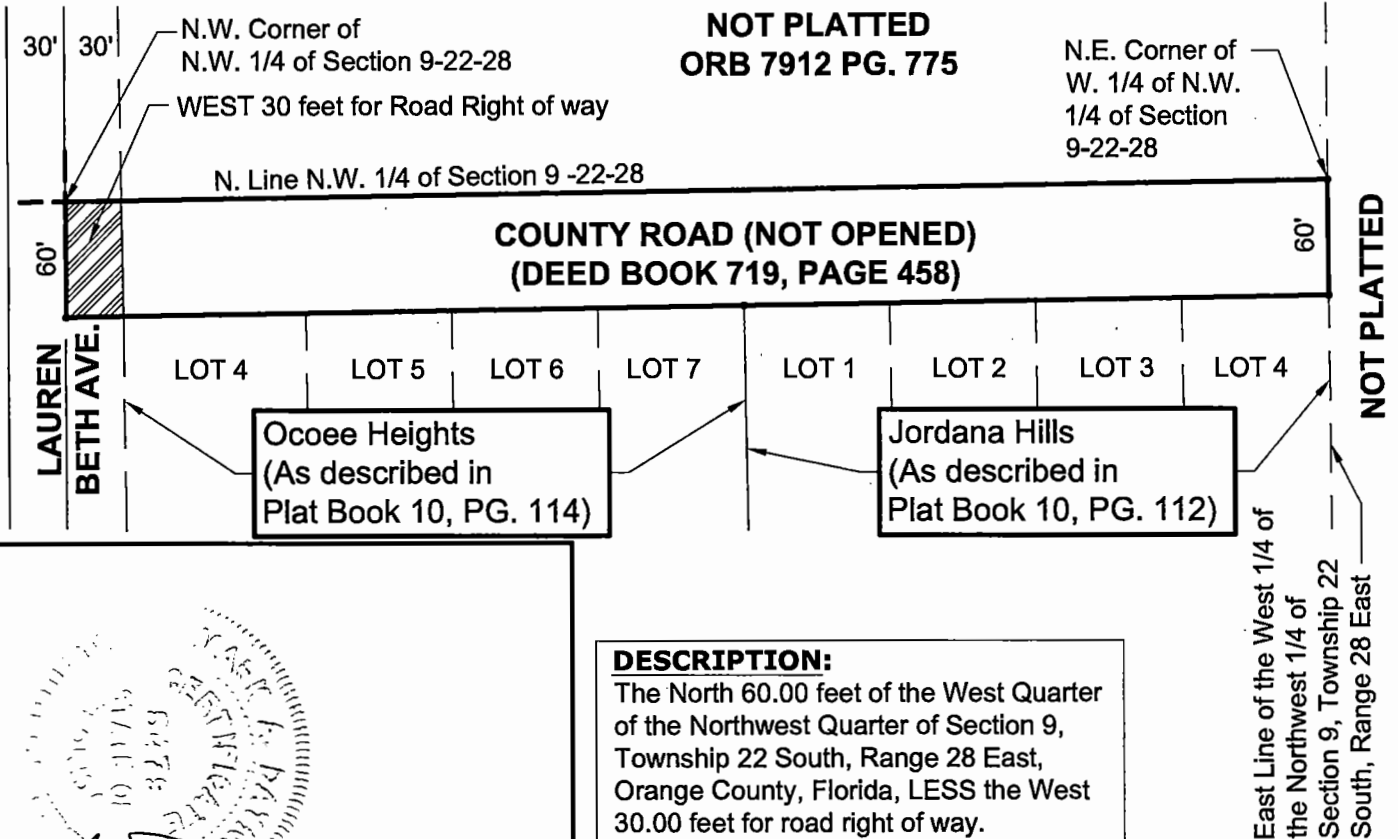
DRAWN BY: JFM  
SCALE: 1"=100'



SPACE ABOVE RESERVED FOR RECORDING INFORMATION



SCALE: 1" = 100'



**MARK A. DAYNES**, REGISTERED LAND SURVEYOR  
AND MAPPER  
STATE OF FLORIDA LICENSE NO. 5479  
DATE: 12/17/2020

I HEREBY AFFIRM THAT THIS SKETCH REPRESENTED  
HEREON IS TRUE AND CORRECT TO THE BEST OF  
MY KNOWLEDGE AND BELIEF. THIS SURVEY HAS  
BEEN PREPARED IN ACCORDANCE WITH THE  
STANDARDS SET FORTH IN CHAPTER 5J-17, F.A.C.,  
PURSUANT TO CHAPTER 472 OF THE FLORIDA  
STATUTES. NOT VALID UNLESS IT BEARS THE  
SIGNATURE AND THE ORIGINAL RAISED SEAL OF A  
FLORIDA LICENSED SURVEYOR AND MAPPER.

ORANGE COUNTY PUBLIC WORKS  
ENGINEERING DIVISION  
SURVEY SECTION

## DESCRIPTION:

The North 60.00 feet of the West Quarter  
of the Northwest Quarter of Section 9,  
Township 22 South, Range 28 East,  
Orange County, Florida, LESS the West  
30.00 feet for road right of way.

Containing 35,892 Square Feet or .82  
Acres, MORE or LESS.

## LEGEND

- = CHANGE IN DIRECTION, NO POINT SET
- O.R.B. = OFFICIAL RECORD BOOK
- PG. = PAGE
- AVE. = AVENUE

## Surveyors Notes:

1. This is not a Boundary Survey.



SHEET 1 of 1

4200 S. JOHN YOUNG PARKWAY  
ORLANDO, FLORIDA 32839-9205  
407-836-7908