

RESOLUTION

of the

ORANGE COUNTY BOARD OF COUNTY COMMISSIONERS

regarding

LEASE OF PROPERTY TO FFA ALUMNI, INC. IN ACCORDANCE WITH SECTION 125.38, FLORIDA STATUTES

Resolution No. 2023 - M-31

WHEREAS, Orange County, a charter county and political subdivision of the State of Florida ("**County**"), pursuant to its home rule power and Section 125.38, Florida Statutes, has authority to determine that certain County property is not needed for County purposes and to lease said property; and

WHEREAS, Section 125.38, Florida Statutes, provides that when an organization not for profit desires to lease real property owned by a county for public or community interest or welfare, then the organization may apply to the Board of County Commissioners (the "**Board**") for lease of such property; and

WHEREAS, if the Board is satisfied that such property is required for the requested use by the organization and is not needed for County purposes, the Board may lease such property at private sale to the applicant for such price, whether nominal price or otherwise, as the Board may fix, regardless of the actual value of such property; and

WHEREAS, County and the City of Orlando, a municipal corporation ("**City**"), jointly own certain property commonly known as the Water Conserv II property, which property is more particularly described in **Exhibit "A"** attached to and incorporated into this Resolution (the "**Property**"); and

WHEREAS, Orange County FFA Alumni, Inc., a Florida not for profit corporation ("**FFA Alumni**"), previously applied to the County to lease the Property for hay production to promote and support agricultural education programs in Orange County Public Schools; and

WHEREAS, by adoption of Resolution 2014-M-47 (the "**Original Resolution**"), the County determined that the Property was no longer needed for County purposes and was required by FFA Alumni for public or community interest and welfare; and

WHEREAS, pursuant to the Original Resolution, FFA Alumni, County, and

City entered into that certain Water Conserv II Lease Agreement on August 19, 2014, as extended by that certain First Renewal of Water Conserv II Lease Agreement dated August 1, 2017 (the “**Lease**”); and

WHEREAS, the current term of the Lease will expire on August 19, 2023, if it is not extended; and

WHEREAS, FFA Alumni has applied to the County to amend the Lease to, among other things, extend the term of the Lease until August 19, 2026 (the “**Term**”), with one automatic extension of the term for an additional three-year period unless one of the parties delivers a notice of non-renewal to the other parties no later than May 19, 2026 (the “**Extension Term**”); and

WHEREAS, the Board desires to extend the term of the Lease as requested by FFA Alumni; and

WHEREAS, FFA Alumni is qualified as an organization organized for the purposes of promoting community interest and welfare, to make application for lease, and to lease, County property pursuant to Section 125.38, Florida Statutes; and

WHEREAS, the Board has determined that the Property is not needed for County purposes during the Term and Extension Term and is still required by FFA Alumni for public or community interest and welfare use; and

WHEREAS, during the Term and Extension Term, FFA Alumni will pay one dollar per year in rent to County and will pay for reclaimed water used by FFA Alumni at the Property as additional consideration; and

WHEREAS, the lease of the Property is subject to the requirements of Orange County Resolution No. 2016-B-02 (the “**Bond Resolution**”) securing the County’s Water and Wastewater Utility Revenue Bonds, Series 2016 and Series 2020, and the County now intends by adoption of this Resolution to comply with such requirements.

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

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

Section 2. Pursuant to Section 125.38, Florida Statutes, FFA Alumni has applied to County for lease of the Property for hay production to promote and

support agricultural education programs in Orange County Public Schools.

Section 3. The Board hereby determines that the Property is not needed for County purposes during the Term and Extension Term, and it is in the best interests of the County to lease the Property to FFA Alumni for one dollar per year for the Term and Extension Term. FFA Alumni has also agreed to pay for reclaimed water used by FFA Alumni at the Property as additional consideration.

Section 4. The Board has reviewed and considered the findings of the County Administrator and Director of Utilities attached to and incorporated into this Resolution as **Exhibit "B"** determining that one or more of the conditions for the sale, lease, or disposition of utility system assets set forth in Section 5.07 of the Bond Resolution have been met and the County hereby adopts, approves, and concurs in such findings.

Section 5. This Resolution shall become effective upon its adoption by the Board.

ADOPTED THIS 8 DAY OF August, 2023.



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: *Jennifer Lara-Klimetz*
Deputy Clerk

Jennifer Lara-Klimetz
Print Name

Exhibit "A"

CITY OF ORLANDO and ORANGE COUNTY are fee simple owners of the property described below.

NW 1/4--LESS W 33 FT & LESS S 33 FT FOR RD R/W S & LESS E 33 FT OF SE 1/4 OF NW 1/4 & LESS S 33 FT OF E 33 FT OF NE 1/4 OF NW 1/4 FOR RD R/W--N 1/2 OF NE 1/4--LESS S 33 FT FOR RD R/W-- ORB 1626 PGS 1475 1485 ORB 3195 PG 2260

The property contains the Leased Premises, of which is an area approximately 80 acres located at Five Mille Rd Clermont Florida 37411 as outlined in yellow.

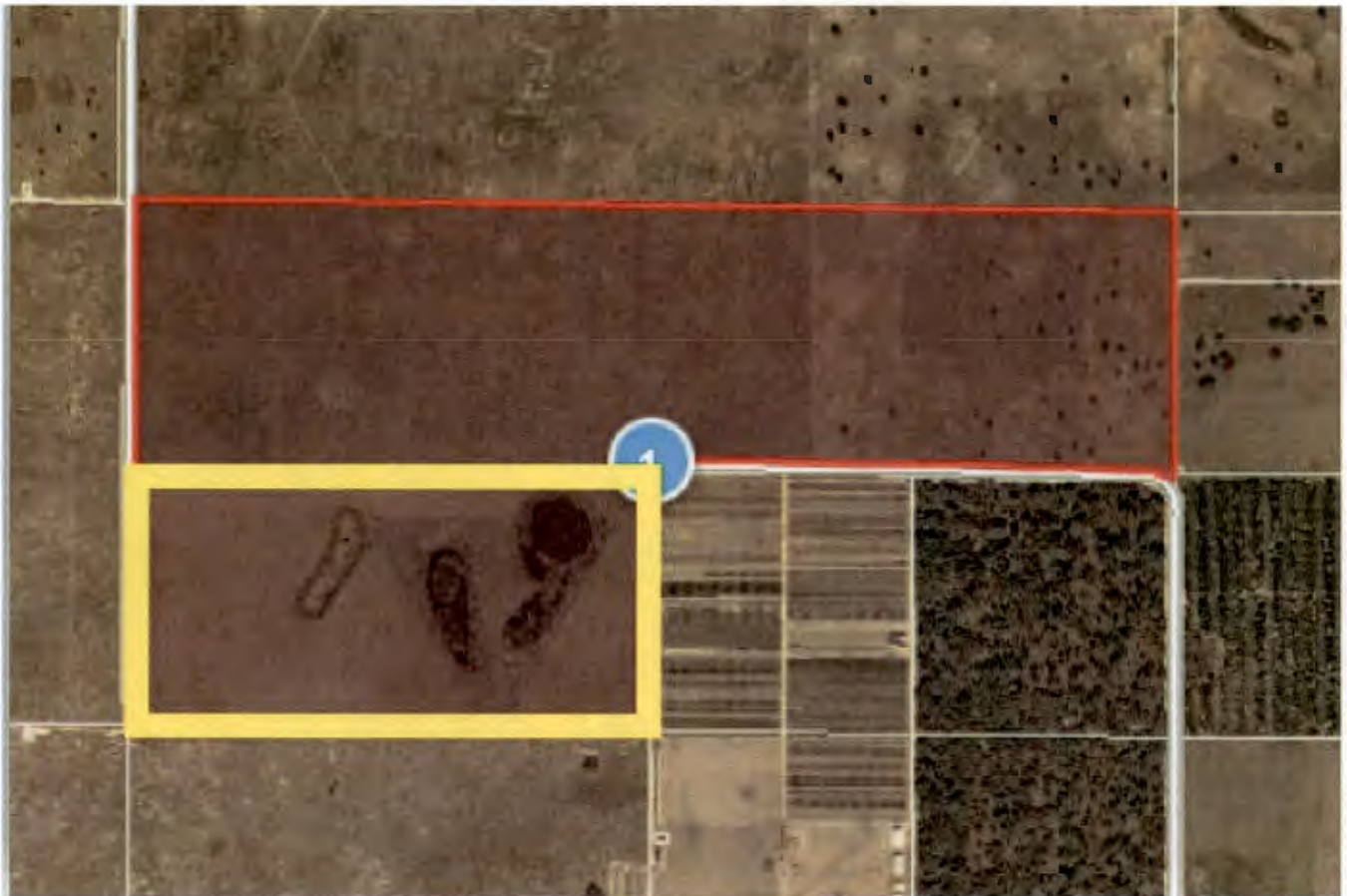


Exhibit "B"


Exhibit "B"





Interoffice Memorandum

Date: June 14, 2023

To: Mindy Cummings, Manager
Real Estate Management Division

Through: Byron W. Brooks, AICP, County Administrator 

Through: Jon V. Weiss, P.E., Deputy County Administrator
County Administrator's Office 

From: Ed Torres, M.S., P.E., LEED AP, Director
Utilities Department 

Subject: Declaration of Surplus Property:
Lease of Portion of Water Conserv II Land At Private Sale -
Parcel Number 26-23-26-000100000100, 80 Acres (as shown on Exhibit A
attached)

This memo hereby declares that the above referenced property has been determined by the Utilities Department (Department) to temporarily be surplus to the needs of the Water Utilities System (System) and is eligible for provisional and impermanent disposition from the System. The above referenced property located in Lake County at Five Mile Road, Clermont, FL 34711, is jointly owned by Orange County and the City of Orlando and is part of the Conserv II Effluent Disposal Facility. The proposed lease agreement meets the requirements of the System for only a temporary disposition of the Water Conserv II land.

The Department has reviewed the documents related to this property and determined that it currently provides no financial or operational benefit to the System, but will, in the future, be a necessary part of the System's effluent management facilities. Therefore, in accordance with the 2016 Amended and Restated Water and Wastewater Utility Revenue Bond Resolution, 2016-B-02, Article V, Section 5.07, No Mortgage or Sale of the System, I have determined that the lease, but only for the designated term of the lease, will be advantageous to the System and will not materially adversely affect the security for the bondholders.

Therefore, please proceed with the lease of the above referenced property. The proceeds from the lease should be deposited in revenue account 4420-038-1300-6245, Miscellaneous Rents, of the Water Utilities System. Fifty percent (50%) of the proceeds will be paid to the City of Orlando via Interlocal Agreement S-83-2.

Thank you for your assistance in this matter.

Attachments

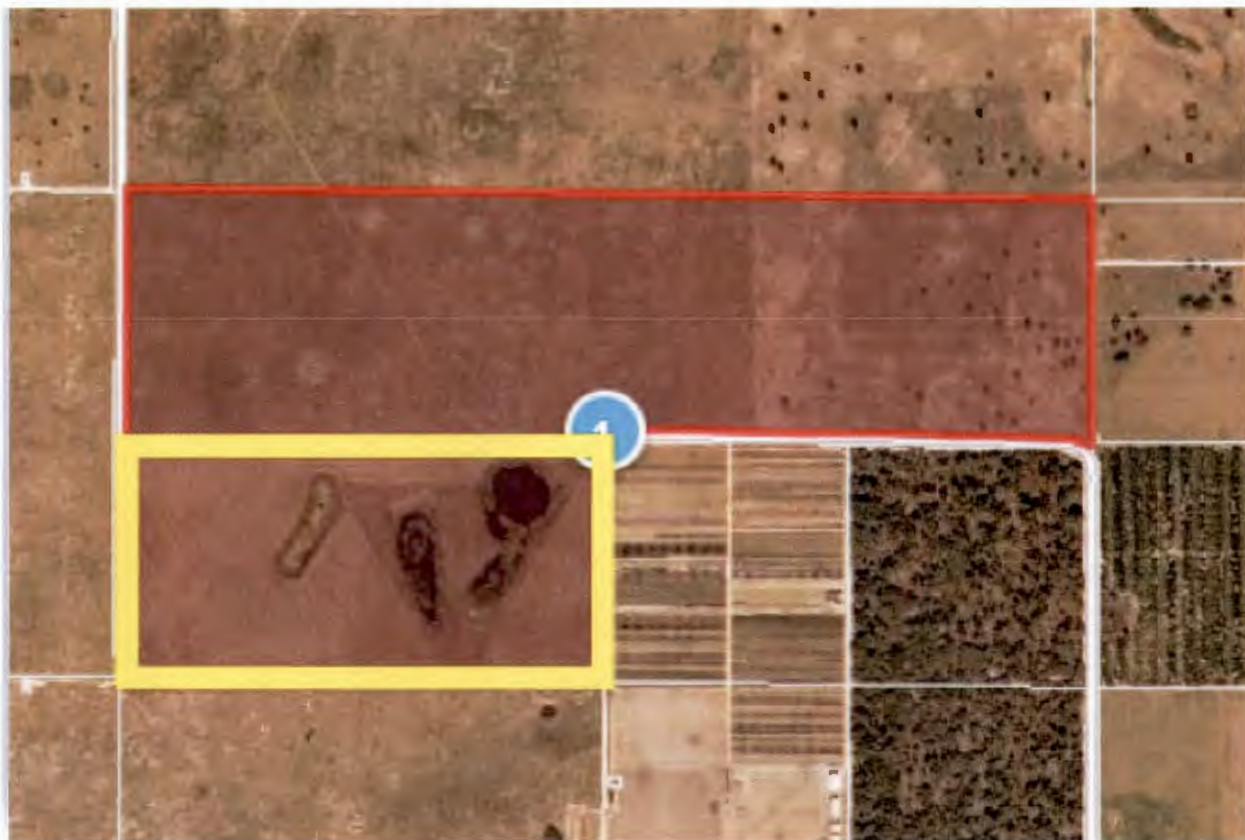
C: Tim Armstrong, Deputy Director, Utilities Department
Marc Cannata, P.E., Deputy Director, Utilities Department
Andres Salcedo, P.E., Deputy Director, Utilities Department
Mark Ikeler, Manager, Water Reclamation Division
Glenn Kramer, Manager, Utilities Fiscal & Operational Support Division
Lindy Wolfe, P.E., LEED AP, Manager, Utilities Engineering Division
Kimberly Miller, Accounting Manager, Comptroller's Office
Frances Rosario, Accounting Supervisor, Comptroller's Office
Alex Moncaleano, Assistant Project Manager, Utilities Engineering Division

Exhibit A

CITY OF ORLANDO and ORANGE COUNTY are fee simple owners of the property described below.

NW 1/4--LESS W 33 FT & LESS S 33 FT FOR RD R/WS & LESS E 33 FT OF SE 1/4 OF NW 1/4 & LESS S 33 FT OF E 33 FT OF NE 1/4 OF NW 1/4 FOR RD R/W--N 1/2 OF NE 1/4--LESS S 33 FT FOR RD R/W-- ORB 1626 PGS 1475 1485 ORB 3195 PG 2260

The property contains the Leased Premises, of which is an area approximately 80 acres located at Five Mille Rd Clermont Florida 37411 as outlined in yellow.



PROPERTY RECORD CARD

General Information

Name:	ORANGE COUNTY &	Alternate Key:	1594561
Mailing Address:	PO BOX 1393 ORLANDO, FL 32802-1393 Update Mailing Address	Parcel Number:	26-23-26-0001-000-00100
		Millage Group and City:	0003 Unincorporated
		2022 Total Certified Millage Rate:	13.3543
		Trash/Recycling/Water/Info:	My Public Services Map
Property Location:	FIVE MILE RD CLERMONT FL, 34711	Property Name:	Submit Property Name
		School Information:	School Locator & Bus Stop Map School Boundary Maps
Property Description:	NW 1/4—LESS W 33 FT & LESS S 33 FT FOR RD R/W/S & LESS E 33 FT OF SE 1/4 OF NW 1/4 & LESS S 33 FT OF E 33 FT OF NE 1/4 OF NW 1/4 FOR RD R/W—N 1/2 OF NE 1/4—LESS S 33 FT FOR RD R/W— ORB 1626 PGS 1475 1485 ORB 3195 PG 2260		
<small>NOTE: This property description is a condensed/abbreviated version of the original description as recorded in deeds or other legal instruments in the public records of the Lake County Clerk of Court. It may not include the Public Land Survey System's Section, Township, Range information or the county in which the property is located. It is intended to represent the parcel boundary only and does not include assessments or other measures of record. This description should not be used for purposes of conveying property title. The Property Appraiser assumes no responsibility for the consequences of inappropriate uses or interpretations of the property description.</small>			

Land Data

Line	Land Use	Frontage	Depth	Notes	No. Units	Type	Class Value	Land Value
1	VACANT GOVT COUNTY (8086)	0	0		213,000	Acre	\$0.00	\$1,890,801.00
2	GOVT WETLAND (8098)	0	0		20,000	Acre	\$0.00	\$900.00

[Click here for Zoning Info](#) [FEMA Flood Map](#)

Miscellaneous Improvements

There is no improvement information to display.

Sales History

NOTE: This section is not intended to be a complete chain of title. Additional official book/page numbers may be listed in the property description above and/or recorded and indexed with the Clerk of Court. [Click here to search all records by parcel number.](#)

Book/Page	Sale Date	Instrument	Qualified/Unqualified	Vacant/Improved	Sale Price
3195 / 2260	05/2006	County Deed	Unqualified	Vacant	\$1.00
1626 / 1485	07/1998	Warranty Deed	Unqualified	Vacant	\$1.00
1626 / 1475	03/1998	Warranty Deed	Unqualified	Vacant	\$1.00
886 / 441	06/1986	Trustees Deed	Unqualified	Vacant	\$1.00

[Click here to search for mortgages, liens, and other legal documents.](#)

Values and Estimated Ad Valorem Taxes

Values shown below are 2023 WORKING VALUES that are subject to change until certified. The Market Value listed below is not intended to represent the anticipated selling price of the property and should not be relied upon by any individual or entity as a determination of current market value.

Tax Authority	Market Value	Assessed Value	Taxable Value	Millage	Estimated Taxes
LAKE COUNTY BCC GENERAL FUND	\$1,891,701	\$1,891,701	\$0	5.0364	\$0.00
SCHOOL BOARD STATE	\$1,891,701	\$1,891,701	\$0	3.2500	\$0.00

5/17/23, 11:22 AM

Property Details Lake County Property Appraiser

SCHOOL BOARD LOCAL	\$1,891,701	\$1,891,701	\$0	2.9980	\$0.00
LAKE COUNTY WATER AUTHORITY	\$1,891,701	\$1,891,701	\$0	0.3083	\$0.00
ST JOHNS RIVER FL WATER MGMT DIST	\$1,891,701	\$1,891,701	\$0	0.1974	\$0.00
LAKE COUNTY MSTU STORMWATER	\$1,891,701	\$1,891,701	\$0	0.4957	\$0.00
LAKE COUNTY MSTU AMBULANCE	\$1,891,701	\$1,891,701	\$0	0.4629	\$0.00
LAKE COUNTY VOTED DEBT SERVICE	\$1,891,701	\$1,891,701	\$0	0.0918	\$0.00
LAKE COUNTY MSTU FIRE	\$1,891,701	\$1,891,701	\$0	0.5138	\$0.00
				Total: 13.3543	Total: \$0.00

Exemptions Information

This property is benefitting from the following exemptions with a checkmark ✓

Homestead Exemption (first exemption up to \$25,000)	Learn More	View the Law
Additional Homestead Exemption (up to an additional \$25,000)	Learn More	View the Law
Limited Income Senior Exemption (applied to county millage - up to \$50,000)	Learn More	View the Law
Limited Income Senior Exemption (applied to city millage - up to \$25,000)	Learn More	View the Law
Limited Income Senior 25 Year Residency (county millage only-exemption amount varies)	Learn More	View the Law
Widow / Widower Exemption (up to \$5,000)	Learn More	View the Law
Blind Exemption (up to \$500)	Learn More	View the Law
Disability Exemption (up to \$5,000)	Learn More	View the Law
Total and Permanent Disability Exemption (amount varies)	Learn More	View the Law
Veteran's Disability Exemption (\$5,000)	Learn More	View the Law
Veteran's Total and Permanent Disability Exemption (amount varies)	Learn More	View the Law
Veteran's Combat Related Disability Exemption (amount varies)	Learn More	View the Law
Deployed Servicemember Exemption (amount varies)	Learn More	View the Law
First Responder Total and Permanent Disability Exemption (amount varies)	Learn More	View the Law
Surviving Spouse of First Responder Exemption (amount varies)	Learn More	View the Law
Conservation Exemption (amount varies)	Learn More	View the Law
Tangible Personal Property Exemption (up to \$25,000)	Learn More	View the Law
Religious, Charitable, Institutional, and Organizational Exemptions (amount varies)	Learn More	View the Law
Economic Development Exemption	Learn More	View the Law
✓ Government Exemption (amount varies)	Learn More	View the Law

NOTICE: Information on the Property Record Card is compiled and used by the Lake County Property Appraiser for the sole purpose of an uniform property tax assessment administration in accordance with the Florida Constitution, Statutes, and Administrative Code. The Lake County Property Appraiser makes no representation or warranty as to the completeness and accuracy of the data herein. It is the user's responsibility to use or interpret the data for beneficial/equitable tax collection purposes of the property and assume no liability associated with its use or misuse. See the posted [Site Notice](#).

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Site Notice