

APPROVED
BY ORANGE COUNTY BOARD
OF COUNTY COMMISSIONERS
FEB 09 2021

RESOLUTION

of the

ORANGE COUNTY BOARD OF COUNTY COMMISSIONERS

regarding

AUTHORIZATION TO CONVEY CERTAIN COUNTY PROPERTY INTERESTS TO THE CITY OF APOPKA, FLORIDA IN ACCORDANCE WITH SECTION 125.38, FLORIDA STATUTES

Resolution No. 2021 - M-03

WHEREAS, Orange County, a political subdivision of the State of Florida (the "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 convey said property, for nominal price or otherwise, to the United States or any department or agency thereof, the State or any political subdivision or agency thereof, or any municipality of Florida, or any corporation or non-profit entity organized for the purpose of promoting community interest and welfare; and

WHEREAS, the County is the owner of the land more particularly described in Exhibit "A" attached hereto (the "Parcel"); and

WHEREAS, the City of Apopka, Florida, a municipal corporation duly enacted under the laws of the State of Florida (the "City"), has applied to the County for the conveyance of any and all of County's interest in the Parcel for use by the City as a pond; and

WHEREAS, the County has determined that the County's interest in the Parcel is no longer needed for County purposes and the Parcel is required for use by the City as a pond; and

WHEREAS, the County has determined that, pursuant to the City's application, the County's interest in the Parcel should be conveyed to the City, and such conveyance is in the public interest; and

WHEREAS, City is qualified, as a municipality of the State of Florida, to receive this County property pursuant to Section 125.38, Florida Statutes.

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. The Board hereby determines that it is in the best interests of Orange County that the County's interest in the Parcel be conveyed to the City for use by the City as a pond.

Section 3. The Board directs that any and all of the County's right, title, and interest in the Parcel, to the extent transferable, be conveyed to the City and, as consideration, the City will assume all of the County's rights, duties, and obligations that exist or arise from the County's interest in the Parcel.

Section 4. The Board directs the Orange County Mayor to execute and deliver a County Deed in the form attached hereto as Exhibit "B" to effectuate such conveyance, and that staff do all things necessary and appropriate to conclude this transaction.

Section 5. The Board hereby directs that a certified copy of this Resolution shall be forwarded forthwith to the City.

Section 6. This Resolution shall become effective upon its adoption by the Board.

ADOPTED on FEB 09 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: *Craig Stopyna*
for Deputy Clerk
Craig Stopyna
Printed Name



EXHIBIT "A"

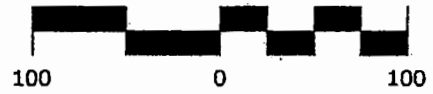
SKETCH & DESCRIPTION

PROJECT: Hawthorne Pond
 SURVEY PROJECT NUMBER: 8665
 SECTION 16
 TOWNSHIP 21 SOUTH
 RANGE 28 EAST

DRAWN BY: JFM
 SCALE: 1"=100'



SPACE ABOVE RESERVED FOR RECORDING INFORMATION



SCALE: 1" = 100'

DESCRIPTION:
 Lot 1, of Hawthorne Manor, as per Plat thereof, recorded in Plat Book 10, Page 21, of the Public Records of Orange County Florida.

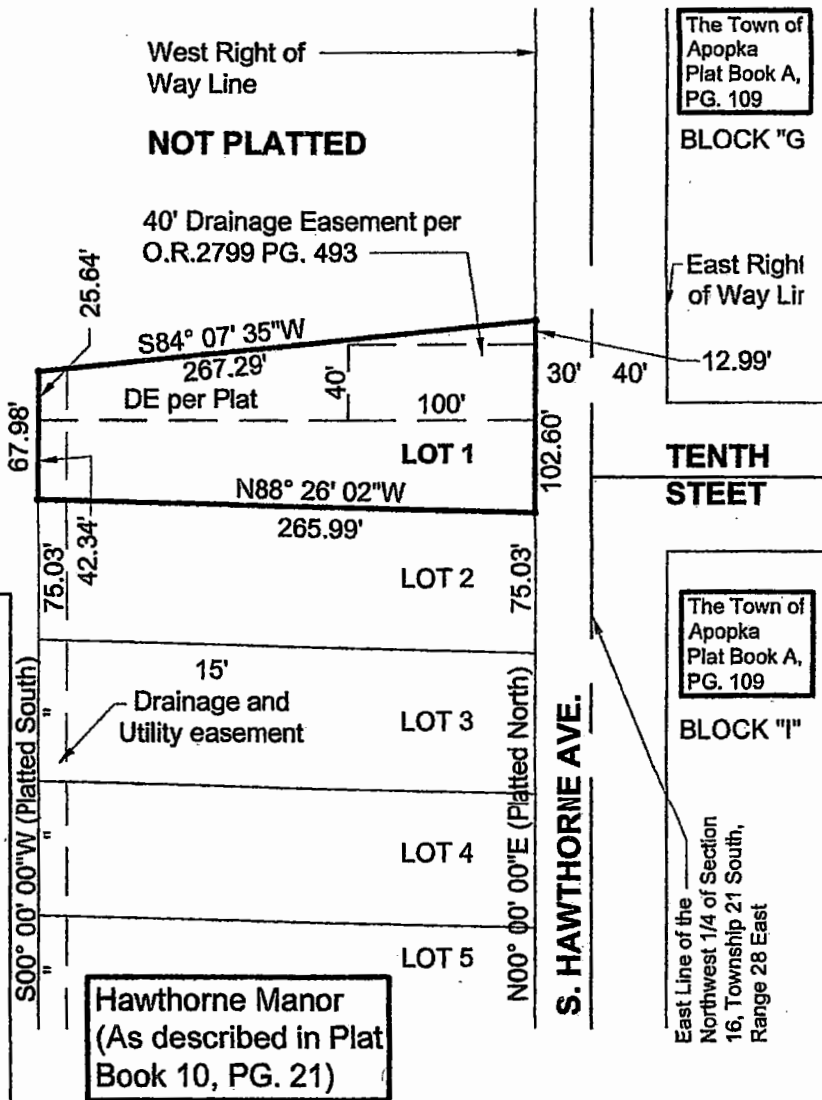
LEGEND

- = CHANGE IN DIRECTION, NO POINT SET
- O.R. = OFFICIAL RECORD
- PG. = PAGE
- DE = DRAINAGE EASEMENT

Surveyors Notes:

1. This Is not a Boundary Survey.
2. Bearings shown hereon are based on the North line of Lot 1 as recorded in Plat Book 10, page 21, of the Public Records of Orange County, Florida.

NOT PLATTED



(Signature)
MARK DAYNES, REGISTERED LAND SURVEYOR AND MAPPER
 STATE OF FLORIDA LICENSE NO. 5479
 DATE: 11/9/2020

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**



SHEET 1 of 1

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

EXHIBIT "B"

Project: Hawthorne Avenue Pond

This document constitutes a conveyance from a state agency or instrumentality to an agency of the state and is not subject to documentary stamp tax. Department of Revenue Rule 12B-4.014(10), F.A.C.

COUNTY DEED

THIS DEED, made as of the date signed below, 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 Apopka, Florida, a municipality existing under Florida law, whose address is 120 E. Main Street, Apopka, Florida 32703, GRANTEE.

WITNESSETH: That the GRANTOR, for and in consideration of the sum of \$10.00 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, if any, 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:

SEE ATTACHED EXHIBIT "A"

Property Appraiser's Parcel Identification Number:

16-21-28-3456-00-010

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: Hawthorne Avenue Pond

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 as written below.

(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 Clerk of the Board of County Commissioners

BY: _____
Deputy Clerk

Printed Name

This instrument prepared by:
Kim Heim, a staff employee
in the course of duty with the
Real Estate Management Division
of Orange County, Florida

S:\REM Project\Hawthorne Avenue Pond\Instruments Ready for Execution County Deed 12.15.20kh