

MAR 26 2019

RESOLUTION
of the
ORANGE COUNTY BOARD OF COUNTY COMMISSIONERS
regarding
DECLARING SURPLUS COUNTY PROPERTY
and
AUTHORIZING PRIVATE SALE

Resolution No. 2019-M-11

WHEREAS, Orange County, a charter county and political subdivision of the State of Florida, (“County”) pursuant to its home rule power and Section 125.35, Florida Statutes, has the authority to determine that certain real property of the County is not needed for County purposes and to convey said County real property to third parties; and

WHEREAS, the County acquired a certain parcel of land comprising approximately 0.06 acres, as more particularly described in Exhibit “A” attached hereto and made a part hereof by this reference (the “Parcel”), by virtue of that certain Tax Deed recorded on July 20, 2007 in Official Records Book 9360, Page 4160, of the Public Records of Orange County, Florida; and

WHEREAS, the Orange County Board of County Commissioners (the “Board”) has determined that the Parcel is no longer needed for County purposes; and

WHEREAS, pursuant to Subsection 125.35(2), Florida Statutes (2018), the Board may effect a private sale of County real property when the Board finds that such real property *“is of insufficient size and shape to be issued a building permit for any type of development to be constructed on the property or when the board of county commissioners finds that the value of a parcel of real property is \$15,000 or less, as determined by a fee appraiser designated by the board or as determined by the county property appraiser, and when, due to the size, shape,*

location, and value of the parcel, it is determined by the board that the parcel is of use only to one or more adjacent property owners”; and

WHEREAS, the Board has determined that the Parcel is of insufficient size and shape to be issued a building permit for any type of development to be constructed on the Parcel; and

WHEREAS, the Board has determined that the value of the Parcel of real property is less than \$15,000 as determined by the Orange County Property Appraiser; and

WHEREAS, the Board has determined that due to the size, shape, location, and value of the Parcel, the Parcel is of use only to one or more adjacent property owners; and

WHEREAS, the Board has determined that the requirements of Section 125.35(2), Florida Statutes (2018), for a private sale of the Parcel have been met; and

WHEREAS, the Board has determined that a private sale of the Parcel is in the best interest of the County and of the public.

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 Parcel as surplus real property.
3. The Board hereby authorizes and directs the Real Estate Management Division (the “Division”) to offer the Parcel for sale to owners of adjacent property pursuant to a private sale, and to do all things necessary and proper to arrange the conveyance of the Parcel, consistent with the provisions of Section 125.35(2), Florida Statutes (2018).

4. The Board hereby authorizes and directs the Division to mail notice via certified mail to all adjacent property owners of the Board's intention to sell and convey the Parcel at a private sale.

5. The Board hereby authorizes and directs the Division to solicit a minimum offer or minimum bid, equal to, or greater than the Parcel's appraised value of Thirty Five Hundred and No/100 U.S. Dollars (\$3,500.00).

6. If within ten (10) working days after receiving such mailed notice, a single owner of adjacent property notifies the Division of its desire to purchase the Parcel, the Division shall negotiate with such owner to effect a sale and conveyance of the parcel at private sale without receiving bids or publishing notice.

7. If within ten (10) working days after receiving such mailed notice, two or more owners of adjacent property notify the Division of their desire to purchase the Parcel, the Division shall then accept sealed bids for the Parcel from such property owners to effect a sale and conveyance of the parcel at private sale without publishing notice.

8. The Board hereby authorizes and directs the Division to gather and present the highest offer or the highest responsive bid received to the Board for consideration, along with all documents necessary for the conveyance of the Parcel pursuant to this Resolution, including a County Deed. No offer or bid shall be deemed accepted by the County until approved by the Board, and the County Mayor has executed all documents necessary for the conveyance of the Parcel pursuant to this Resolution. The Board may reject all offers.

9. If there are no timely responses as described in Section 6 and Section 7 herein, or if all offers have been rejected by the Board, the Division may, at a later date, within one year from

the adopted date of this Resolution, offer the Parcel for sale to owners of adjacent property pursuant to private sale under the terms of this resolution.

10. The Board hereby directs that a certified copy of this Resolution shall be forwarded forthwith to the Real Estate Management Division.

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

ADOPTED this _____ day of MAR 26 2019, 2019.

ORANGE COUNTY, FLORIDA
By: Board of County Commissioners

By: *Jerry L. Demings*
A *Jerry L. Demings*
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



Exhibit A

(Land description of the Parcel)

The West ½ of the North 50 feet of the South ½ of Lot 15 of the plat of J. S. Loveless, Winter Garden, Florida, according to the plat thereof as recorded in Plat Book D, Page 90, of the Public Records of Orange County, Florida.

Being the same as the lands conveyed by that certain Tax Deed filed July 20, 2007 and recorded in Official Records Book 9360, Page 4160, of the Public Records of Orange County, Florida.