

RESOLUTION
of the
ORANGE COUNTY BOARD OF COUNTY COMMISSIONERS
regarding
**AUTHORIZATION TO CONVEY CERTAIN
COUNTY PROPERTY INTERESTS
TO CITY OF OCOEE, FLORIDA**

Resolution No. 2021-M-53

WHEREAS, Orange County, a political subdivision of the State of Florida, 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 owns and operates the drain well located on property in or adjacent to Spring Lake within the City of Ocoee ("Drain well"), as more particularly described on **Exhibit "A"** attached hereto and incorporated herein by this reference; and

WHEREAS, the County was granted certain easement interests related to the Drain well pursuant to that certain Drainage Easement recorded in Official Records Book 660, Page 237 and that certain Drainage Easement recorded in Official Records Book 660, Page 238, both of the Official Records of Orange County, Florida (collectively, the "Drainage Easements"); and

WHEREAS, the City of Ocoee (the "City") has made application to the County through an Interlocal Agreement requesting that County (a) assign County's interest in the Drainage Easements to the City and transfer jurisdiction over, and convey, the Drain well to the City for the purposes of flood control and management of the water level of Spring Lake, and (b) execute an Assignment of Easements conveying the Drainage Easements to the City and a Bill of Sale conveying the Drain well to the City, both for public purposes, and such application having been duly considered; and

WHEREAS, by entering into the Interlocal Agreement, the County has determined that the Drain well and Drainage Easements are no longer needed for County purposes and that transfer of jurisdiction over, and conveyance of, the Drain well and assignment of the Drainage Easements to the City for the purposes of flood control and management of the water level of Spring Lake are in the interest of the public; and

WHEREAS, the City is qualified, as a municipality of the State of Florida, to make application for, and to receive County property pursuant to Section 125.38, Florida Statutes; and

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

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, pursuant to the Interlocal Agreement, the Drain well is no longer needed for County purposes and it is in the best interests of the County to transfer jurisdiction over the Drain well to the City and to convey the Drain well to the City for the purposes of flood control and management of the water level of Spring Lake.

Section 3. The Board hereby determines that, pursuant to the Interlocal Agreement, the Drainage Easements are no longer needed for County purposes and it is in the best interests of the County to assign the County's interests in the Drainage Easements to the City for use by the City to operate the Drain well.

Section 4. The Board hereby directs that the Drain well be conveyed to the City and, as consideration, the City will accept responsibility for maintenance, control, repair, and improvement of the Drain well.

Section 5. The Board hereby directs that all of the County's right, title, and interest in the Drainage Easements, to the extent assignable, be assigned to the City and, as consideration, the City will assume all of the County's rights, duties, and obligations under the Drainage Easements.

Section 6. The Board hereby directs the Mayor to execute and deliver a Bill of

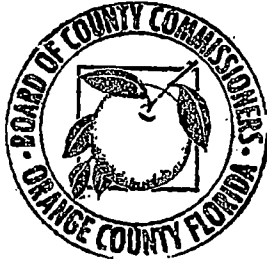
Sale to effectuate the conveyance of the Drain well and an Assignment of Easements to effectuate the assignment of the Drainage Easements.

Section 7. The Board hereby directs staff do all things necessary and appropriate to conclude the transactions described above.

Section 8. The Board hereby directs staff to deliver a certified copy of this Resolution to the City.

Section 9. This Resolution shall take effect upon the date of its adoption by the Board.

ADOPTED this 9th day of November, 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 to the Board of County Commissioners

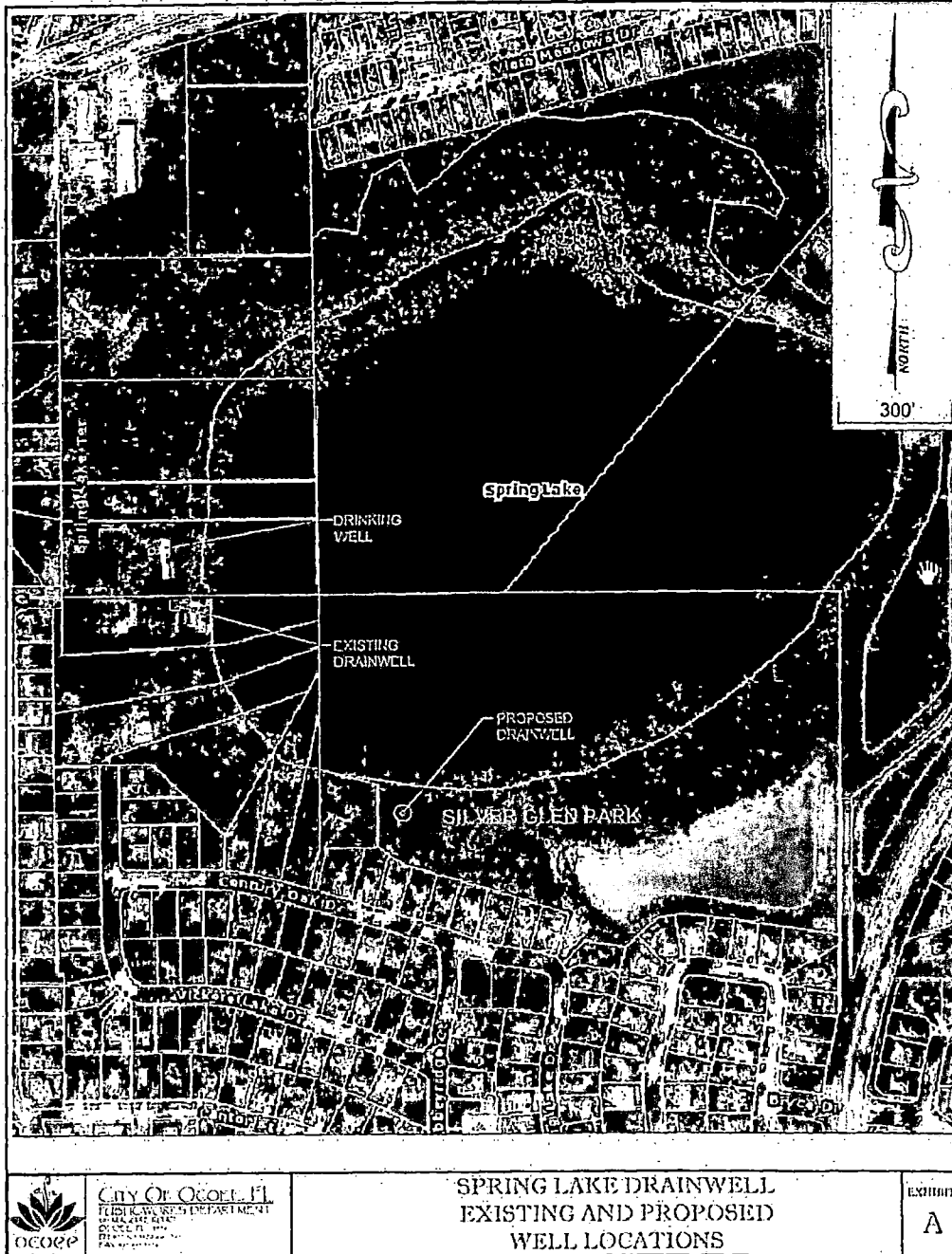
By: *Phil Diamond*
Deputy Clerk

EXHIBIT "A"

That certain drain well on property in or adjacent to Spring Lake within the City of Ocoee that is located in Orange County Property Appraiser Parcel No. 16-22-28-0000-00-032 also known as 1405 Spring Lake Terrace, together with the associated in-flow pipes and pipes connecting the wells.

Attached hereto as Exhibit "B" is a diagram that depicts the drain wells.

EXHIBIT "B"



CITY OF OCOEE, FL
PUBLIC WORKS DEPARTMENT
100 W. WINDY HILL DRIVE
OCOEE, FL 32759
P: 407.886.2222
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SPRING LAKE DRAINWELL
EXISTING AND PROPOSED
WELL LOCATIONS

EXHIBIT
A