

JUL 11 2023

RESOLUTION

of the
ORANGE COUNTY BOARD OF COUNTY COMMISSIONERS

regarding
**DECLARING COUNTY PROPERTY SURPLUS AND
AUTHORIZING PRIVATE SALE IN ACCORDANCE WITH
SECTION 125.35(2), FLORIDA STATUTES**

Resolution No. 2023-M-23

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

WHEREAS, the County acquired a permanent utility easement and drainage easement interest in a certain parcel of land comprising approximately 72,588 square feet, as more particularly described in Exhibit "A" attached hereto and made a part hereof by this reference (the "**Parcel**"), by virtue of that certain Order of Taking for Parcels 849 and 850 recorded July 8, 1985 at Book 845, Page 567, Official Records of Lake County, Florida; and the Stipulated Final Judgment for Parcels 849 and 850 recorded August 29, 1985 at Book 850, Page 506, Official Records of Lake County, Florida; and

WHEREAS, Orange County Utilities Department has determined the Parcel to be surplus property and is eligible for disposition from the Water Utilities System; and

WHEREAS, the Orange County Board of County Commissioners ("**Board**") finds that the Parcel is no longer needed for County purposes; and

WHEREAS, pursuant to section 125.35(2), Florida Statutes, 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 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, 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:

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 declares the Parcel as surplus real property.

Section 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.

Section 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.

Section 5. 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.

Section 6. 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.

Section 7. 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 Seventy-four Thousand Forty and No/100 U.S. Dollars (\$74,040.00).

Section 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. 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.

Section 9. If there are no timely responses as described in Section 5 and Section 6 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.

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

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

[SIGNATURE PAGE FOLLOWS]

ADOPTED this _____ day of JUL 11 2023, 2023.



ORANGE COUNTY, FLORIDA
By: Board of County Commissioners

By: *Bryan W. Banks*
A Jerry L. Demings
Orange County Mayor

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

BY: *Craig A. Stopera*
for Deputy Clerk

EXHIBIT "A"
(the "Parcel")

LEGAL DESCRIPTION

A portion of lands lying in the Southeast Quarter of Section 22, Township 23 South, Range 26 East, being the same lands described as Parcel numbers 849 and 850 as recorded in Official Records Book 845, Pages 567 through 576 and Official Records Book 850, Pages 506 through 511 of the Public Records of Lake County, Florida,

being more particularly described as:

Commencing at the Southeast corner of the Southeast Quarter of said Section 22; thence run North 89°12'03" West along the South line of said Southeast Quarter for a distance of 755.98 feet; thence departing said South line run North 00°00'00" West for a distance of 30.00 feet to the POINT OF BEGINNING; thence run North 89°12'03" West for a distance of 30.00 feet; thence run North 00°00'00" West for a distance of 694.43 feet; thence run South 90°00'00" West for a distance of 30.00 feet; thence run North 00°00'00" West for a distance of 20.00 feet; thence run North 90°00'00" East for a distance of 30.00 feet; thence run North 00°00'00" West for a distance of 50.00 feet; thence run South 90°00'00" West for a distance of 11.00 feet; thence run North 33°41'24" West for a distance of 108.17 feet; thence run North 00°00'00" West for a distance of 100.00 feet; thence run North 62°26'50" East for a distance of 129.71 feet; thence run South 68°11'55" East for a distance of 107.70 feet; thence run South 22°37'12" East for a distance of 130.00 feet; thence run South 45°00'00" West for a distance of 127.28 feet; thence run South 90°00'00" West for a distance of 73.99 feet; thence run South 00°00'00" East for a distance of 764.85 feet to the POINT OF BEGINNING.

Containing 72,588 square feet or 1.67 acres, more or less.

SHEET 1 OF 2
SEE SHEET 2 FOR SKETCH



18 EAST PLANT STREET
Winter Garden, Florida 34787 • (407) 654-5355

SURVEYOR'S NOTES:

1. THIS IS NOT A SURVEY.
2. THIS SKETCH IS NOT VALID WITHOUT THE SIGNATURE AND ORIGINAL RAISED SEAL OF A FLORIDA LICENSED SURVEYOR AND MAPPER OR AN ELECTRONIC SIGNATURE THAT IS IN COMPLIANCE WITH FLORIDA ADMINISTRATIVE CODE 5J-17.082.
3. BEARINGS SHOWN HEREON ARE BASED ON THE SOUTH LINE OF THE SE 1/4 OF SECTION 22-23-28 AS BEING N89°12'03"W (ASSUMED FOR ANGULAR DESIGNATION ONLY)
4. THE RECORDING INFORMATION SHOWN HEREON WAS OBTAINED FROM THE LAKE COUNTY PUBLIC ACCESS SYSTEM.
5. DELINEATION OF THE LANDS SHOWN HEREON ARE AS PER THE CLIENT'S INSTRUCTIONS.

JOB NO. 20180429

DATE: 3/01/21

SCALE: 1" = 150'

CALCULATED BY: DY

DRAWN BY: DY

CHECKED BY: MR

REVISED 6/7/2023

FOR THE LICENSED BUSINESS #8723 BY:



Digitally signed by:

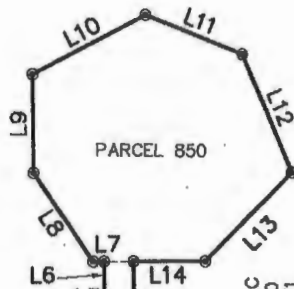
James L. Rickman

Date: 2023.06.08

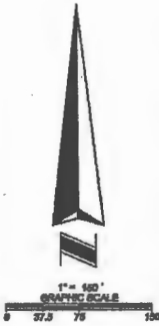
14:35:10 -04'00'

JAMES L. RICKMAN, P.S.M. #8723

SKETCH OF DESCRIPTION



PARCEL 850



SOUTH LAKE CROSSINGS I, LLC
22-23-26-0004-000-00600
O.R. 4062, PAGES 462 - 471
INSTRUMENT # 2011032528
NOT PLATTED

LINE TABLE		
LINE	BEARING	LENGTH
L1	N00°00'00"W	30.00'
L2	N89°12'03"W	30.00'
L3	S90°00'00"W	30.00'
L4	N00°00'00"W	20.00'
L5	N90°00'00"E	30.00'
L6	N00°00'00"W	50.00'
L7	S90°00'00"W	11.00'
L8	N33°41'24"W	108.17'
L9	N00°00'00"W	100.00'
L10	N62°26'50"E	129.71'
L11	S68°11'55"E	107.70'
L12	S22°37'12"E	130.00'
L13	S45°00'00"W	127.28'
L14	S90°00'00"W	73.99'

30.00' PIPELINE
EASEMENT PER
O.R. 816, PG. 2115
PARCEL #3135

694.43'
PARCEL 849
764.85'

POINT OF
BEGINNING

SOUTH LINE OF THE SOUTHEAST
1/4 OF SECTION 22-23-26

POINT OF
COMMENCEMENT
SOUTHEAST CORNER OF
THE SOUTHEAST 1/4 OF
SECTION 22-23-26

33.00' R/W
D.B. 97, PG. 245

SECTION
27-23-26

FIVE MILE ROAD
33.00' R/W
D.B. 357, PG. 16
33.00' R/W
D.B. 357, PG. 21
(66' RIGHT-OF-WAY)

SECTION
23-23-26

SECTION
26-23-26



16 EAST PLANT STREET
Winter Garden, Florida 34787 • (407) 654-5355

LEGEND

- O.R. OFFICIAL RECORDS
- PG. PAGE
- ⊙ CHANGE IN DIRECTION
- D.B. DEED BOOK

SHEET 2 OF 2
SEE SHEET 1 FOR DESCRIPTION

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