

JUN 18 2019

RESOLUTION

of the

ORANGE COUNTY BOARD OF COUNTY COMMISSIONERS

regarding

**DECLARING COUNTY PROPERTY SURPLUS AND
AUTHORIZATION TO EXCHANGE CERTAIN COUNTY PROPERTY
FOR RECEIPT OF OTHER REAL PROPERTY**

Resolution No. 2019-M-25

WHEREAS, Orange County, a charter county and political subdivision of the State of Florida, ("County") pursuant to its home rule power and Section 125.37, Florida Statutes (2018), has the authority to determine that certain real property of County is not needed for County purposes and to exchange said real property of County for other real property; and

WHEREAS, City of Orlando, a municipal corporation organized and existing under the laws of the State of Florida, ("City") and County each own in fee simple a fifty percent (50%) interest in certain real property consisting of approximately 250 acres located in Lake County, Florida, (the "Conserv Property") as more particularly described in **Exhibit "B"**, attached and incorporated into that certain "Land Exchange Agreement (Wellness Way / Conserv)" (the "Exchange Agreement") between County and City (collectively, "Conserv Partners") and South Lake Crossings IV LLC, a Florida limited liability company, ("SLC") and CPB Hilltop, LLC, a Florida limited liability company, ("Hilltop") which Exchange Agreement is being considered by the Orange County Board of County Commissioners (the "Board") on even date herewith; and

WHEREAS, SLC and Hilltop (collectively, “Owners”) own in fee simple certain real property consisting of approximately 308 acres located in Lake County, Florida, (the “Owners Property”) as more particularly described in **Exhibit “A”**, attached and incorporated into the Exchange Agreement; and

WHEREAS, on even date herewith, County will consider entering into the Exchange Agreement by which Conserv Partners will commit to exchange their fee simple interest in the Conserv Property for a fee simple interest in the Owners Property (the “Exchange”) upon such terms and conditions as more particularly set forth in the Exchange Agreement; and

WHEREAS, Conserv Partners desire to exchange ownership of the Conserv Property for ownership of the Owners Property to accommodate the long range objectives of Conserv Partners with respect to water management and storage on the Owners Property as part of Water Conserv II, including the construction and operation of a water or reclaimed water reservoir and the expansion of its system of rapid infiltration basins; and

WHEREAS, pursuant to Subsection 125.37, Florida Statutes (2018), whenever the Board determines that *“the county holds and possesses any real property, not needed for county purposes, and such property may be to the best interest of the county exchanged for other real property, which the county may desire to acquire for county purposes, the said board of county commissioners of any county is authorized and empowered to make such an exchange”*; and

WHEREAS, the Board has determined that County’s interest in the Conserv Property is no longer needed for County purposes; and

WHEREAS, the Board has determined that County's interest in the Conserv Property may be to the best interest of County and of the public exchanged for a fifty percent (50%) fee simple interest in the Owners Property; and

WHEREAS, the terms and conditions of the Exchange have been advertised in accordance with the requirements of Section 125.37, Florida Statutes (2018); and

WHEREAS, the Board has determined that the requirements of Section 125.37, Florida Statutes (2018), for an exchange of County's interest in the Conserv Property have been met.

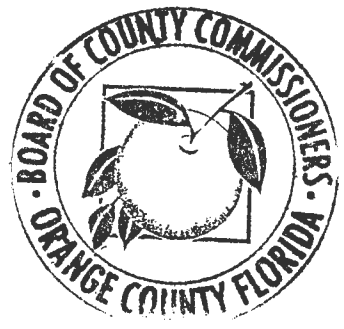
NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF ORANGE COUNTY:

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 County's interest in the Conserv Property as surplus real property.
3. The Board hereby authorizes and directs the Real Estate Management Division to do all things necessary and proper to effectuate the Exchange; provided, however, that: (i) County, City, SLC, and Hilltop shall have all first entered into the Exchange Agreement; and (ii) City, SLC, and Hilltop shall have complied with all terms and provisions of the Exchange Agreement.
4. The Board hereby directs that a certified copy of this Resolution shall be forwarded forthwith to the Real Estate Management Division.
5. This Resolution shall become effective upon its adoption by the Board.

(signature page follows)

ADOPTED on JUN 18 2019

ORANGE COUNTY, FLORIDA
By: Board of County Commissioners



By: *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