

RESOLUTION

of the

**ORANGE COUNTY
BOARD OF COUNTY COMMISSIONERS**

regarding

**DECLARING COUNTY PROPERTY SURPLUS AND
AUTHORIZATION TO SELL COUNTY PROPERTY
BY PRIVATE SALE TO ADJACENT PROPERTY OWNER**

Resolution No. 2018-M-42

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 6.222 acres (the "Parent Tract") by virtue of that certain Quit-Claim Deed approved by the Orange County Board of County Commissioners (the "Board") on June 5, 2012, and recorded on June 22, 2012, in Official Records Book 10397, Page 6593, of the Public Records of Orange County, Florida; and

WHEREAS, the Board has determined that a portion of the Parent Tract comprising approximately 24,176.11 square feet (0.56 acres, more or less), as more particularly described in Exhibit "A" attached hereto and made a part hereof by this reference, (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 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, 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 to offer the Parcel for sale to owners of adjacent property pursuant to 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).

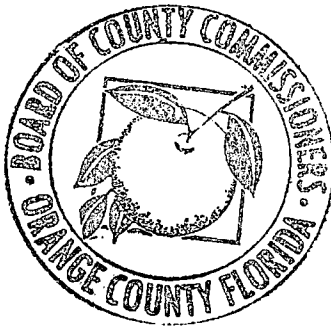
4. Without limiting the foregoing, the Board hereby authorizes and directs the Real Estate Management Division to send notice of the County's intended action to owners of adjacent property and to present to the Board for consideration the highest and best bid received, along with all documents necessary for the conveyance of the Parcel pursuant to this Resolution, including a purchase and sale agreement and County Deed. The highest and best bid for said Parcel shall be accepted, provided that such bid is equal to or greater than the Parcel's appraised value of Ninety Six Thousand Five Hundred and No/100 U.S. Dollars (\$96,500.00). No bid shall be deemed accepted by the Board until the County Mayor has executed all documents necessary for the conveyance of the Parcel pursuant to this Resolution.

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

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

ADOPTED this ____ day of **OCT 30 2018**, 2018.

(signature page follows)



ORANGE COUNTY, FLORIDA
By: Board of County Commissioners

By: *Teresa Jacobs*
Teresa Jacobs
Orange County Mayor
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ATTEST: Phil Diamond, CPA, County Comptroller
As Clerk of the Board of County Commissioners

By: *Katie Smith*
Deputy Clerk
Katie Smith

Printed Name