

# RESOLUTION

*of the*

**ORANGE COUNTY BOARD  
OF COUNTY COMMISSIONERS**

**regarding**

**AUTHORIZATION TO CONVEY  
CERTAIN COUNTY PROPERTY INTERESTS TO  
HOUSING AND NEIGHBORHOOD DEVELOPMENT  
SERVICES OF CENTRAL FLORIDA, INC.**

**Resolution No. 2018-M-45**

**WHEREAS**, by virtue of that certain Quit Claim Deed recorded on October 9, 2014, in Official Records Book 10817, Page 8626, of the Public Records of Orange County, Florida, Orange County, a charter county and political subdivision of the State of Florida, ("County") acquired a certain parcel of land (the "Parcel") located at 10306 Wood Stream Court, Orlando, Florida, 32825, comprising approximately 5,718 square feet, as more particularly described in **Exhibit "A"** attached hereto and made a part hereof by this reference; and

**WHEREAS**, the Parcel was acquired by the County as part of the Neighborhood Stabilization Program (the "NSP") approved by the Orange County Board of County Commissioners (the "Board") through Resolution No. 2009-M-04 approved by the Board on February 17, 2009 and Ordinance No. 2009-13 approved by the Board on April 28, 2009; and

**WHEREAS**, on even date herewith, the County is entering into that certain "Agreement between Orange County, Florida and Housing and Neighborhood

Development Services of Central Florida, Inc. regarding the HOME Investment Partnership Program FY2016-2017” (the “Agreement”) with Housing and Neighborhood Development Services of Central Florida, Inc. (the “Agency”); and

**WHEREAS**, among other terms and provisions, the Agreement requires the County to convey the Parcel to the Agency as a donation; and

**WHEREAS**, among other terms and provisions, the Agreement provides for the Agency’s construction of a single-family residence upon the Parcel and the Agency’s subsequent sale of the Parcel and such residence to a qualified homebuyer consistent with the HOME Investment Partnership Program administered by the United States Department of Housing and Urban Development (the “Agency Use”); and

**WHEREAS**, conveyance of the Parcel to the Agency and use of the same for the Agency Use as required by the Agreement is consistent with the NSP; and

**WHEREAS**, Section 125.38, Florida Statutes (2018), provides, in part: *“If ... any ... corporation or other organization not for profit which may be organized for the purposes of promoting community interest and welfare, should desire any real ... property that may be owned by any county ... for public or community interest and welfare, then the ... corporation or organization may apply to the board of county commissioners for a conveyance or lease of such property. Such board, if satisfied that such property is required for such use and is not needed for county purposes, may thereupon convey or lease the same at private sale to the applicant for such price, whether nominal or otherwise, as such board may fix, regardless of the actual value of such property. The fact of such application being made, the purpose for which such property is to be used,*

*and the price or rent therefor shall be set out in a resolution duly adopted by such board ..."; and*

**WHEREAS**, the Agency is a corporation not for profit organized for the purposes of promoting community interest and welfare; and

**WHEREAS**, the Agency desires to acquire the Parcel from the County for public or community interest and welfare and the Agency Use as more particularly described in the Agreement; and

**WHEREAS**, the Agency, by the Agreement, has made application to the Board for the conveyance of the Parcel to the Agency; and

**WHEREAS**, the Board has determined that the Parcel is required by the Agency for the Agency Use; and

**WHEREAS**, the Board has determined that the Parcel is no longer needed for County purposes; and

**WHEREAS**, the Board has determined to fix the price for the conveyance of the Parcel to the Agency at Zero and No/100 U.S. Dollars (\$0.00), and that the Parcel should be conveyed to the Agency as a donation; and

**WHEREAS**, the County, pursuant to its home rule power and Section 125.38, Florida Statutes, has the authority to convey the Parcel to the Agency in accordance with the Agreement; and

**WHEREAS**, the County has determined that conveyance of the Parcel to the Agency in accordance with the Agreement is in the public interest.

**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 determines that it is in the best interests of the County that the Parcel be conveyed to the Agency as a donation and otherwise pursuant to the Agreement.

4. The Board directs that all of the County's right, title, and interest in the Parcel be conveyed to the Agency as a donation.

5. The Board directs the Orange County Mayor to execute and deliver a County Deed in the form attached hereto as **Exhibit "B"** to effectuate such conveyance, and that staff do all things necessary and appropriate to conclude this transaction.

6. The Board hereby directs that certified copies of this Resolution shall be forwarded forthwith to the Agency, to the Housing and Community Development Division, and to the Real Estate Management Division.

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

**ADOPTED** this NOV 13 2018.

*(signature page follows)*



ORANGE COUNTY, FLORIDA  
By: Board of County Commissioners

By: *Teresa Jacobs*  
Teresa Jacobs  
Orange County Mayor

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

By: *Lakela Louis*  
for Deputy Clerk

Lakela Louis  
Printed Name

**EXHIBIT "A"**

**Legal Description of the Parcel**

LOT 144, WINDING CREEK UNIT 2, ACCORDING TO THE PLAT THEREOF AS RECORDED IN PLAT BOOK 29, PAGES 95 AND 96, OF THE PUBLIC RECORDS OF ORANGE COUNTY, FLORIDA.

**EXHIBIT "B"**

**Form of County Deed**

Project: NSP Donation - 10306 Wood Stream Court, Orlando, FL 32825

THIS IS A DONATION

**COUNTY DEED**

THIS DEED, made as of the date signed below, by Orange County, a charter county and political subdivision of the state of Florida, whose address is P. O. Box 1393, Orlando, Florida 32802-1393, GRANTOR, and Housing and Neighborhood Development Services of Central Florida, Inc., a Florida not for profit corporation, whose address is 1707 Orlando Central Parkway, Suite 350, Orlando, Florida, 32809, GRANTEE.

WITNESSETH: That the GRANTOR, for and in consideration of the sum of \$1.00 and other valuable considerations, in hand paid by the GRANTEE, the receipt whereof is hereby acknowledged, does hereby remise, release, and quit-claim unto the said GRANTEE forever, all the right, title, interest, claim, and demand which the GRANTOR has in and to the following described lot, piece, or parcel of land, situate, lying and being in the county of Orange, state of Florida, to-wit:

**LOT 144, WINDING CREEK UNIT 2, ACCORDING TO THE PLAT THEREOF AS  
RECORDED IN PLAT BOOK 29, PAGES 95 AND 96, OF THE PUBLIC  
RECORDS OF ORANGE COUNTY, FLORIDA.**

Property Appraiser's Parcel Identification Number:

**32-22-31-9351-01-440**

TO HAVE AND TO HOLD the same together with all and singular the appurtenances thereunto belonging or in anywise appertaining, and all the estate, right, title, interest, lien, equity, and claim whatsoever of the GRANTOR, either in law or equity, to the only proper use, benefit, and behoove of the GRANTEE forever.

*(signature page follows)*

IN WITNESS WHEREOF, the said GRANTOR has caused these presents to be executed in its name by its Board, acting by the County Mayor, the day and year as written below.

(Official Seal)

ORANGE COUNTY, FLORIDA  
By: Board of County Commissioners

BY:

\_\_\_\_\_  
Teresa Jacobs  
Orange County Mayor

DATE: \_\_\_\_\_

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

BY: \_\_\_\_\_  
Deputy Clerk

\_\_\_\_\_  
Printed Name

**This instrument prepared by:**

Paul Sladek, a staff employee  
in the course of duty with the  
Real Estate Management Division  
of Orange County, Florida