

RESOLUTION
of the
**ORANGE COUNTY BOARD OF COUNTY
COMMISSIONERS**
regarding
**AUTHORIZATION TO EXCHANGE CERTAIN COUNTY
PROPERTY FOR RECEIPT OF OTHER REAL PROPERTY
IN ACCORDANCE WITH SECTION 125.37, FLORIDA
STATUTES**

Resolution No. 2021 - 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 125.37, Florida Statutes, has 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, the 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 a portion of certain real property situated in Orange County, Florida, bearing Orange County Property Appraiser's Parcel Identification Number 09-23-27-0000-00-006, such portion being more particularly described in Exhibit "C" ("Additional HWRF Property"), attached and incorporated into that certain "Land Exchange Agreement (Hamlin Water Reclamation Facility)" ("Exchange Agreement") between County and City, which Exchange Agreement is being considered by the Orange County Board of County Commissioners ("Board") on even date herewith; and

WHEREAS, County desires to use the Additional HWRF Property to support the Hamlin Water Reclamation Facility; and

WHEREAS, County owns in fee simple a portion of certain real property situated in Orange County, Florida, bearing Orange County Property Appraiser's Parcel Identification Number 16-23-27-0000-00-030, being more particularly described in Exhibit "D" ("Replacement Property") attached and incorporated into that certain Exchange Agreement; and

WHEREAS, on even date herewith, County will consider entering into the Exchange Agreement by which City will commit to exchange its fifty percent (50%) fee simple interest in the Additional HWRF Property for a fifty percent (50%) fee simple interest in the Replacement Property (the "Exchange") upon such terms and conditions as more particularly set forth in the Exchange

Agreement; and

WHEREAS, pursuant to Section 125.37, Florida Statutes, 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 a one hundred percent (100%) fee simple interest in the Replacement Property is no longer needed for County purposes; and

WHEREAS, the Board has determined that the fifty percent (50%) fee simple interest in the Replacement Property (the “Replacement Property Interest”) may be to the best interest of County and of the public exchanged for a fifty percent (50%) fee simple interest in the Additional HWRF Property; and

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

WHEREAS, the Board has determined that the requirements of Section 125.37, Florida Statutes for the Exchange, have been met.

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 authorizes and directs the Real Estate Management Division to do all things necessary and proper to effectuate the Exchange; provided, however, that (i) County and City shall have first entered into the Exchange Agreement; and (ii) County and City shall have complied with the terms and provisions of the Exchange Agreement.

Section 3. The Board hereby directs that a certified copy of this Resolution shall be forwarded forthwith to the Real Estate Management Division.

Section 4. This Resolution shall become effective upon its adoption by the Board.

ADOPTED THIS _____ DAY OF SEP 28 2021, _____.



ORANGE COUNTY, FLORIDA
By: Board of County Commissioners

By: *Bryan B. Burns*
Jerry L. Demings
Orange County Mayor

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

By: *Naelia Perez*
for Deputy Clerk
Naelia Perez
Printed Name