



Interoffice Memorandum

REAL ESTATE MANAGEMENT ITEM 1

DATE: October 7, 2020

TO: Mayor Jerry L. Demings
and the
Board of County Commissioners

FROM: William J. Blackham, Assistant Manager
Real Estate Management Division

**CONTACT
PERSON:** **Bill Blackham, Assistant Manager**

DIVISION: **Real Estate Management**
Phone: (407) 836-7352

**ACTION
REQUESTED:** Approval and execution of Land Exchange Agreement (Hamlin Fire Station Site) by and between SLF/IV Boyd Horizon West JV, LLC and Orange County, Florida, Resolution Declaring County Property Surplus and Authorization to Exchange Certain County Property for Receipt of Other Real Property, County Deed from Orange County, Florida to SLF/IV Boyd Horizon West JV, LLC, and Purchase Agreement by and between City of Orlando and Orange County, Approval of Special Warranty Deed from SLF/IV Boyd Horizon West JV, LLC to Orange County, Florida, City Deed from City of Orlando to Orange County, and Memorandum of Understanding between Orange County Fire Rescue Department and Orange County Utilities Department for Real Estate Transfer related to Edwards Parcel by and between Orange County Fire Rescue Department and Orange County Utilities Department, delegation of authority to the Manager of the Real Estate Management Division to exercise all delegations of authority expressly provided for by the Land Exchange Agreement (Hamlin Fire Station Site), and authorization to disburse funds to pay purchase price and closing costs and to perform all actions necessary and incidental to closing

PROJECT: Horizon West Town Center / Conserv Property Exchange

District 1

PURPOSE: To exchange lands surplus to the needs of Water Conserv II for other lands providing for access, construction, operation and maintenance of a new fire station.

ITEMS: Land Exchange Agreement (Hamlin Fire Station Site)

Resolution

County Deed

Revenue: \$98,350

Total size: 15.1 acres, more or less

Purchase Agreement

Special Warranty Deed

Cost: Exchange

Size: 2.5 acres

City Deed

Cost: \$202,300

Total size: 15.1 acres, more or less

Memorandum of Understanding between Orange County Fire Rescue Department and Orange County Utilities Department for Real Estate Transfer related to Edwards Parcel

Cost/Revenue: \$202,300

Total size: 15.1 acres, more or less

BUDGET: Account No.: 1046-034-0808-6115

REVENUE: Account No.: 4420-038-1300-6410

FUNDS: \$203,327 Payable to Shutts & Bowen LLP
(purchase price and closing costs under Purchase Agreement)

\$103,950 Payable to Orange County Utilities Department
(transfer from Fire Rescue Department to Utilities Department under Memorandum of Understanding)

APPROVALS: Real Estate Management Division
County Attorney's Office
Fire Rescue Department
Utilities Department
Risk Management Division

REMARKS: As part of the Water Conserv II partnership, County and City of Orlando (City) each own a 50% interest in approximately 15.1 acres (Edwards Parcel) lying generally along the east side of Avalon Road / C.R. 545, just south of New Independence Parkway. The Edwards Parcel has been determined by Water Conserv II to be surplus land not required to accommodate long-range objectives of Water Conserv II.

Pursuant to the proposed Purchase Agreement between County and City, the Fire Rescue Department will purchase the City's 50% interest in the Edwards Parcel. Pursuant to the proposed Memorandum of Understanding between Orange County Fire Rescue Department and Orange County Utilities Department for Real Estate Transfer related to Edwards Parcel, (MOU) the Fire Rescue Department will become the controlling agency for the County's 50% interest in the Edwards Parcel. Each of City and the Utilities Department will receive \$202,300 from the Fire Rescue Department, which sum represents one-half of the appraised value of the Edwards Parcel. The Fire Rescue Department will pay for the cost of recording the City Deed.

Pursuant to the proposed Land Exchange Agreement (Hamlin Fire Station Site) (Exchange Agreement), the Fire Rescue Department will convey the Edwards Parcel to SLF/IV Boyd Horizon West JV, LLC (Owner). Owner desires to acquire the Edwards Parcel as additional lands that may be jointly developed with other abutting lands of Owner and/or its affiliates.

In exchange, Owner will convey to the Fire Rescue Department approximately 2.5 acres (Fire Station Site) lying generally along the east side of Avalon Road / C.R. 545 at Lake Ingram Road. The Fire Rescue Department desires to acquire the Fire Station Site as a site for new Fire Station #48. As the value of the Edwards Parcel (\$404,600) exceeds the value of the Fire Station Site (\$306,250), Owner will also remit to the Fire Rescue Department at closing the value differential of \$98,350.

Closing of the Purchase Agreement and the MOU are both contingent upon, and will occur simultaneously with, the closing of the Exchange Agreement. Closing of the Exchange Agreement is contingent upon: (i) certain lands needed for the future expansion of Avalon Road / C.R. 545

being conveyed to County as a requirement of development, such that the Fire Station Site becomes contiguous with the new eastern right-of-way line of Avalon Road / C.R. 545; and (ii) County processing and approving an administrative petition to vacate a portion of unopened and unimproved right-of-way located within the Fire Station Site.

The Fire Rescue Department will pay for the cost of the survey of the Fire Station Site. Owner will pay for all other costs and expenses contemplated by the Exchange Agreement, including all advertising and closing costs.

The exchange of the Edwards Parcel for the Fire Station Site is an exchange of real property pursuant to Section 125.37, Florida Statutes (2020) (Exchange Statute). The Real Estate Management Division has caused to be published the notice required by the Exchange Statute, and the Resolution presented as part of this action is required by the Exchange Statute to authorize the exchange of real property in accordance with the Exchange Agreement.