

RESOLUTION NO. 2010-R-231 SEMINOLE COUNTY, FLORIDA

**THE FOLLOWING RESOLUTION WAS ADOPTED AT THE
REGULAR MEETING OF THE BOARD OF COUNTY
COMMISSIONERS OF SEMINOLE COUNTY, FLORIDA ON THE
26th DAY OF OCTOBER, 2010, A.D.**

WHEREAS, Seminole County is a political subdivision of the State of Florida which has adopted a Home Rule Charter; and

WHEREAS, the City of Oviedo is wholly located within the jurisdictional boundaries of Seminole County; and Oviedo is a Florida municipal corporation; and

WHEREAS, pursuant to Section 163.410, Florida Statutes, Seminole County may delegate to the governing bodies of municipalities within Seminole County, the exercise of such powers conferred upon Seminole County by Part III, Chapter 163, Florida Statutes, as amended, as Seminole County may deem appropriate; and

WHEREAS, the Board of County Commissioners has authorized, and delegated the County's authority and duly supported the redevelopment efforts of the Cities located within its borders including Altamonte Springs, Casselberry, Lake Mary, Sanford, and Winter Springs and seeks to continue the ongoing redevelopment efforts and equitable support of redevelopment activities throughout Seminole County in order to create job opportunities for Seminole County residents, as outlined within the Seminole County Comprehensive Plan; and

WHEREAS, the Board of County Commissioners has found that the Community Redevelopment Plan for the Oviedo Community Redevelopment Area is in accordance with, and supports, the long-term redevelopment objectives of the adopted Seminole County Comprehensive Plan; and

WHEREAS, the Board of County Commissioners fully supports the ongoing redevelopment activities within the downtown Oviedo area in accordance with the implementation of the Seminole County Goals, Objectives and Policies; and

WHEREAS, Section 163.410, specifies that delegation of authority to a municipality is to be made subject to such limitations as Seminole County may impose; and Florida Statutes, permits such conditions and limitations; and

WHEREAS, the City of Oviedo has adopted Ordinance No. 1496, on September 20, 2010, establishing the Oviedo CRA Redevelopment Trust Fund and also adopted Resolution No. 2215-10, on September 9, 2010, adopting the Oviedo CRA Community Redevelopment Plan.

Resolution Number 1818-08 on May 5, 2008 requesting that Seminole County delegate to the City of Oviedo, pursuant to Section 163; Florida Statutes, the right and authority to exercise certain powers conferred upon Seminole County by Part III, Chapter 163, Florida Statutes, as amended, such powers to specifically include the power to create a Community Redevelopment Agency as part of the municipal public body or taxing authority, together with necessary appurtenant responsibilities, rights, and authority as a governing body serving as a Community Redevelopment Agency pursuant to Part III, Chapter 163 Florida Statutes; and

WHEREAS, the Board of County Commissioners of Seminole County have found and determined that the establishment of a Community Redevelopment Agency within the City of Oviedo would serve a public purpose, support the County's ongoing commitment to community redevelopment and the County's continuing commitment to creating job opportunities for Seminole County residents and is consistent with

CERTIFIED COPY

MARYANNE MORSE
CLERK OF CIRCUIT COURT
SEMINOLE COUNTY, FLORIDA

BY: *[Signature]*
DEPUTY CLERK

the goals, policies, and objectives of the Seminole County Comprehensive Plan, and will otherwise be consistent with the controlling provisions of State law.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF SEMINOLE COUNTY, FLORIDA, THAT:

(1) Pursuant to Section 163.410, Florida Statutes (2007), the Board of County Commissioners of Seminole County, Florida, acting for and on the behalf of Seminole County, Florida, as limited by the provisions hereof and as conditioned upon the performance of the City of Oviedo relative to certain performance criteria set forth herein, hereby delegates to the City of Oviedo such authority, rights, and responsibilities conferred upon Seminole County pursuant to Part III, Chapter 163, Florida Statutes (2007), as amended, in order that the City of Oviedo may create and establish a Community Redevelopment Agency within its municipal boundaries subject to the conditions and limitations set forth herein and fund the Community Redevelopment Agency at a minimum fifty percent (50%) of the increment revenues.

(2) The above delegation is subject to the following conditions which, by accepting the delegation made herein, the City of Oviedo fully and completely agrees to perform, implement, abide by, act consistent with and adhere to:

(a) In accordance with Section 163.410, Florida Statutes (2007), this delegation shall confer only such powers as shall be specifically enumerated in [this] ...delegating resolution and the City of Oviedo shall be charged with and solely responsible for making any and all necessary findings relative to the actions taken with regard to the creation of a Community Redevelopment Agency and any and all actions taken subsequent to the creation of said Community Redevelopment Agency.

(b) Seminole County is committed to the redevelopment of the Oviedo CRA area; however, current economic conditions and funding constraints limit the County's immediate and full participation. The following conditions constitute the criteria for Seminole County's participation in the Tax Increment Funding (TIF) mechanism for the City's Community Redevelopment Agency. When the criteria for participation are met, Seminole County shall contribute 50% of the County's increment amount at that time.

Either of the conditions below shall supersede the other upon satisfaction. The below conditions are not cumulative, but are intended to be EITHER/OR conditions designed to accommodate the achievement of specific performance requirements or passage of specific time relevant deadlines.

1. Condition 1 (Valuation)

Seminole County will initiate participation and contribution to the Oviedo Tax Increment Trust Fund (TIF) at the time that the certification of the current year's taxable values for all properties within the Oviedo CRA exceed 115% of the Base Year taxable value of the CRA. County participation in the City of Oviedo's Community Redevelopment Trust Fund shall be limited to twenty (20) years in duration.

2. Condition 2 (Time)

Seminole County will initiate participation and contribution to the Oviedo Tax Increment Trust Fund (TIF), not later than the beginning of Seminole County's Fiscal Year 2017. County participation in the City of Oviedo's Community Redevelopment Trust Fund shall be limited to twenty (20) years in duration. This paragraph will not apply should Seminole County already be participating in the City of Oviedo's CRA TIF program as per Paragraph (2) (b) 1. of this section.

(c) The power delegated herein is the authority to create a City of Oviedo Community Redevelopment Agency for a period of thirty (30) years relating only to the property (the "Community Redevelopment Area") described in the Exhibit A attached hereto, within the City Limits of the City of Oviedo, containing numerous parcels of property. The delegation set forth herein shall relate solely and exclusively to that certain real property described in the Exhibit A attached hereto and made a part hereof.

(d) Any proposed additional Community Redevelopment Areas or any proposed expansion of the Community Redevelopment Area contemplated by this Resolution shall require that the City of Oviedo seek and request an additional delegating resolution which action, as well as the actions set forth herein, shall not be deemed or construed, in any way, as a general delegation by Seminole County of any powers nor a pledge of any Seminole County funds or revenues to be used by the City of Oviedo, the City's Community Redevelopment Agency or within the Community Redevelopment Area.

(e) IF Seminole County is participating in the City of Oviedo's Community Redevelopment Area Tax Increment Fund (TIF) as per Paragraphs (2) (b) 1 or 2 of this Section, THEN, the members of the City's CRA governing board shall be the City of Oviedo City Council PLUS two (2) members appointed by the Seminole County Board of County Commissioners in accordance with Chapter 163, Part III, FS, unless specifically authorized by the terms and conditions of this Agreement. If Seminole County is NOT participating in the City of Oviedo's Community Redevelopment Area Tax Increment Fund (TIF) as per Paragraphs (2) (b) 1 or 2 of this Section, then the Oviedo City Council shall be the Oviedo Community Redevelopment Agency's Governing Board.

(f) The City of Oviedo shall and hereby does hold harmless and indemnify Seminole County from and against any losses or claims of any type or nature whatsoever resulting in any way from the creation of the City's Community Redevelopment Agency and all activities of any type or nature of or by the Community Redevelopment Agency. This condition shall not preclude the City of Oviedo from obtaining indemnification from the City's Community Redevelopment Agency.

(g) Should Seminole County in the future create a Community Redevelopment Agency with jurisdiction over the City of Oviedo's Community Redevelopment Area as set forth herein, the delegation set forth herein shall automatically terminate and expire and the Community Redevelopment Agency created hereunder shall terminate and cease to exist in accordance with whatever schedule Seminole County may establish when creating the new Community Redevelopment Agency. The City of Oviedo shall structure and implement all actions relative to the creation and implementation of the Community Redevelopment Agency in order to facilitate and contemplate such contingent termination, expiration and dissolution.

(h) Any and all actions relative to the creation and implementation of the Community Redevelopment Agency shall be structured and configured in such a way as to facilitate the consolidation of the Community Redevelopment Agency and all of its projects and programs into any multi-jurisdictional or countywide Community Redevelopment Agency that may be established in the future by Seminole County. To that end, all documents of creation and implementation of the Community Redevelopment Agency shall provide for the contingent future transfer of any and all projects, programs, assets, property, funds, obligations, and liabilities to Seminole County and/or a multi-jurisdictional or countywide Community Redevelopment Agency established by Seminole County; provided, however, that any funds on account at the time of termination, expiration, or dissolution of the City of Oviedo Community Redevelopment Agency that are not encumbered or pledged as security for any indebtedness shall be transferred to the City of Oviedo for use, as the City of Oviedo deems fit, within the proposed City of Oviedo CRA; provided, further, however, that any real or personal property that has been purchased with Community Redevelopment Agency funds shall become the property of the City of Oviedo unless pledged or encumbered.

(3) This delegation is in response to a request of the City of Oviedo and shall acknowledge the sufficiency and completeness of the City's previously furnished Finding Of Necessity as an indicator of the overall

condition of the Study Area as per the criteria outlined under Chapter 163, Florida Statutes, as amended, or any other law, rule or regulation, regarding the necessity for redevelopment activities within the subject area, except only as to Seminole County's consent that the City of Oviedo may create a Community Redevelopment Agency pursuant to the terms and conditions hereof, and consistency with the provisions of the Seminole County Comprehensive Plan relative to the creation of Community Redevelopment Agencies or areas of any actions relating thereto.

(4) If any clause, paragraph, provisions, sentence, term, condition, or part of this Resolution is found to be invalid, inoperable, unconstitutional, unenforceable, or otherwise contrary to law, then this entire Resolution shall be of no force, effect, or meaning and, to that end, this Resolution is non-severable.

(5) The delegation of authority and the powers conferred therein shall become effective upon adoption of a resolution by the City of Oviedo on or before November 15, 2010 accepting the delegation and conditions as set forth in this Resolution. If no such resolution is adopted in a timely manner, then the delegation Resolution shall be deemed terminated.

ADOPTED this 26th day of October, 2010, A.D.

ATTEST:

By: 

MARYANNE MORSE
Clerk to the Board
County Commissioners of
Seminole County, Florida

Chief Deputy

BOARD OF COUNTY COMMISSIONERS
SEMINOLE COUNTY, FLORIDA

By: 

BOB DALLARI, Chairman

Date: 11/04/10

EXHIBIT A

The boundary of the CRA is as follows:

- Starting at the intersection of the centerline of West Mitchell Hammock Road and the centerline of Lake Jessup Avenue; hereafter to be known as the starting point
- Continuing approximately 217 yards north along the centerline of Lake Jessup Avenue
- Continuing approximately 163 yards east along Clonts Street.
- Continuing approximately 128 yards north along the western portion of parcels Section 15 Township 21 Range 31 Subdivision 300 Blocks: 520 & 530
- Continuing approximately 275 yards east along the northern portion of Section 15 Township 21 Range 31 Subdivision 300 Block 520
- Continuing approximately 1,520 yards north along the centerline of Central Avenue (SR 434)
- At the intersection of Central Avenue (SR 434) & Railroad Street, continuing approximately 761 yards northwest along the center of a ROW boarding the western portion of Section 10 Township 21 Range 31 Subdivision 300 Blocks: 030A, 0320, 0310 and the eastern portion of Section 10 Township 21 Range 31 Subdivision 300 Blocks: 0260, 026A, 0270, 0280, 029E, 029A.
- Continuing approximately 115 yards north along the center line of Lake Jessup Avenue
- Continuing approximately 451 yards east along the northern portions of the following lots in Section 10 Township 21 Range 31 Subdivision 503 Block 0000: 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15
- Continuing east approximately 445 yards along the northern portions of the following lots in Section 10 Township 21 Range 31 Subdivision 507 Block 0000 Lots: 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33
- Continuing approximately 311 yards east along the northern portions of the following Blocks in Section 10 Township 21 Range 31 Subdivision 300 Blocks: 0400, 0410, 0420 & the following lots of Section 10 Township 21 Range 31 Subdivision 510: 48, 17, 16
- Continuing approximately 135 yards south along the eastern portion of Section 10 Township 21 Range 31 Subdivision 300 Block 0420
- Continuing approximately 330 yards northeast along the centerline of Geneva Drive (CR 426)
- Continuing approximately 137 yards south on the centerline of Lloyd Drive
- Continuing approximately 308 yards north along the northern portion of Section 10 Township 21 Range 31 Subdivision 300 Block 0930
- Continuing approximately 222 yards south along the eastern portion of Section 10 Township 21 Range 31 Subdivision 300 Block 0930
- Continuing approximately 70 yards east along the centerline of East Franklin Street
- Continuing approximately 453 yards south along the centerline of Stephen Avenue
- Continuing approximately 100 yards south along the centerline of Academy Avenue
- Continuing approximately 186 yards west along the centerline of Boston Avenue
- Continuing approximately 376 yards south through Section 15 Township 21 Range 31 Subdivision 300 Block 0010
- Continuing approximately 202 yards east along the northern portion of Section 15 Township 21 Range 31 Subdivision 501 Block 00A0.
- Continuing approximately 65 yards south along the centerline of Doctors Drive
- Continuing approximately 331 yards south along the western portion of the following Blocks in Section 15 Township 21 Range 31 Subdivision 300: 0020, 0040
- Continuing approximately 430 yards west along the southern portion of Section 15 Township 21 Range 31 Subdivision 300 Block 0040 & Section 15 Township 21 Range 31 Subdivision 501 Block 0000 Lots 0120, 0110, 0080
- Continuing approximately 890 yards south along the eastern portion of Section 15 Township 21 Range 31 Subdivision 300 Blocks: 077A, 074B, 082A, 074A
- Continuing approximately 502 yards west along the centerline of Mitchell Hammock Road

- Continuing approximately 278 yards north along the eastern portion of the following Lots in Section 15 Township 21 Range 31 Subdivision 524 Block 0000: 0030, 0040
- Continuing approximately 117 yards west along the northern portion of Section 15 Township 21 Range 31 Subdivision 524 Block 0000 Lot 0040, then continuing south along the western portion of aforementioned parcel
- Continuing approximately 215 yards west along the northern portion of the following Lots in Section 15 Township 21 Range 31 Subdivision 524 Block 0000: 0020, 001B
- Continuing approximately 210 yards south along the centerline of S Central Avenue (SR 434)
- 437 yards west along the center line of Mitchell Hammock Road
- Ending at the starting point

The following is a general legal description of the properties located within the CRA for Oviedo, FL. **Note that all land within the boundary described above is included in the CRA;** including, but not limited to, roadways, ROWs, public and private lands.

Section 10, Township 21, Range 31

- Subdivision 300
 - Blocks 6, 8, 10, 25C, 30, 30A, 31, 32, 33, 34, 35, 36, 37, 38, 40, 41, 41A, 42A, 43, 43A, 44, 45, 45A, 46, 46A, 46B, 47, 48, 49, 50, 51, 52, 53, 53A, 54, 54A, 55, 56, 57, 58, 59, 60, 61, 62, 63, 64, 65, 65A, 65B, 65C, 65D, 66, 68, 69, 70, 73B, 75, 75A, 75B, 75C, 77, 77A, 79, 80, 81, 81A, 83, 83A, 83B, 83C, 84, 85, 85A, 86, 86A, 86B, 87, 88, 89, 90, 91, 91A, 91B, 92, 92A, 93, 93B, 94, 94C, 95, 95A
- Subdivision 503
 - Block 0000
 - Lots 1, 4, 6, 11, 13, 16, 19, 21, 22, 26, 27, 28, 29, 30, 33, 35, 36, 38, 38A, 40, 42, 44, 45, 46, 47, 48, 49, 50, 51, 52, 53, 54, 55, 57, 59, 61, 62, 64, 65, 66, 67, 68, 69, 70, 71, 72, 73
- Subdivision 505
 - Block 0A00
 - Lots 1, 2
- Block 0B00
 - Lots 1, 2, 2A, 3, 6, 7, 10, 10A, 12, 15, 18, 19, 20, 21
- Subdivision 505
 - Block 0C00
 - Lots 1, 7, 8, 10, 11, 11A, 13, 14, 15, 15A, 16
- Subdivision 506
 - Block 0000
 - Lots 1, 6, 7, 8, 9, 10, 11, 12, 13
- Subdivision 507
 - Block 0000
 - Lots 15, 16, 17, 19, 19A, 20, 23, 25, 26, 27, 28, 29, 30, 32, 34, 35, 38, 39
- Subdivision 508
 - Block 0000
 - Lots 1, 2, 3, 4, 5, 7, 8, 9, 10, 11, 12
- Subdivision 509
 - Block 0000
 - Lots A, B, D, E, F, F1, G

- Subdivision 510
 - Block 0000
 - Lots 1, 3, 5, 6, 7, 8, 8A, 9, 11, 12, 12A, 13, 17, 19, 21, 23, 25, 26, 26A, 27, 27A, 29, 29A, 33, 33A, 34, 34A, 35, 36, 36A, 37, 41, 42, 43, 45, 47
- Subdivision 511
 - Block 0000
 - Lots 1, 2, 4, 6, 8, 9, A, B, C, D, E, 11, 13, 15, 17, 20, 22, 25, 27, 28, 29, 31, 32, 35, 35, 39
- Subdivision 512
 - Block 0000
 - Lots 1, 2, 2A, 3, 3A, 3B, 4, 4A, 4B, 4C, 5, 12, 12A, 13, 13A, 13B, 13D, 13E, 13F, 14
- Subdivision 513
 - Block 0000
 - Lots 1, 4, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 18, 21, 23, 27, 28, 29, 31, 33, 35, 37
- Subdivision 514
 - Block 0000
 - Lots 1, 2, 3, 7, 8, 11, 13, 19, 21, 24, 25, 27, 29, 31, 32, 33, 34, 36, 38, 41, 43, 45, 47, 51, 53, 54, 56, 57, 58, 89, 60, 61, 65, 66, 68, 70, 71, 75, 77, 79
- Subdivision 515
 - Block 0000
 - Lots 1, 4, 6, 7, 8, 11, 14, 15, 18, 19, 21, 23, 25, 27, 30, 33, 34, 35, 36, 38, 40, 41, 42, 44, 47
- Subdivision 516
 - Block 0000
 - Lots 8B, 9
- Subdivision 519
 - Block 0000
 - Lots 20, 21
- Subdivision 523
 - Block 0000
 - Lots 1, 2, 3, 4, 5, 6, 7, 8, 9, 10
- Block 0100, 0200, 0300, 0400
- Subdivision 525
 - Block 0000
 - Lots 1, 2, 3, 4, 5, 6, 7, 8
- Subdivision 528
 - Block 0000
 - Lots 1, 3
- Block 0A00

Section 11, Township 21, Range 31

- Subdivision 300
 - Blocks 1, 1A, 6, 7, 8, 9, 12B, 14, 15, 16, 16A, 17, 18, 19, 19A, 19B, 19C, 20, 21, 22, 23, 24, 24A, 24B, 24C, 25, 26, 27, 28, 29, 29A, 29B, 29C, 30, 31, 32, 33, 34, 35, 36, 37, 38, 41, 45A

- Subdivision 510
 - Block 0B00
 - Lots 13, 14
 - Block 0B0A
- Subdivision 511
 - Block 0000
 - Lots 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12

Section 14, Township 21, Range 31

- Subdivision 300
 - Blocks 1B
- Subdivision 501
 - Block 0000
 - Lots 1, 2, 4, 6, 8, 10, 12, 16, 18, 20, 21, 23, 24, 25, 26, 28
- Subdivision 504
 - Block 0C00
- Subdivision 5MC
 - Block 0000
 - Lots 337, 338, 339

Section 15, Township 21, Range 31

- Subdivision 300
 - Blocks 1, 2, 3, 4, 5, 6, 7, 8, 8A, 9, 10, 10A, 11, 11A, 11B, 11C, 11E, 12, 12B, 13, 13A, 14, 15, 15A, 16, 17, 17A, 17B, 17C, 18, 19, 20, 21, 22, 23, 23A, 24, 25, 26, 26A, 26B, 26D, 27, 27A, 28, 28A, 29, 29A, 30, 30A, 31, 32, 33, 33A, 33B, 35, 52, 52A, 52B, 53, 54A, 54B, 55, 56, 57, 57A, 57B, 57C, 57D, 57E, 58, 59, 60, 61, 62, 63, 63A, 65, 66, 69, 69A, 69B, 69C, 69D, 69E, 69F, 69G, 69H, 69J, 69K, 69L, 70, 74, 74A, 74B, 74C, 76, 76B, 77A, 82A, 84, 86, 87, 88, 89, 90, 91
- Subdivision 501
 - Block 0000
 - Lots 1, 2, 3, 3A, 3B, 5, 5A, 6, 6A, 6B, 7, 8, 8A, 8B, 9, 9A, 9B, 9C, A, H, H1, H2, 12, 12A, 12B, 13, 14
- Subdivision 502
 - Block 0000
 - Lots 1, 3
- Subdivision 504
 - Block 0000
 - Lots 1, 2, 3, 4, 5, 5A, 6, 7, 11, 15
- Subdivision 506
 - Block 0A00
 - Lot 1
- Block 0B00
 - 0E00

- Lots 1, 2, 3, 11, 12, 15, 19
- 0F00
- Lot 1
- Subdivision 511
 - Block 0A00
 - Lots 1, 2, 4, 5
- Block 0B00
 - Lots 1, 2, 4, 5, 7, 9, 11
- Block 0C00
 - Lots 1, 3, 5, 7, 9, 11
- Block 0D00
 - Lots 1, 7
- Subdivision 512
 - Block 0A00
 - Lots 1, 4, 6, 11
- Block 0B00
 - Lots 1, 7, 11, 14, 17
- Block 0C00
 - Lots 1, 4, 7, 11, 14, 17
- Block 0D00
 - Lots 1
- Subdivision 513
 - Block 0A00
 - Lots 1, 5, 5A, 7
- Block 0B00
 - Lots 1, 3, 6, 8
- Block 0C00
 - Lots 1, 3, 6, 8
- Block 0D00
 - Lots 1, 6, 8
- Subdivision 515
 - Block 0000
 - Lots 1, 2, 3, 4, 5, 5A, 6, 6A, 7, 8, 9, 10
- Subdivision 516
 - Block 0000
 - Lots 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12
- Subdivision 517
 - Block 0000
 - Lots 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15

- Subdivision 521
 - Block 0C00
- Subdivision 522
 - Block 0000
 - Lot 1
- Subdivision 523
 - Block A, B, C
- Subdivision 524
 - Block 0000
 - Lots 1B, 2, 3, 3A, 4, 4A, 4B
- Subdivision 525
 - Block 0A00
- Subdivision 526
 - Block 0000
 - Lots A, B, C, D
- Subdivision 5KU
 - Block 0000
 - Lot 33