

RESOLUTION 08-_____

Exhibit C

RESOLUTION OF INTENT TO LEASE LAND AND CONVEY FUTURE EASEMENTS AT EASTERWOOD DRIVE AND WEEMS ROAD, PURSUANT TO FLA. STAT. §125.38, TO THE AMERICAN NATIONAL RED CROSS, A NONPROFIT CORPORATION AND FEDERALLY CHARTERED INSTRUMENTALITY OF THE UNITED STATES

WHEREAS, the County seeks to create a joint dispatch operation for public safety agencies ("Joint Dispatch Center") in partnership with the City of Tallahassee, a Florida Municipal Corporation ("City of Tallahassee") and the Leon County Sheriff; and

WHEREAS, the Joint Dispatch Center is planned to be constructed on real property owned by the County and generally bounded by Easterwood Drive to the south, a City power easement to the north, the Animal Shelter to the East, and Weems Road to the West in Tallahassee, Florida; and

WHEREAS, the Red Cross, is a humanitarian organization led by volunteers and guided by its Congressional Charter and the Fundamental Principles of the International Red Cross Movement, provides relief to victims of disaster and help people prevent, prepare for, and respond to emergencies; and

WHEREAS, the Red Cross provides immediate assistance to the public in times of disasters and partners with public safety agencies to plan and respond to such disasters; and

WHEREAS, the County is the owner of real property adjacent to the planned Joint Dispatch Center site, which is more specifically described in **Exhibit "A"** attached hereto and by reference incorporated herein (the "Leased Property"); and

WHEREAS, the Red Cross desires to do site and infrastructure development and erect a facility (the "Facility") on the Leased Property in close proximity to the Joint Dispatch Center; and

WHEREAS, to enable the Red Cross to erect the Facility on the Leased Property, the County desires to lease the Leased Property to the Red Cross, and the Red Cross desires to lease the Leased Property from the County for the Term of this Ground Lease, upon the covenants, conditions and provisions herein set forth; and

WHEREAS, it is understood between the County and the Red Cross that in the course of the Red Cross' development of the site and its Facility it will be necessary for the Red Cross to obtain from the County various non-exclusive perpetual easements on, over, and under the

Leased Property and the County's property adjacent to the Leased Property for purposes of utilities, drainage, access, and other such requirements necessary for the completion of the Facility (the "Future Easements"), the boundaries of which Future Easements have not yet been identified by Red Cross ; and

WHEREAS, the Parties agree the Facility shall provide disaster and other services typically provided by the Red Cross; and

WHEREAS, the County has determined that such cooperation with the Red Cross will enhance public safety response through the Joint Dispatch Center to local disasters; and

WHEREAS, Red Cross is organized as a nonprofit corporation, a Federally chartered instrumentality of the United States, and a body corporate and politic under the laws of the United States (36 U.S.C. §§ 300101-300111 (1998)); and

WHEREAS, the Red Cross, a humanitarian organization led by volunteers and guided by its Congressional Charter and the Fundamental Principles of the International Red Cross Movement, will provide relief to victims of disasters and help people prevent, prepare for, and respond to emergencies; and

WHEREAS, this Resolution is adopted pursuant to the provisions of Section 125.38, Florida Statutes, which allows the County to lease its property to an agency of the United States and to a corporation not for profit if the Board of County Commissioners is satisfied that such leased property is not needed for County purposes and is used for the purpose of promoting community interest and welfare, which findings and terms of the lease rent are to be recited in a resolution.

NOW, THEREFORE, BE IT RESOLVED by the Board of County Commissioners of Leon County, Florida (the "Board"), assembled in regular session this 10th day of June, 2008, as follows:

1. Red Cross is a nonprofit corporation and a Federally chartered instrumentality of the United States, as well as a body corporate and politic under the laws of the United States (36 U.S.C. §§ 300101-300111 (1998)), and, as such, is both an agency of the United States and a corporation not for profit within the meaning of Section 125.38, Florida Statutes.

2. The use of the Leased Property by Red Cross promotes community interest and welfare within the meaning of Section 125.38, Florida Statutes, as follows:

- The Red Cross has been serving Leon County and surrounding areas since 1917;

- In 2006 alone, through its Capital Area Chapter, the Red Cross provided more than 850 services for military clients and their families; responded to 183 single-family fires in its eight county service area; trained 6,000 people in first aid, CPR, swimming, and HIV/AIDS education courses; used more than 2,476 volunteers to augment six paid staff in providing “helping hands” for all chapter programs; and sent 364 Disaster Services Volunteers to disaster relief operations in response to emergencies and disasters throughout the United States;

- The Capital Area Chapter’s Fiscal Year 2006 to Fiscal Year 2010 Strategic Plan includes the following strategic initiatives:

- (1) Undertake focused efforts to prepare people and organizations for disasters and life threatening emergencies (bolster and broaden Disaster Resistance Neighborhoods, Community Emergency Response Teams and Together we Prepare);

- (2) Establish and sustain necessary military partnerships at the state and local levels to provide effective emergency communications between U.S. military members and their families;

- (3) Reinforce the Capital Area Chapter’s systems for disaster response to ensure appropriate capacity across its jurisdiction;

- (4) Engage in international efforts that focus on directly saving lives and averting illness;

- (5) Energize and sustain public relations efforts, focusing on the mission and services of the Red Cross; and

- (6) Establish community partnerships at all levels with government, businesses, non-profit organizations and major donors, focusing on Red Cross Core services.

3. The Leased Property and the Future Easements are required for such use by the Red Cross and the County’s property to be encumbered by the Leased Property and the Future Easements is not projected to be needed for County purposes during the term of the Ground Lease approved by this Resolution.

4. The term of the Ground Lease shall commence on the date upon which the last Party signs the Ground Lease and shall expire at midnight on September 30, 2098.

5. The Leased Property shall be leased rent free and the Future Easements shall be conveyed at no cost to the Red Cross in consideration of the Red Cross' agreement to use the Leased Property to provide the services as set forth in this Resolution.

6. To the extent this Resolution may conflict with any provisions of prior Board Resolutions regarding the use of the Leased Property, this Resolution shall supersede such conflicting provisions.

DONE AND ADOPTED by the Board of County Commissioners of Leon County, Florida, on this the 10th day of June, 2008.

LEON COUNTY, FLORIDA

BY: _____
Jane Sauls, Chairman
Board of County Commissioners

ATTEST:
Bob Inzer, Clerk of the Court
Leon County, Florida

BY: _____

Approved as to Form:
Leon County Attorney's Office

BY: _____
Herbert W.A. Thiele, Esq.
County Attorney