



November 6, 2024

Robert W. Batsel, Jr.
Gooding & Batsel, PLLC
1531 S.E. 36th Avenue
Ocala, Florida 34471

RE: Municipal Purpose Determination – Employee Health Care Center
College of Central Florida Property Lease to Marion County
Pioneer Garden Club Property – 4331 E. Silver Springs Boulevard

Dear Mr. Batsel:

On behalf of the City Council, I write to confirm that it is the position of the City of Ocala, Florida (hereinafter the “City”) that the proposed lease of property by the College of Central Florida (hereinafter the “College”) to the Board of County Commissioners of Marion County, Florida (hereinafter “Marion County”) for use as an employee health care center represents a “municipal purpose,” as that term was intended in the documents identified more particularly below.

Following your electronic mail message dated October 17, 2024, our staff has reviewed and briefed City Council on the background and ownership history of the aforementioned parcel of real property located at or about 4331 E. Silver Springs Boulevard and formerly known (and still commonly referred to) as the Pioneer Garden Club property.

According to the *Warranty Deed*, dated October 11, 1983 and recorded at Book 1182, Page 1142 of the Official Records of Marion County, Florida, through which the City originally transferred ownership of said property to The Appleton Cultural Center, Inc., the predecessor in title to the College, ownership of said property would revert to the City if it were ever not to be used for “proper municipal purposes.”

Likewise, the *Acknowledgment and Release of Restrictive Covenant* dated June 25, 1990, and recorded at Book 1667, Page 579 of the Official Records of Marion County, Florida, further acknowledged and reiterated that Appleton Cultural Center, Inc. and subsequent title holders would continue to be bound by the requirement that the property “be used solely for municipal purposes” or the property would revert to the City.

CITY OF OCALA, FLORIDA
110 S.E. WATULA AVENUE – OCALA, FLORIDA 34471

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We now understand that it is the intent of the College to lease the property to Marion County for use as an employee health care center.

Based upon the above and foregoing, please be advised and allow this letter to confirm that it is the position of the City that the proposed use of the property by Marion County, as an employee health care center, represents a municipal purpose as contemplated in the 1983 *Warranty Deed* and the 1990 *Acknowledgement and Release of Restrictive Covenant*. Moreover, it is our position that said municipal purpose comports with the definition of “municipal purpose” as defined in Section 166.021, *Florida Statutes*, as that provision was in effect in 1990, as well as our current interpretation of that provision Florida law.

It is our hope that this correspondence is helpful to the College as it contemplates leasing the above-referenced property to Marion County and we wish Marion County the best of luck as it moves forward with the development of its employee health care center.

In the event that you have any additional questions or concerns regarding this matter, please contact City Manager Peter A. Lee and City Attorney William E. Sexton.

Very sincerely and respectfully,

Barry Mansfield, City Council President

cc: Mayor and City Council, City of Ocala, Florida
Peter A. Lee, City Manager
William E. Sexton, City Attorney

Board of County Commissioners of Marion County, Florida
Mounir Bouyounes, P.E., County Administrator
Matthew Minter, County Attorney

Board of Trustees, College of Central Florida
Dr. James Henningsen, President, College of Central Florida
Christopher R. Knife, Vice President, College of Central Florida