Memorandum

MIAMI-DADE COUNTY

Date:	June 3, 2010
To:	Honorable Chairman Dennis C. Moss and Members, Board of County Commissioners
From:	George M. Burgess County Manager
Subject:	Execution of a Release of Deed Restrictions on six lots conveyed to the Florida City Foundation, Inc. through the Infill Housing Program located at 1753 Lucy Street; 963 NW 15 Street; 1423 Redland Road; 904 NW 14 Street; 1210 NW 6 Avenue; and 530 NW 15 Street, Florida City

Agenda Item No. 8(F)(1)(A)

Recommendation

It is recommended that the Board approve the attached resolution authorizing the Mayor to execute and record a Release of Deed Restrictions on six lots conveyed through the Infill Housing Program to the Florida City Foundation, Inc. a Not-for-Profit Corporation (the Foundation) once the Foundation has conveyed the six lots to Florida City, a municipality of the State of Florida.

Scope

COMMISSION DISTRICT:	9
COMMISSION DISTRICT (S) IMPACTED	9

Background

MANAGING DEPARTMENT:	General Services Administration
FOLIO NUMBERS:	16-7824-005-0260, 16-7824-001-0070, 16-7824-000-0533, 16-7824-008-0310, 16-7824-001-0110, and 16-7824-001-0210
LOT SIZE:	Six lots ranging between 3,602 square feet and 7,980 square feet ±
LOCATION:	1753 Lucy Street; 963 NW 15 Street; 1423 Redland Road; 904 NW 14 Street; 1210 NW 6 Avenue; and 530 NW 15 Street, Florida City
TOTAL 2009 ASSESSED VALUE:	$362,222 (This includes the value of a building that was recently demolished on one of the lots. The total combined value for all six lots excluding the building value is $288,154.)
ZONING:	Multi-Family
CURRENT USE:	Unimproved

JUSTIFICATION: Resolution No. R-239-05, approved by the Board on March 1, 2005, authorized the conveyance of eight (8) lots to the Foundation for the development of infill housing. The Foundation built and sold two homes. However, due to the downturn in the real estate market and the overall state of the economy, the Foundation has been unable to build on the remaining six lots. Pursuant to the deed restrictions, the Foundation is required to return the lots to the County. However, Florida City (the City) is requesting that rather than have the Foundation convey the lots to the County, they be conveyed directly to the City so that they can maintain them and plan for their future development. They are also requesting that the County remove the deed restrictions from the lots. Attached is a letter from the City's Mayor as well as a resolution passed by the Foundation's Board authorizing conveyance of the lots to the City.

Comments

Staff does not object to the City's request. The City plans to use the lots to meet their affordable housing efforts and expand a commercial zone, once the real estate market improves. In the meantime, they will be responsible for maintaining the lots.

The County acquired all six lots through escheatment tax deed for non-payment of taxes. Pursuant to Florida Statute 197.592(3), tax deed property that is located within a municipality that is not needed for County purposes shall be conveyed to the governing board of the municipality. Staff has determined by circulation to County departments that the lots are not needed for County purposes. If these lots were returned to the County, staff would be recommending that they be conveyed to the municipality pursuant to the Statute since the County has no use for them.

Fiscal Impact/Funding Source There is no fiscal impact to Miami-Dade County.

Track Record/Monitor

MONITOR: Elva R. Marin, Real Estate Manager

DELEGATED AUTHORITY: Authorizes the County Mayor to execute and record a Release of Deed Restrictions.

Wendi J. Norris, Director
General Services Administration

MEMORANDUM

(Revised)

TO: Honorable Chairman Dennis C. Moss and Members, Board of County Commissioners

DATE: June 3, 2010

FROM: R. A. Cuevas, Jr. County Attorney

SUBJECT: Agenda Item No. 8(F)(1)(A)

Please note any items checked.

_____ **"3-Day Rule" for committees applicable if raised**

_____ **6 weeks required between first reading and public hearing**

_____ **4 weeks notification to municipal officials required prior to public hearing**

_____ **Decreases revenues or increases expenditures without balancing budget**

_____ **Budget required**

_____ **Statement of fiscal impact required**

_____ **Ordinance creating a new board requires detailed County Manager's report for public hearing**

_____ **No committee review**

_____ **Applicable legislation requires more than a majority vote (i.e., 2/3's ____, 3/5's ____, unanimous _____) to approve**

_____ **Current information regarding funding source, index code and available balance, and available capacity (if debt is contemplated) required**

Approved _____ Mayor
Veto _____
Override _____

Agenda Item No. 8(F)(1)(A)
6-3-10

RESOLUTION NO. _____

RESOLUTION AUTHORIZING THE MAYOR TO EXECUTE AND RECORD A RELEASE OF DEED RESTRICTIONS ON SIX (6) INFILL HOUSING LOTS LOCATED AT 1753 LUCY STREET, 963 NW 15 STREET, 1423 REDLAND ROAD, 904 NW 14 STREET, 1210 NW 6 AVE, AND 530 NW 15 STREET, FLORIDA CITY

WHEREAS, Miami-Dade County ("County") conveyed six (6) lots located at 1753 Lucy Street, 963 NW 15 Street, 1423 Redland Road, 904 NW 14 Street, 1210 NW 6 Avenue, and 530 NW 15 Street, Florida City, ("Property"), to the Florida City Foundation, Inc. ("Foundation") for the development of infill housing as authorized by Resolution No. R-239-05 approved on March 1, 2005; and

WHEREAS, the Foundation was unable to develop the Property in accordance with the County Deed restrictions; and

WHEREAS, Florida City, a municipality of the State of Florida, ("City") has made a formal request to the County requesting that the Foundation be allowed to convey the Property to the City rather than return the property to the County as required in the County Deed and provided that the deed restrictions be released; and

WHEREAS, it is the City's intent to utilize the Property to meet their affordable housing efforts and expand a commercial zone once the real estate market improves; and

WHEREAS, the City will maintain said Property so that the County is not burdened with the costs of maintenance or any liability; and

WHEREAS, this Board finds that it is in the best interest of the County to grant the City's request; and

WHEREAS, this Board further desires to accomplish the purposes outlined in the accompanying memorandum, a copy of which is incorporated herein by reference,

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF MIAMI-DADE COUNTY, FLORIDA, that the Board hereby authorizes the Mayor to execute the Release of Deed Restrictions attached hereto as Exhibit "A" and made a part hereof.

The foregoing resolution was offered by Commissioner , who moved its adoption. The motion was seconded by Commissioner and upon being put to a vote, the vote was as follows:

Dennis C. Moss, Chairman
Jose "Pepe" Diaz, Vice-Chairman

Bruno A. Barreiro	Audrey M. Edmonson
Carlos A. Gimenez	Sally A. Heyman
Barbara J. Jordan	Joe A. Martinez
Dorrin D. Rolle	Natacha Seijas
Katy Sorenson	Rebeca Sosa
Sen. Javier D. Souto	

The Chairperson thereupon declared the resolution duly passed and adopted this 3rd day of June, 2010. This resolution shall become effective ten (10) days after the date of its adoption unless vetoed by the Mayor, and if vetoed, shall become effective only upon an override by this Board.

MIAMI-DADE COUNTY, FLORIDA
BY ITS BOARD OF
COUNTY COMMISSIONERS

HARVEY RUVIN, CLERK

By:_____
Deputy Clerk

Approved by County Attorney as
to form and legal sufficiency.

Jorge Martinez-Esteve

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"Exhibit "A"

Instrument prepared by:
General Services Administration
Infill Housing Program
111 N.W. 1 Street, Suite 2460
Miami, Florida 33128-1907

Folio Nos:
16-7824-005-0260, 16-7824-001-0070,
16-7824-000-0533, 16-7824-008-0310,
16-7824-001-0110, 16-7824-001-0210.

Release of Deed Restrictions

KNOW ALL MEN BY THESE PRESENTS:

THIS RELEASE is made this_____ day of _____, 2010, by Miami-Dade County a political subdivision of the State of Florida, (hereinafter the "County") as successor in the interest to the following described properties (herein after the "Property").

Folio 16-7824-000-0533;
BEG 953.28 FT W & 25 FTS OF NE COR OF NW ¼ S 70 FT W 63.45 FT N 70 FT E 63.45 FT TO POB LESS W 12 FT FOR RD SECTION 24 TOWNSHIP 57 SOUTH RANGE 38 EAST CONTAINING .08 AC M/L, of the Public Records of Miami-Dade County.

FOLIO 16-7824-001-0110;
LOT 11 HOWARD PARK PLAT BOOK 51 PAGE 22 SECTION 24 TOWNSHIP 57 SOUTH RANGE 38 EAST, of the Public Records of Miami-Dade County.

FOLIO 16-7824-005-0260;
LOT 5 BLOCK 2 ROCKWOOD, BOOK 39 PAGE 90 SECTION 24 TOWNSHIP 57 SOUTH RANGE 38 EAST, of the Public Records of Miami-Dade County.

FOLIO 16-7824-001-0070;
LOT 7 HOWARD PARK BOOK 51 PAGE 22 SECTION 24 TOWNSHIP 57 SOUTH RANGE 38 EAST, of the Public Records of Miami-Dade County.

FOLIO 16-7824-001-0210;
LOT 21 HOWARD PARK BOOK 51 PAGE 22, of the Public Records of Miami-Dade County.

FOLIO 16-7824-008-0310;
LOT 9 BLOCK 5 WASHINGTON PARK BOOK 9 PAGE 13 SECTION 24 TOWNSHIP 57 SOUTH RANGE 38 EAST, of the Public Records of Miami-Dade County.

WHEREAS, Resolution No. R-239-05, passed by the Board of County Commissioners on the 1st day of March, 2005 approved the conveyance of the Property to the Florida City Foundation, Inc. a Not-For-Profit Corporation, (hereinafter "Foundation") through the Infill Housing Initiative and authorized the recording of a County Deed, and

WHEREAS, said County Deed contains restrictions that restrict development of the properties to affordable single family housing; and

WHEREAS, the Foundation has been unable to develop the Property in accordance with the County Deed restrictions due to the downturn in the real estate market, and

WHEREAS, Florida City, a municipality of the State of Florida, ("City") is requesting that the Foundation be allowed to convey the Property to the City rather than return the Property to the County as required in the County Deed; and

WHEREAS, it is the City's intent to utilize the Property to meet the community's interest in future affordable housing efforts and to expand the City's commercial zone; and

WHEREAS, the City will maintain said Property so that the County is not burdened with the costs of maintenance or any liability; and

WHEREAS, this Board finds that it is in the best interest of the County to grant the City's request;

NOW THEREFORE, in consideration of the Foundation conveying the Property to the City at no cost to the City, the Property is hereby released from all of the restrictions and rights of reverter contained in the County Deed dated March 1, 2005 and recorded in Official Records Book 23211 at Pages 4977-4980 of the Public Records of Miami-Dade County, Florida.

IN WITNESS WHEREOF Miami-Dade County has executed this Release of Deed Restrictionson the day and year above written.

(OFFICIAL SEAL)

ATTEST:

HARVEY RUVIN, CLERK

By: _____
Deputy Clerk

MIAMI-DADE COUNTY, FLORIDA
BY ITS BOARD OF
COUNTY COMMISSIONERS

By: _____
Mayor

Approved for legal sufficiency _____

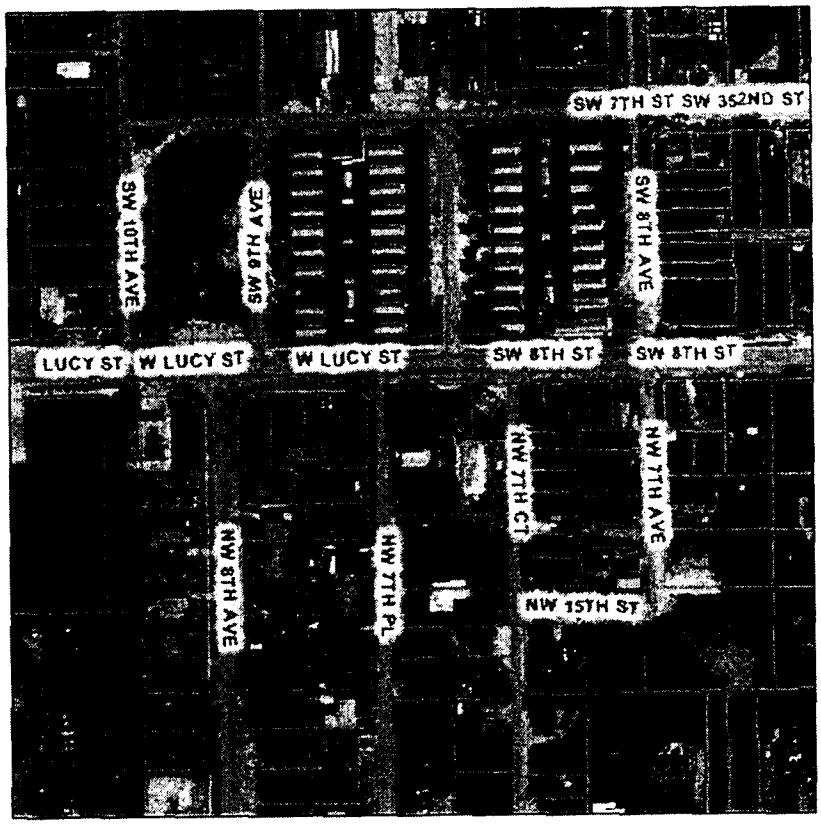
The foregoing was authorized and approved by Resolution No. _____of the Board of County Commissioners of Miami-Dade County, Florida, on the _____day of 2010.

My Home
Miami-Dade County, Florida

miamidade.gov

MIAMI-DADE

Property Information Map



Digital Orthophotography - 2007

0 —— 107 ft

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Close

Summary Details:

Folio No.:	16-7824-000-0533
Property:	
Mailing Address:	FLORIDA CITY FOUNDATION INC 404 WEST PALM DR FLORIDA CITY FL 33034-3346

Property Information:

Primary Zone:	5700 TWO FAMILY RESIDENCE
CLUC:	0081 VACANT LAND
Beds/Baths:	0/0
Floors:	0
Living Units:	0
Adj Sq Footage:	0
Lot Size:	3,601 SQ FT
Year Built:	0
Legal Description:	24 57 38 .08 AC M/L BEG 953.28FTW & 25FTS OF NE COR OF NW1/4 S70FT W63.45FT N70FT E63.45FT TO POB LESS W12FT FOR RD LOT SIZE 51.450 X 70 COC 23211-4977 03 2005 3

Assessment Information:

Year:	2009	2008
Land Value:	$21,606	$36,010
Building Value:	*$0*	*$0*
Market Value:	$21,606	$36,010
Assessed Value:	$21,606	$36,010

Taxable Value Information:

Year:	2009	2008
Taxing Authority:	Applied Exemption/ Taxable Value:	Applied Exemption/ Taxable Value:
Regional:	*$21,606/$0*	*$36,010/$0*
County:	$21,606/$0	$36,010/$0
City:	$21,606/$0	$36,010/$0
School Board:	*$21,606/$0*	*$36,010/$0*

Sale Information:

Sale Date:	3/2005
Sale Amount:	$0
Sale O/R:	23211-4977
Sales Qualification Description:	Sales which are disqualified as a result of examination of the deed
View Additional Sales	

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My Home
Miami-Dade County, Florida

miamidade.gov MIAMI-DADE

Property Information Map

Digital Orthophotography - 2007 0 111 ft

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Close

Summary Details:

Folio No.:	16-7824-001-0110
Property:	1423 REDLAND RD
Mailing Address:	FLORIDA CITY FOUNDATION INC 404 WEST PALM DR FLORIDA CITY FL 33034-3346

Property Information:

Primary Zone:	3000 MULTIPLE APARTMENTS
CLUC:	0081 VACANT LAND
Beds/Baths:	0/0
Floors:	0
Living Units:	0
Adj Sq Footage:	0
Lot Size:	7,627.95 SQ FT
Year Built:	0
Legal Description:	24 57 38 HOWARD PARK PB 51-22 LOT 11 LOT SIZE 66.330 X 115 COC 23211-4977 03 2005 3

Assessment Information:

Year:	2009	2008
Land Value:	$37,530	$52,229
Building Value:	$0	$0
Market Value:	$37,530	$52,229
Assessed Value:	$37,530	$52,229

Taxable Value Information:

Year:	2009	2008
Taxing Authority:	Applied Exemption/ Taxable Value:	Applied Exemption/ Taxable Value:
Regional:	$37,530/$0	$52,229/$0
County:	$37,530/$0	$52,229/$0
City:	$37,530/$0	$52,229/$0
School Board:	$37,530/$0	$52,229/$0

Sale Information:

Sale Date:	11/1991
Sale Amount:	$0
Sale O/R:	
Sales Qualification Description:	Sales which are disqualified as a result of examination of the deed
View Additional Sales	

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My Home
Miami-Dade County, Florida

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Property Information Map

Digital Orthophotography - 2007 0 115 ft

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Close

Summary Details:

Folio No.:	16-7824-005-0260
Property:	1210 NW 6 AVE
Mailing Address:	FLORIDA CITY FOUNDATION 404 WEST PALM DR FLORIDA CITY FL 33034-3346

Property Information:

Primary Zone:	5700 TWO FAMILY RESIDENCE
CLUC:	0081 VACANT LAND
Beds/Baths:	0/0
Floors:	0
Living Units:	0
Adj Sq Footage:	0
Lot Size:	6,000 SQ FT
Year Built:	0
Legal Description:	24 57 38 ROCKWOOD PB 39-90 LOT 5 BLK 2 LOT SIZE 40.000 X 150 COC 23211-4977 03 2005 3 OR 09831-0301 0977 00

Assessment Information:

Year:	2009	2008
Land Value:	$40,500	$48,000
Building Value:	$0	$0
Market Value:	$40,500	$48,000
Assessed Value:	$40,500	$48,000

Taxable Value Information:

Year:	2009	2008
Taxing Authority:	Applied Exemption/ Taxable Value:	Applied Exemption/ Taxable Value:
Regional:	$40,500/$0	$48,000/$0
County:	$40,500/$0	$48,000/$0
City:	$40,500/$0	$48,000/$0
School Board:	$40,500/$0	$48,000/$0

Sale Information:

Sale Date:	9/1977
Sale Amount:	$7,500
Sale O/R:	09831-0301
Sales Qualification Description:	Sales which are qualified
View Additional Sales	

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My Home
Miami-Dade County, Florida

miamidade.gov MIAMI-DADE

Property Information Map

Digital Orthophotography - 2007 0 114 ft

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Close

Summary Details:

Folio No.:	16-7824-001-0070
Property:	963 NW 15 ST
Mailing Address:	FLORIDA CITY FOUNDATION INC 404 WEST PALM DR FLORIDA CITY FL 33034-3346

Property Information:

Primary Zone:	3000 MULTIPLE APARTMENTS
CLUC:	0081 VACANT LAND
Beds/Baths:	0/0
Floors:	0
Living Units:	0
Adj Sq Footage:	0
Lot Size:	7,980 SQ FT
Year Built:	0
Legal Description:	24 57 38 HOWARD PARK PB 51-22 LOT 7 LOT SIZE 60.000 X 133 COC 23211-4977 03 2005 3

Assessment Information:

Year:	2009	2008
Land Value:	$36,670	$51,032
Building Value:	$0	$0
Market Value:	$36,670	$51,032
Assessed Value:	$36,670	$51,032

Taxable Value Information:

Year:	2009	2008
Taxing Authority:	Applied Exemption/ Taxable Value:	Applied Exemption/ Taxable Value:
Regional:	$36,670/$0	$51,032/$0
County:	$36,670/$0	$51,032/$0
City:	$36,670/$0	$51,032/$0
School Board:	$36,670/$0	$51,032/$0

Sale Information:

Sale Date:	11/1991
Sale Amount:	$0
Sale O/R:	
Sales Qualification Description:	Sales which are disqualified as a result of examination of the deed

View Additional Sales

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My Home
Miami-Dade County, Florida

miamidade.gov MIAMI-DADE

Property Information Map

Digital Orthophotography - 2007 0 113 ft

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Close

Summary Details:

Folio No.:	16-7824-001-0210
Property:	904 NW 14 ST
Mailing Address:	FLORIDA CITY FOUNDATION INC 404 WEST PALM DR FLORIDA CITY FL 33034-3346

Property Information:

Primary Zone:	3000 MULTIPLE APARTMENTS
CLUC:	0081 VACANT LAND
Beds/Baths:	0/0
Floors:	0
Living Units:	0
Adj Sq Footage:	0
Lot Size:	7,980 SQ FT
Year Built:	0
Legal Description:	HOWARD PARK PB 51-22 LOT 21 LOT SIZE 60.000 X 133 COC 23211-4977 03 2005 3 OR 11185-1567 0881 00

Assessment Information:

Year:	2009	2008
Land Value:	$36,670	$51,032
Building Value:	$0	$0
Market Value:	$36,670	$51,032
Assessed Value:	$36,670	$51,032

Taxable Value Information:

Year:	2009	2008
Taxing Authority:	Applied Exemption/ Taxable Value:	Applied Exemption/ Taxable Value:
Regional:	$36,670/$0	$51,032/$0
County:	$36,670/$0	$51,032/$0
City:	$36,670/$0	$51,032/$0
School Board:	$36,670/$0	$51,032/$0

Sale Information:

Sale Date:	8/1981
Sale Amount:	$16,500
Sale O/R:	11185-1567
Sales Qualification Description:	Sales which are qualified
View Additional Sales	

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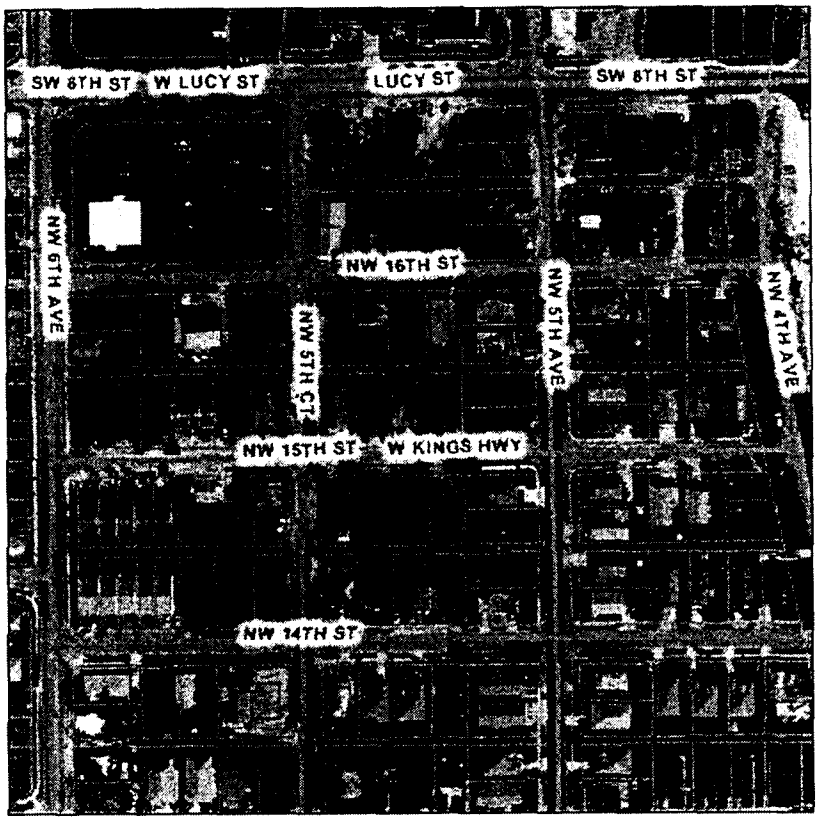
My Home
Miami-Dade County, Florida

miamidade.gov MIAMI-DADE

Property Information Map



Digital Orthophotography - 2007 0 110 ft

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Building Demolished

Close

Summary Details:

Folio No.:	16-7824-008-0310
Property:	530 NW 15 ST
Mailing Address:	FLORIDA CITY FOUNDATION INC 404 WEST PALM DR FLORIDA CITY FL 33034-3346

Property Information:

Primary Zone:	3000 MULTIPLE APARTMENTS
CLUC:	0002 MULTIFAMILY-DUPLEX
Beds/Baths:	2/2
Floors:	1
Living Units:	2
Adj Sq Footage:	1,325
Lot Size:	5,000 SQ FT
Year Built:	1960
Legal Description:	24 57 38 WASHINGTON PARK PB 9-13 LOT 9 BLK 5 LOT SIZE 50.000 X 100 COC 23211-4977 03 2005 3

Assessment Information:

Year:	2009	2008	
Land Value:	$34,080	$48,990	
Building Value:	$74,068	$74,929	
Market Value:	$108,148	$123,919	Building
Assessed Value:	$108,148	$123,919	Demolish

Taxable Value Information:

Year:	2009	2008
Taxing Authority:	Applied Exemption/ Taxable Value:	Applied Exemption/ Taxable Value:
Regional:	$108,148/$0	$123,919/$0
County:	$108,148/$0	$123,919/$0
City:	$108,148/$0	$123,919/$0
School Board:	$108,148/$0	$123,919/$0

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City of Florida City
Gateway to the Florida Keys and the Everglades

August 17, 2009

Ms. Wendy Norris, Director
General Services Administration
111 NW 1st Street, 24th Floor
Miami, Florida 33128-1907

RE: Quit Claim of 6 Lots by the Florida City Foundation to the City of Florida City

Dear Ms. Norris:

The Florida City Foundation requests that Miami-Dade County allow the Florida City Foundation to quit claim the below listed lots to the City. The county transferred the lots to the Foundation on March 29, 2005 under Resolution R-377-04. The original transfer was for the purpose of creating affordable housing on the lots. At the time of the transfer, other lots were provided to the Foundation, and homes have been built and occupied on those. However, due to the change in the economic climate, it has not been possible to secure and finance families for houses to be built on these lots.

1	1678240000533	FLORIDA CITY FOUNDATION, INC	1753-59 Lucy ST
2	1678240010070	FLORIDA CITY FOUNDATION, INC.	963 NW 15 ST
3	1678240010110	FLORIDA CITY FOUNDATION, INC.	1423 Redland RD
4	1678240010210	FLORIDA CITY FOUNDATION, INC.	904 NW 14 ST
5	1678240050260	FLORIDA CITY FOUNDATION, INC.	1210 NW 6 AVE
6	1678240080310	FLORIDA CITY FOUNDATION, INC.	530-32 NW 15 ST

The City desires the lots for the purposes of promoting the community interest and welfare and the City hereby applies to the County Board (BCC) for its approval for the Foundation to deed the six lots to the City. These lots will be used to meet the community interest's in future affordable housing efforts and to expand a commercial zone. The City will maintain said properties so that Miami-Dade County will not be burdened by the costs of maintenance or any liability if the lots were reverted back to the County under the terms of the Resolution that conveyed the lots to the Foundation.

The City is dealing with several issues on the lots at the present time. The dilapidated structure on the lot at 530-532 NW 15th Street was occupied by squatters and they had to be evicted. The structure will be demolished inside the next 30 days. Testing for lead paint and asbestos has been done and the City has approved a contract with Demolition Masters Inc. to demolish the structures. Two other parcels will require that the titles be cleared before housing can be built there after the real estate market changes. They are folio 1678240010210 (Code Violations) and 167824001-0110 (subcontractor lien). These will be cleared by the City.

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404 West Palm Drive • Post Office Box 343570 • Florida City, Florida 33034-0570 • Telephone (305) 247-8221 • Fax (305) 242-8133
RECYCLED PAPER

CITY OF FLORIDA CITY FOUNDATION, INC.

RESOLUTION NUMBER 09-45

A RESOLUTION OF THE BOARD OF DIRECTORS OF THE FLORIDA CITY FOUNDATION, INC., CONVEYING CERTAIN PROPERTIES TO THE CITY OF FLORIDA CITY FOR THE PURPOSE OF PROVIDING FUTURE WORKFORCE HOUSING AND COMMERCIAL GROWTH FOR THE CITIZENS OF THE CITY OF FLORIDA CITY AND PROVIDING FOR AN EFFECTIVE DATE

WHEREAS, the City of Florida City Foundation ("FOUNDATION"), owns certain parcels of properties, (the properties are described herein Exhibit "A"), and desires to deed them to the City of Florida City ("CITY"), for the purposes of promoting the community interest and welfare and that the CITY by providing future affordable housing efforts and expanding the commercial growth of the CITY;

WHEREAS, the FOUNDATION has no current or future plans for the properties and has determined that it is in the best interest of the FOUNDATION to adopt this resolution and convey said properties by quit claim deeds at no cost to the CITY.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF DIRECTORS OF THE FLORIDA CITY FOUNDATION, INC. AS FOLLOWS:

Section 1. That each of the above-stated recitals are hereby adopted and confirmed.

Section 2. The FOUNDATION does authorize the conveyance of the foregoing properties by quit claim deed at no cost to the CITY.

Section 3. That the Executive Director of the FOUNDATION is hereby authorized to take any and all action that is necessary to implement the purposes of this Resolution.

Section 4. That this Resolution shall be effective immediately upon adoption.

PASSED AND ADOPTED THIS 25th day of August******, 2009.

EXHIBIT A

[illegible]	[illegible]	FLORIDA CITY FOUNDATION, INC	1753-59 Lucy ST	3/29/2005
2	[illegible]	FLORIDA CITY FOUNDATION, INC.	963 NW 15 ST	3/29/2005
3	[illegible]	FLORIDA CITY FOUNDATION, INC.	1423 Redland RD	3/29/2005
4	[illegible]	FLORIDA CITY FOUNDATION, INC.	904 NW 14 ST	3/29/2005
5	[illegible]	FLORIDA CITY FOUNDATION, INC.	1210 NW 6 AVE	3/29/2005
6	[illegible]	FLORIDA CITY FOUNDATION, INC.	530-32 NW 15 ST	3/29/2005

RESOLUTION NO: 09-45

Otis T. Wallace, Mayor

ATTEST:

Jennifer A. Evelyn, City Clerk

Approved as to form and legal sufficiency:

Regine Monestime, City Attorney

Offered by: Mayor

Motion to adopt by Director Butler seconded by Vice President D. Dorsett

FINAL VOTE AT ADOPTION

Mayor Otis T. Wallace	Yes
Vice Mayor Daurell Dorsett	Yes
Commissioner Eugene Berry	Yes
Commissioner R.S. Shiver	Yes
Commissioner Sharon Butler	Yes

STATE OF [redacted]
COUNTY OF [redacted]
Jennifer A. Evelyn
City Clerk
I, [redacted] do hereby certify
of the City of [redacted] and correct
that the above and [redacted] in this office.
copy of the original [redacted] City
WITNESS, my hand and [redacted]
this 31st day of August 09
By: [redacted]

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MIAMI-DADE COUNTY
BOARD OF COUNTY COMMISSIONERS
OFFICE OF THE COMMISSION AUDITOR

Legislative Notes

Agenda Item:	**8(F)1(A)**
File Number:	**100999**
Committee(s) of Reference:	**Board of County Commissioners**
Date of Analysis:	**May 5, 2010**
Type of Item:	**Resolution**
District:	**9**

Summary

This resolution authorizes the Mayor to execute and record a Release of Deed Restrictions on six (6) infill housing lots located at 1753 Lucy Street; 963 N.W. 15 Street; 1423 Redland Road; 904 N.W. 14 Street; 1210 N.W. 6 Avenue; and 530 N.W. 15 Street, Florida City, (Property).

Background and Relevant Information

On May 2, 2000, the Board of County Commissioners (BCC) approved Resolution 432-00, which authorized the County Manager to establish and implement certain actions and processes necessary to more efficiently administer Miami-Dade County's Infill Housing Initiative. One of these actions included the authorization to continue to transfer ownership of County-owned lots to not-for-profit development corporations, as prescribed under the Miami-Dade County Infill Housing Initiative.

On March 1, 2005, the Board of County Commissioners (BCC), through Resolution 239-05, authorized the conveyance of eight (8) parcels to the Florida City Foundation, Inc. (Foundation) for the development of infill housing, and established a County Deed with restrictions. The Foundation developed two (2) of the eight (8) lots, and the remaining six (6) lots were not developed in accordance with the County Deed restrictions.[1]

- **Resolution 239-05 further mentioned that any land received from the Miami-Dade Housing Agency's (MDHA) Infill Housing Initiative cannot be transferred to another entity/for-profit developer without the permission of Miami-Dade County through MDHA.**

[1] The County Deed contains the following restrictions: (1) restrict development of the properties to affordable single family housing or such housing as may be allowed under zoning applicable to the parcel and will meet the guidelines of the Infill Housing Initiative; (2) Homes will be built to meet or exceed the Minimum Housing Quality Standards for Surtax and SHIP funding; (3) the property will be developed or rehabilitated with affordable housing within one (1) year of conveyance; (4) the home will remain as affordable for at least ten (10) years; and (5) the property cannot be transferred prior to obtaining the Certificate of Occupancy of the home without the prior written permission of the Miami-Dade Housing Agency. (See Resolution 239-05, hwpg 22)

The Infill Housing Initiative is now administered by General Services Administration (GSA) through its Infill Housing Program (the Program).

Florida City's Request

Florida City (City) is requesting that the County allow the Foundation be allowed to convey the Property to the City rather than be returned to the County and remove the County Deed restrictions from the Property. The City intends to utilize the Property to meet their affordable housing efforts and expand a commercial zone. The City will maintain the Property or any liabilities associated with the Property.

Non-Compliance of Restrictions and Covenants

- The County Deed provides that if there are violations or compliance issues with any of the restrictions and covenants, the Foundation, its successors or assigns, will correct the default/violation within thirty days of notification of the default by the County;

- If compliance is not achieved within thirty days, the County will have the right to re-enter and take possession of the property and to terminate and revest in the County the estate conveyed by the County Deed;

- Such reverted will warrant forfeiture of all monetary investments and improvements or right to compensation; and

- Any such right of re-entry will always be subjected to and limited by and will not defeat, render invalid, or limit any way the lien of any valid mortgage or Deed or Trust permitted by this Deed.

Response from GSA Staff

1. Notification to the County from the Foundation pertaining to compliance issues:

   Meetings were held with the City on August 15, 2007, and August 24, 2007. The City stated that the affordable home market was saturated and homes were not selling. The City also stated that building homes which remained empty and boarded up did not make business sense.

   On January 7, 2008, the City requested extensions from the County, and the General Services Administration Director granted an extension to January 15, 2009.

   On January 20, 2009, the Foundation requested an additional one (1) year extension to develop the Property. Staff recommended the lots be reverted back to the County, since no activity had taken place during the preceding 12 months.

   On April 30, 2009, and August 17, 2009, the Foundation requested that the lots be deeded to the City. The City adopted the concept of approving the transfer of the Property from the Foundation through Resolution 09-45.

2. Attempts taken by the Foundation to prevent a default:

   The Foundation solicited developers to build the homes within the county time frame, but this was not possible. There are many vacant new homes in South Dade, and building more at this time is not a profitable situation for builders.

3. Monitoring activity by County staff for the eight (8) parcels :

   According to GSA staff, there were field visits, photos, meetings, letters, e-mails, reports, and phone contacts. The County received reports on a periodic basis detailing the Foundations efforts.

4. Maintenance of Property:

   The lots are vacant and the Foundation and the City have maintained the Properties in an appropriate manner since the County conveyed the lots to the Foundation in 2005. The County conveyed a structure which was occupied by a family until the Foundation evicted them and demolished the duplex.

   The City's Public Works Department maintains the Property on a monthly basis for the Foundation. The Foundation has not been charged for the services.

5. Violations (i.e. illegal dumping):

   According to staff, there have been no violations of this type. The Foundation, along with the City, continues to maintain the lots in an appropriate manner.

   On May 2009, the Foundation hired a demolition company to demolish an unsafe structure on lot 16-7824-008-0310.

6. Construction/Development Plans provided to the County from the City:

   None. According to staff, because of the current real estate market in South Dade, there are no current plans for construction on any of the lots.

7. Financial responsibility:

   On April 9, 2009, staff received a title search report from the Law Offices of Norman C. Powell which indicated that there were no mortgages, encumbrances, or liens on the parcels. There is no mortgage on any of the lots.

   Also, since the lots are owned by the Foundation, a 501(c)3 non-profit, there are no taxes due each year.

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