

MEMORANDUM

Agenda Item No. 5(C)

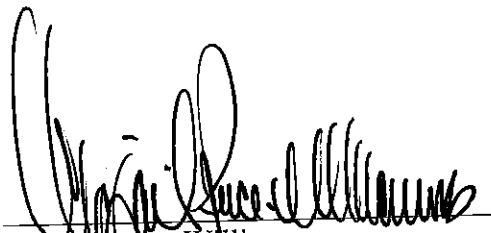
TO: Honorable Chairman Jean Monestime
and Members, Board of County Commissioners

DATE: July 6, 2016

FROM: Abigail Price-Williams
County Attorney

SUBJECT: Resolution declaring surplus three County-owned properties and revising the Inventory List of real property, after a public hearing, to include such properties in accordance with section 125.379(1), Florida Statutes; waiving Administrative Order 8-4 as it relates to review by the Planning Advisory Board and Implementing Order No. 3-44 as it relates to the section entitled availability of County property; authorizing the conveyance of a total of four County-owned properties, inclusive of the three surplus properties, to Habitat for Humanity of Greater Miami, Inc., a not-for-profit 501(c)(3) corporation, at a price of \$10.00 pursuant to section 125.379(2), Florida Statutes for the purpose of developing said properties as permanent affordable housing

The accompanying resolution was prepared and placed on the agenda at the request of Prime Sponsor Commissioner Dennis C. Moss.



Abigail Price-Williams
County Attorney

APW/smm



MEMORANDUM

(Revised)

TO: Honorable Chairman Jean Monestime
and Members, Board of County Commissioners

DATE: July 6, 2016

FROM: Abigail Price-Williams
County Attorney

SUBJECT: Agenda Item No. 5(C)

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
- Statement of social equity required
- Ordinance creating a new board requires detailed County Mayor'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. 5(C)
7-6-16

RESOLUTION NO. _____

RESOLUTION DECLARING SURPLUS THREE COUNTY-OWNED PROPERTIES AND REVISING THE INVENTORY LIST OF REAL PROPERTY, AFTER A PUBLIC HEARING, TO INCLUDE SUCH PROPERTIES IN ACCORDANCE WITH SECTION 125.379(1), FLORIDA STATUTES; WAIVING ADMINISTRATIVE ORDER 8-4 AS IT RELATES TO REVIEW BY THE PLANNING ADVISORY BOARD AND IMPLEMENTING ORDER NO. 3-44 AS IT RELATES TO THE SECTION ENTITLED AVAILABILITY OF COUNTY PROPERTY; AUTHORIZING THE CONVEYANCE OF A TOTAL OF FOUR COUNTY-OWNED PROPERTIES, INCLUSIVE OF THE THREE SURPLUS PROPERTIES, TO HABITAT FOR HUMANITY OF GREATER MIAMI, INC., A NOT-FOR-PROFIT 501(C)(3) CORPORATION, AT A PRICE OF \$10.00 PURSUANT TO SECTION 125.379(2), FLORIDA STATUTES FOR THE PURPOSE OF DEVELOPING SAID PROPERTIES AS PERMANENT AFFORDABLE HOUSING; DIRECTING THE COUNTY MAYOR OR COUNTY MAYOR'S DESIGNEE TO ENSURE PLACEMENT OF APPROPRIATE SIGNAGE; AUTHORIZING THE CHAIRPERSON OR VICE-CHAIRPERSON OF THE BOARD OF COUNTY COMMISSIONERS TO EXECUTE COUNTY DEED; AND AUTHORIZING THE COUNTY MAYOR OR COUNTY MAYOR'S DESIGNEE TO TAKE ALL ACTION NECESSARY TO ENFORCE THE PROVISIONS SET FORTH IN THE COUNTY DEED

WHEREAS, Habitat for Humanity of Greater Miami, Inc. ("Habitat") is a not-for-profit 501(c)(3) corporation, which promotes, develops and provides safe and affordable housing to persons with limited financial resources in Miami-Dade County; and

WHEREAS, Habitat submitted to this Board an application, dated April 14, 2016, a copy of which is attached hereto as Attachment "A", and incorporated herein by reference, requesting that the County convey four parcels of land (the "Infill Properties"), which are more fully described in Attachments "A" and "B" attached hereto and incorporated by reference; and

WHEREAS, Habitat intends to construct permanent affordable housing on the Infill Properties through the County’s Infill Housing Initiative Program (“Infill Housing Program”); and

WHEREAS, pursuant to Administrative Order No. 8-4, Miami-Dade Internal Services Department has announced the availability of the Infill Properties to all County departments to determine if they are interested in the Infill Properties; and

WHEREAS, no County departments have expressed an interest in the Infill Properties; and

WHEREAS, the Board has reviewed and is satisfied with the information submitted in accordance with Resolution Nos. R-376-11 and R-333-15 regarding the Infill Properties, which is attached as Attachment “B”; and

WHEREAS, Section 125.379(1), Florida Statutes, requires each county to prepare an inventory list at least every three years of all real property that is appropriate for use as affordable housing and further allows the governing body of the County to revise the inventory list (“Affordable Housing Inventory List”) upon conclusion of a public hearing held before the governing body; and

WHEREAS, this Board, pursuant to Resolution No. R-527-12, previously declared one of the Infill Properties located at 10254 SW 178th Street, Perrine, Florida (Folio No. 30-3032-000-0930) as surplus, and added such property to the Affordable Housing Inventory List; and

WHEREAS, the remaining three Infill Properties located at 10465 SW 172nd Street, Perrine Florida (Folio No. 30-5032-013-0840), 22881 SW 123rd Court, Goulds, Florida (Folio No. 30-6913-011-1290) and 10535 SW 178th Street, Perrine Florida (Folio No. 30-5032-012-0190) have not been declared as surplus and have not been added to the Affordable Housing Inventory List; and

WHEREAS, this Board has reviewed the Affordable Housing Inventory List as required by Section 125.379(1), Florida Statutes; and

WHEREAS, this Board finds that the before-mentioned Infill Properties are appropriate for use as affordable housing, desires to declare such properties surplus and desires to add them to the Affordable Housing Inventory List; and

WHEREAS, all of the Infill Properties will be conveyed to Habitat pursuant to a reverter requiring the completion of the construction of the affordable housing project for qualified homebuyers in accordance with the Infill Housing Program within one year of the effective date of the conveyance, unless extended at the discretion of the County Mayor or County Mayor's designee, to ensure compliance with the intent of this Board,

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF MIAMI-DADE COUNTY, FLORIDA, that:

Section 1. The foregoing recitals are incorporated in this resolution and are approved.

Section 2. This Board declares the three Infill Properties located at 10465 SW 172nd Street, Perrine Florida (Folio No. 30-5032-013-0840), 22881 SW 123rd Court, Goulds, Florida (Folio No. 30-6913-011-1290) and 10535 SW 178th Street, Perrine Florida (Folio No. 30-5032-012-0190) as surplus. This Board further, after a public hearing, revises the Affordable Housing Inventory List to include these properties in accordance with Section 125.379(1), Florida Statutes.

Section 3. This Board waives the requirements of Administrative No. Order 8-4 as it relates to review by the Planning Advisory Board and Implementing Order No. 3-44 as it relates to the section entitled "Availability of County Property."

Section 4. Pursuant to Section 125.379(2), Florida Statutes, this Board hereby approves the conveyance of the Infill Properties to Habitat at a price of \$10.00, for the purpose of developing the Infill Properties with permanent affordable housing.

Section 5. This Board directs the County Mayor or County Mayor's designee to ensure that proper signage is placed on properties identifying the County's name and the name of the district commissioner.

Section 6. Pursuant to Section 125.411, Florida Statutes, this Board authorizes the Chairperson or Vice-Chairperson of the Board to take all actions necessary to effectuate the conveyance of the Property, including the execution of the County Deed, in substantially the form attached hereto and made a part hereof as Attachment "C." This Board further authorizes the County Mayor or County Mayor's designee to take all actions necessary to exercise any and all rights set forth in the County Deed, including but not limited to granting extensions to complete the construction of the affordable housing project and to exercise the County's option to enforce its reversionary interest.

Section 7. The County Mayor or County Mayor's designee, pursuant to Resolution No. R-974-09, shall record in the public record all deeds, covenants, reverters and mortgages creating or reserving a real property interest in favor of the County and shall provide a copy of such recorded instruments to the Clerk of the Board within 30 days of execution and final acceptance. The Board directs the Clerk of the Board, pursuant to Resolution No. R-974-09, to attach and permanently store a recorded copy of any instrument provided in accordance herewith together with this resolution.

The Prime Sponsor of the foregoing resolution is Commissioner Dennis C. Moss. It 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:

- | | |
|-------------------------------------|----------------------|
| Jean Monestime, Chairman | |
| Esteban L. Bovo, Jr., Vice Chairman | |
| Bruno A. Barreiro | Daniella Levine Cava |
| Jose "Pepe" Diaz | Audrey M. Edmonson |
| Sally A. Heyman | Barbara J. Jordan |
| Dennis C. Moss | Rebeca Sosa |
| Sen. Javier D. Souto | Xavier L. Suarez |
| Juan C. Zapata | |

The Chairperson thereupon declared the resolution duly passed and adopted this 6th day of July, 2016. This resolution shall become effective upon the earlier of (1) 10 days after the date of its adoption unless vetoed by the County Mayor, and if vetoed, shall become effective only upon an override by this Board, or (2) approval by the County Mayor of this Resolution and the filing of this approval with the Clerk of the 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.



Terrence A. Smith



building houses in partnership with God's people in need

April 14, 2016

Hon. Dennis C. Moss
 Commissioner, Miami Dade County District 9
 South Dade Government Center
 10710 SW 211th Street, Suite 206
 Miami, Florida 33189

Re: Land Sponsorship

Dear Commissioner Moss:

It was a pleasure seeing you last week at the District office. Thank you for your time and for your continued support of Habitat for Humanity of Greater Miami. We are proud of our partnership with District 9 and of all the families that have achieved home-ownership within its boundaries.

As discussed, Habitat has identified several lots in the district currently owned by Miami Dade County. We are seeking your sponsorship of an item deeding the properties to Habitat and in turn we would commit to building homes there and having the homes sold to qualified low income families by an agreed upon deadline.

The lots we are seeking are:

Address	Folio	Location	Yield	Zoning
10254 SW 178 St	30-5032-000-0930	Perrine	1 home	RU-2
10465 SW 172 ST	30-5032-013-0840	Perrine	1 home	RU-2
			2	
10535 SW 178 ST	30-5032-012-0190	Perrine	Homes	RU-2
22881 SW 123 CT	30-6913-011-1290	Goulds	1 home	RU-2

I thank you for your consideration of this item sponsorship. Given that these items take some time, and that there would be some infrastructure improvement required, we would put these in our construction schedule for FY 17/18.

Thank you again Commissioner and we look forward to our continued work together.

Sincerely,

A handwritten signature in black ink, appearing to read "Mario Artecona", with a long horizontal flourish extending to the right.

Mario Artecona
 Chief Executive Officer

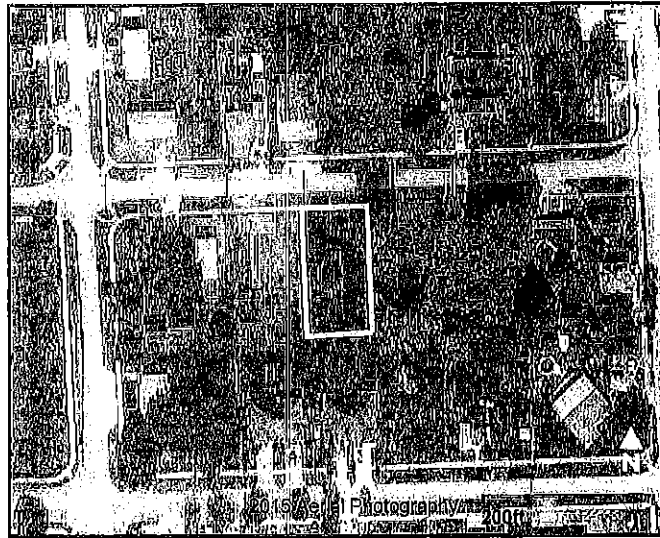


OFFICE OF THE PROPERTY APPRAISER

Summary Report

Generated On : 4/7/2016

Property Information	
Folio:	30-5032-000-0930
Property Address:	10254 SW 178 ST Miami, FL 33157-5240
Owner	MIAMI DADE COUNTY ISD DEPT
Mailing Address	111 NW 1 ST STE 2460 MIAMI, FL 33128 USA
Primary Zone	5700 DUPLEXES - GENERAL
Primary Land Use	0081 VACANT RESIDENTIAL : VACANT LAND
Beds / Baths / Half	0 / 0 / 0
Floors	0
Living Units	0
Actual Area	0 Sq.Ft
Living Area	0 Sq.Ft
Adjusted Area	0 Sq.Ft
Lot Size	11,138 Sq.Ft
Year Built	0



Assessment Information			
Year	2015	2014	2013
Land Value	\$27,957	\$20,968	\$13,978
Building Value	\$0	\$0	\$0
XF Value	\$0	\$0	\$0
Market Value	\$27,957	\$20,968	\$13,978
Assessed Value	\$27,957	\$15,375	\$13,978

Benefits Information				
Benefit	Type	2015	2014	2013
Non-Homestead Cap	Assessment Reduction		\$5,593	
County	Exemption	\$27,957	\$6,782	

Note: Not all benefits are applicable to all Taxable Values (i.e. County, School Board, City, Regional).

Short Legal Description
32 55 40 .256 AC
E1/2 OF N1/2 OF E1/2 OF NW1/4 OF
SE1/4 OF NE1/4 OF SW1/4 & LESS 30
FT FOR RD
LOT SIZE 11138 SQ FT

Taxable Value Information			
	2015	2014	2013
County			
Exemption Value	\$27,957	\$6,782	\$0
Taxable Value	\$0	\$8,593	\$13,978
School Board			
Exemption Value	\$27,957	\$9,249	\$0
Taxable Value	\$0	\$11,719	\$13,978
City			
Exemption Value	\$0	\$0	\$0
Taxable Value	\$0	\$0	\$0
Regional			
Exemption Value	\$27,957	\$6,782	\$0
Taxable Value	\$0	\$8,593	\$13,978

Sales Information			
Previous Sale	Price	OR Book-Page	Qualification Description
07/24/2014	\$0	29250-1943	Corrective, tax or QCD; min consideration
10/23/2012	\$100	28325-1980	Federal, state or local government agency

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Version:

4/7/2016

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OFFICE OF THE PROPERTY APPRAISER

Summary Report

Generated On : 4/7/2016

Property Information	
Folio:	30-5032-013-0840
Property Address:	10465 SW 172 ST Miami, FL 33157-4140
Owner	MIAMI DADE COUNTY ISD RE MGMT
Mailing Address	111 NW 1 ST STE 2460 MIAMI, FL 33128
Primary Zone	5700 DUPLEXES - GENERAL
Primary Land Use	8080 VACANT GOVERNMENTAL : VACANT LAND - GOVERNMENTAL
Beds / Baths / Half	0 / 0 / 0
Floors	0
Living Units	0
Actual Area	0 Sq.Ft
Living Area	0 Sq.Ft
Adjusted Area	0 Sq.Ft
Lot Size	8,085 Sq.Ft
Year Built	0



Assessment Information			
Year	2015	2014	2013
Land Value	\$23,378	\$17,533	\$11,689
Building Value	\$0	\$0	\$0
XF Value	\$0	\$0	\$0
Market Value	\$23,378	\$17,533	\$11,689
Assessed Value	\$23,378	\$12,857	\$11,689

Benefits Information				
Benefit	Type	2015	2014	2013
Non-Homestead Cap	Assessment Reduction		\$4,676	
County	Exemption	\$23,378	\$12,857	\$11,689

Note: Not all benefits are applicable to all Taxable Values (i.e. County, School Board, City, Regional).

Short Legal Description
WEST PERRINE ADDITION PB 44-19 W77FT OF E154FT LOT 6 LESS N 104FT & LESS S25FT BLK 5 LOT SIZE 77.000 X 105

Taxable Value Information			
	2015	2014	2013
County			
Exemption Value	\$23,378	\$12,857	\$11,689
Taxable Value	\$0	\$0	\$0
School Board			
Exemption Value	\$23,378	\$17,533	\$11,689
Taxable Value	\$0	\$0	\$0
City			
Exemption Value	\$0	\$0	\$0
Taxable Value	\$0	\$0	\$0
Regional			
Exemption Value	\$23,378	\$12,857	\$11,689
Taxable Value	\$0	\$0	\$0

Sales Information			
Previous Sale	Price	OR Book-Page	Qualification Description
03/19/2014	\$0	29090-3435	Corrective, tax or QCD; min consideration

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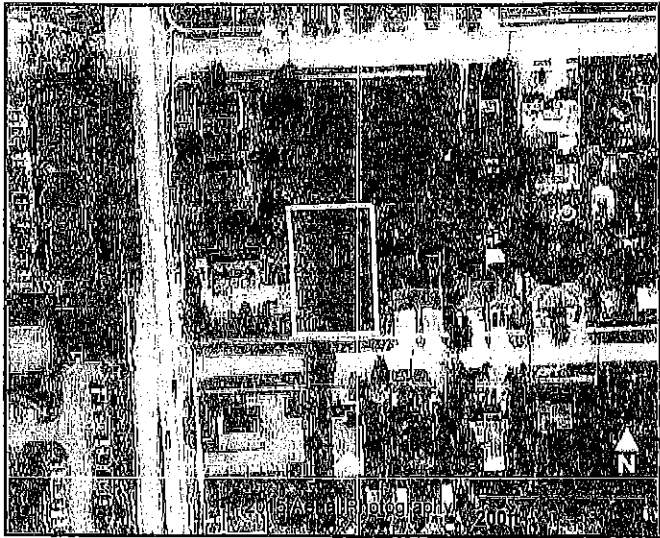


OFFICE OF THE PROPERTY APPRAISER

Summary Report

Generated On : 4/7/2016

Property Information	
Folio:	30-5032-012-0190
Property Address:	
Owner	MIAMI DADE COUNTY ISD R/E MGMT
Mailing Address	111 NW 1 ST STE 2460 MIAMI, FL 33128 USA
Primary Zone	5700 DUPLEXES - GENERAL
Primary Land Use	8080 VACANT GOVERNMENTAL : VACANT LAND - GOVERNMENTAL
Beds / Baths / Half	0 / 0 / 0
Floors	0
Living Units	0
Actual Area	0 Sq.Ft
Living Area	0 Sq.Ft
Adjusted Area	0 Sq.Ft
Lot Size	12,698 Sq.Ft
Year Built	0



Assessment Information			
Year	2015	2014	2013
Land Value	\$30,297	\$22,723	\$15,148
Building Value	\$0	\$0	\$0
XF Value	\$0	\$0	\$0
Market Value	\$30,297	\$22,723	\$15,148
Assessed Value	\$18,328	\$22,723	\$15,148

Benefits Information				
Benefit	Type	2015	2014	2013
Non-Homestead Cap	Assessment Reduction	\$11,969		
County	Exemption	\$18,328	\$22,723	

Note: Not all benefits are applicable to all Taxable Values (i.e. County, School Board, City, Regional).

Short Legal Description
32 55 40 WEST PERRINE PB 43-15 S1/2 LOT 3 LESS E75FT BLK 3 LOT SIZE 90.700 X 140

Taxable Value Information			
	2015	2014	2013
County			
Exemption Value	\$18,328	\$22,723	\$0
Taxable Value	\$0	\$0	\$15,148
School Board			
Exemption Value	\$30,297	\$22,723	\$0
Taxable Value	\$0	\$0	\$15,148
City			
Exemption Value	\$0	\$0	\$0
Taxable Value	\$0	\$0	\$0
Regional			
Exemption Value	\$18,328	\$22,723	\$0
Taxable Value	\$0	\$0	\$15,148

Sales Information			
Previous Sale	Price	OR Book-Page	Qualification Description
04/02/2015	\$0	29573-0590	Corrective, tax or QCD; min consideration

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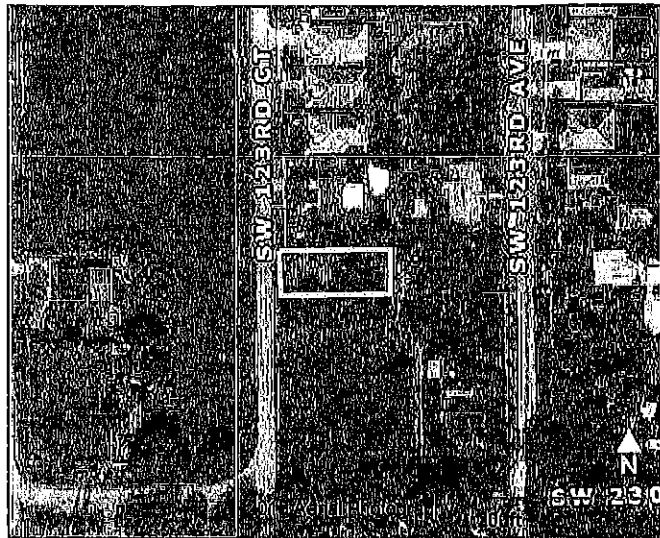


OFFICE OF THE PROPERTY APPRAISER

Summary Report

Generated On : 4/7/2016

Property Information	
Folio:	30-6913-011-1290
Property Address:	
Owner	MIAMI DADE COUNTY IDS R/E MGMT
Mailing Address	111 NW 1 ST STE 2460 MIAMI, FL 33128
Primary Zone	0100 SINGLE FAMILY - GENERAL
Primary Land Use	8080 VACANT GOVERNMENTAL : VACANT LAND - GOVERNMENTAL
Beds / Baths / Half	0 / 0 / 0
Floors	0
Living Units	0
Actual Area	0 Sq.Ft
Living Area	0 Sq.Ft
Adjusted Area	0 Sq.Ft
Lot Size	6,250 Sq.Ft
Year Built	0



Assessment Information			
Year	2015	2014	2013
Land Value	\$12,500	\$12,500	\$12,500
Bullding Value	\$0	\$0	\$0
XF Value	\$0	\$0	\$0
Market Value	\$12,500	\$12,500	\$12,500
Assessed Value	\$12,500	\$12,500	\$12,500

Taxable Value Information			
	2015	2014	2013
County			
Exemption Value	\$12,500	\$12,500	\$12,500
Taxable Value	\$0	\$0	\$0
School Board			
Exemption Value	\$12,500	\$12,500	\$12,500
Taxable Value	\$0	\$0	\$0
City			
Exemption Value	\$0	\$0	\$0
Taxable Value	\$0	\$0	\$0
Regional			
Exemption Value	\$12,500	\$12,500	\$12,500
Taxable Value	\$0	\$0	\$0

Benefits Information				
Benefit	Type	2015	2014	2013
County	Exemption	\$12,500	\$12,500	\$12,500

Note: Not all benefits are applicable to all Taxable Values (i.e. County, School Board, City, Regional).

Short Legal Description
13 56 39
SILVER PALM PARK PB 25-13
LOT 26 BLK 12
LOT SIZE 50,000 X 125
OR 18243-0289 0898 3

Sales Information			
Previous Sale	Price	OR Book-Page	Qualification Description
03/22/2013	\$0	28574-0948	Corrective, tax or QCD; min consideration
08/01/1998	\$0	18243-0289	Sales which are disqualified as a result of examination of the deed
12/01/1980	\$12,000	10977-0996	Deeds that include more than one parcel

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Version:

LOT INFORMATION IN ACCORDANCE WITH RESOLUTION R-376-11
and R-333-15

Attachment B

Folio	Lot Size	Comm. District	2014 Assessment Value	Legal Description	Zoning	Estimated Annual Lawn Care Costs	Address	Surplus in R-527-12	Remark/ Recommendation	Type of Deed County Acquired Parcel
30-5032-000-0930	11,138 SF	9	\$27,957	E1/2 OF N1/2 OF E1/2 OF NW1/4 OF SE1/4 OF NE1/4 OF SW1/4 & LESS 30FT FOR RD	RU-2	\$486	10254 SW 178 St.	Yes	Was circulated Nov. 16, 2015	2/5/2004 Tax Deed
30-5032-013-0840	8,085 SF	9	\$23,378	WEST PERRINE ADDITION PB 44-19 W77FT OF E154FT LOT 6 LESS N 104FT & LESS S25FT BLK 5	RU-2	\$352	10465 SW 172 St.	No	Was circulated Nov. 16, 2015	4/1/14 Tax Deed
30-5032-012-0190	12,698 SF	9	\$18,328	WEST PERRINE PB 43-15 S1/2 LOT 3 LESS E75FT BLK 3	RU-2	\$554	About SW 178 St.	No	ISD Circulated May 5, 2016	4/10/15 Tax Deed
30-6913-011-1290	6,250 SF	9	\$12,500	SILVER PALM PARK PB 25-13 LOT 26 BLK 12	RU-1	\$273	About 230 St. & 123 Ct.	No	Was circulated Nov. 16, 2015	4/10/13 Tax Deed

ATTACHMENT "C"

Instrument prepared by and returned to:
Terrence A. Smith
Assistant County Attorney
111 N.W. 1st Street, Suite 2810
Miami, Florida 33128

Folio No: See Exhibit "A" attached.

COUNTY DEED

THIS DEED, made this ____ day of _____, 2016 by **MIAMI-DADE COUNTY, a Political Subdivision of the State of Florida**, (hereinafter "County"), whose address is: Stephen P. Clark Center, 111 N.W. 1 Street, Miami, Florida 33128-1963, and **HABITAT FOR HUMANITY OF GREATER MIAMI, INC.**, a Florida not-for-profit 501(c)(3) corporation (hereinafter "Developer"), whose address is 3800 NW 22 Avenue, Miami, Florida 33142..

WITNESSETH that the County, for and in consideration of the sum of Ten Dollars and No/100 (\$10.00) to it in hand paid by the Developer, receipt whereof is hereby acknowledged, has granted, bargained, and sold to the said Developer, their successors and assigns forever, the following described land lying and being in Miami-Dade County, Florida (hereinafter the "Properties"):

As legally described in Exhibit "A" attached hereto and made a part hereof

THIS CONVEYANCE IS SUBJECT TO all zoning, rules, regulations and ordinances and other prohibitions imposed by any governmental authority with jurisdiction over the Properties; existing public purpose utility and government easements and rights of way and other matters of record; taxes for the year of closing and subsequent years and the following restrictions:

1. That the Properties shall be developed with affordable housing, as defined by and in accordance with the requirements of the Infill Housing Initiative Program established in Sections 17-121 through 17-128 of the Code of Miami-Dade County, Implementing Order No. 3-44, and the Miami-Dade County's Infill Housing Initiative Guidelines. The Developer shall sell such affordable housing to qualified homebuyers whose income range is established up to 140% of the most recent median family income for the County reported by the United States Department of Housing and Urban Development. Prior to such conveyance, a restrictive covenant, in a form approved by the County in its sole discretion, shall be executed by each qualified homebuyer, and such restrictive covenant shall be recorded in the public records of Miami-Dade County.
2. That the Properties shall be developed within one (1) year of the recording

of this Deed, as evidenced by the issuance of a final Certificate of Occupancy. Notwithstanding the foregoing restriction contained in this Paragraph 2, the County may, in its sole discretion, waive this requirement upon the County Mayor or the County Mayor's designee finding it necessary to extend the time frame in which the Developer must complete the homes. In order for such waiver by the County to be effective, the waiver must:

- a. Be granted and recorded in the Public Record of Miami-Dade County, prior to the County's exercise of the reverter; and
- b. Be evidenced by a document prepared and executed by the County Mayor or the County Mayor's designee granting such waiver, and accepted by the Developer in writing. Such document shall specify the new time frame in which the Developer must complete the homes.

The document prepared and executed as set forth herein shall be conclusive evidence upon which any party may rely that the condition of the reverter has been extended to such date as specified in said waiver.

3. That the affordable housing developed on the Properties shall be sold to a qualified household, as defined in Sections 17-122(n) of the Code of Miami-Dade County, but under no circumstances shall the sales price of the home exceed One Hundred and Forty-Nine Thousand and 00/100 (\$149,000.00). In the event the Developer fails to sell the home to a qualified household or sells the home above One Hundred and Forty-Nine Thousand and 00/100 (\$149,000.00) and the Developer, upon written notification from the County, fails to cure such default, then title to the subject Properties reverts to the County, at the option of the County, as set forth in paragraph 9, and by such reverter to the County, the Developer shall forfeit all monetary investments and improvements without any compensation or right to compensation whatsoever.
4. That for any of the Properties located within the HOPE VI Target Area (hereinafter "Target Area"), the Developer shall comply with the requirements set forth in Resolution No. R-1416-08, including but not limited to providing former Scott/Carver residents the right of first refusal on all units to be sold within the Target Area. The County will provide a list of former Scott/Carver residents in order for the Developer to notify these residents of the availability of homeownership opportunities.
5. That Developer shall not assign or transfer its interest in the Properties or in this Deed absent consent of the Miami-Dade County Board of County Commissioners, with the exception of any conveyance to qualified homebuyers.
6. The Developer shall require that the qualified household purchasing the eligible home execute and record simultaneously with the deed of conveyance from the developer to the qualified household the County's "Affordable Housing Restrictive Covenant," and include the following

language in the deed of conveyance:

“This Property is subject to an “Affordable Housing Restrictive Covenant” recorded simultaneously herewith, which states that the Property shall remain affordable during the “Control Period.” The Control Period commences on the initial sale date of the eligible home, which is the date the deed is recorded transferring title from the developer to the first qualified household, and resets automatically every twenty (20) years for a maximum of sixty (60) years. In the event Grantee wishes to sell or refinance the home during the Control Period, Grantee shall obtain prior written approval from the County. Any such sale, transfer or conveyance, shall only be to a qualified household as defined in Section 17-122(n) of the Miami-Dade County Code at or below the maximum sales price as calculated in the restrictive covenant. Should Grantee own this home for twenty consecutive years, Grantee shall automatically be released from the Affordable Housing Restrictive Covenant.”

7. That Developer shall pay real estate taxes and assessments on the Properties or any part thereof when due. Developer shall not suffer any levy or attachment to be made, or any material or mechanic’s lien, or any unauthorized encumbrance or lien to attach, provided, however, that Developer may encumber the Properties with:
 - a) Any mortgage(s) in favor of any institutional lender for the purpose of financing any hard costs or soft costs relating to the construction of the Project in an amount(s) not to exceed the value of the Improvements as determined by an appraiser; and
 - b) Any mortgage(s) in favor of any institutional lender refinancing any mortgage of the character described in clause a) hereof; in an amount(s) not to exceed the value of the Improvements as determined by an appraiser.
 - c) Any mortgage(s) in favor of any lender that may go into default, lis pendens, foreclosure, deed in lieu of foreclosure, certificate of title or tax deed issued by the government or through court order, the affordable deed restrictions are enforceable and can only be extinguished by the County. The deed restrictions shall run with the land notwithstanding the mortgage or change in ownership for the control period. The affordable deed restrictions apply to the “successors, heirs and assigns” of the burdened land owner.
8. The recordation, together with any mortgage purporting to meet the requirements of clauses 7(a) or 7(b) above, of a statement of value by a Member of the American Institute of Real Estate Appraisers (MAI), (or member of any similar or successor organization), stating the value of the Project is equal to or greater than the amount of such mortgages(s), shall

constitute conclusive evidence that such mortgage meets such requirements, and that the right of any reverter hereunder shall be subject to and limited by, and shall not defeat, render invalid, or limit in any way, the lien of such mortgage. For purposes of this paragraph an "institutional lender" shall mean any bank, savings and loan association, insurance company, foundation or other charitable entity, real estate or mortgage investment trust, pension funds, the Federal National Mortgage Association, agency of the United States Government or other governmental agency. In any event, the term "Institutional lender" shall be deemed to include Miami-Dade County and its respective successors and assigns.

9. If in the sole discretion of the County, one or more of the Properties ceases to be used solely for the purpose set forth herein by the Developer, or if the Developer fails to construct the homes described herein in the manner and within the timeframe set forth in paragraph 2 herein, or if the Developer ceases to exist prior to conveyance to the qualified homebuyers, or if any term of this County Deed is not complied with, the Developer shall correct or cure the default/violation within (30) days of notification of the default by the County as determined in the sole discretion of the County. If the Developer fails to remedy the default within thirty (30) days, title to the subject Properties shall revert to the County, at the option of the County upon written notice of such failure to remedy the default. In the event of such reverter, the Developer shall immediately deed such Properties back to the County, and the County shall have the right to immediate possession of such Properties, with any and all improvements thereon, at no cost to the County. The effectiveness of the reverter shall take place immediately upon notice being provided by the County, regardless of the deed back to the County by the Developer. The County retains a reversionary interest in the Properties, which right may be exercised by the County, at the option of the County, in accordance with this Deed. Upon such reversion, the County may file a Notice of Reversion evidencing same in the public records of Miami-Dade County.
10. All conditions and restrictions set forth herein shall run with the land, and shall be binding on any subsequent successors, assigns, transferees, and lessees, of any interest, in whole or in part, in the Properties.

Upon receiving proof of compliance with all of the Deed restrictions listed above, to be determined in the County's sole discretion, the County shall furnish the Developer with an appropriate instrument acknowledging satisfaction with all Deed restrictions listed above. Such satisfaction of Deed restrictions shall be in a form recordable in the Office of the Clerk of the Circuit Court of Miami-Dade County, Florida.

This grant conveys only the interest of the Miami-Dade County and its Board of County Commissioners in the Properties herein described and shall not be deemed to warrant the title or to represent any state of facts concerning the same.

IN WITNESS WHEREOF Miami-Dade County has caused these presents to be executed in its name by its Board of County Commissioners acting by the Chairperson of the Board, the day and year aforesaid.

(OFFICIAL SEAL)

ATTEST:
HARVEY RUVIN, CLERK

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

By: _____
Deputy Clerk

By: _____
Jean Monestime, Chairman

Approved for legal sufficiency:

By: _____
Terrence A. Smith
Assistant County Attorney

The foregoing was authorized by Resolution No. R-_____ approved by the Board of County Commissioners of Miami-Dade County, Florida, on the _____ day of _____, 2016.

EXHIBIT "A"

Folio Numbers	Legal Descriptions
30-5032-000-0930	E1/2 OF N1/2 OF E1/2 OF NW1/4 OF SE1/4 OF NE1/4 OF SW1/4 & LESS 30FT FOR RD
30-5032-013-0840	WEST PERRINE ADDITION PB 44-19 W77FT OF E154FT LOT 6 LESS N 104FT & LESS S25FT BLK 5
30-5032-012-0190	WEST PERRINE PB 43-15 S1/2 LOT 3 LESS E75FT BLK 3
30-6913-011-1290	SILVER PALM PARK PB 25-13 LOT 26 BLK 12