

MEMORANDUM

Agenda Item No. 5(C)


TO: Honorable Chairman Esteban L. Bovo, Jr.
and Members, Board of County Commissioners

DATE: November 7, 2017

FROM: Abigail Price-Williams
County Attorney

SUBJECT: Resolution declaring surplus two County-owned properties located at 1928 NW 67th Street and 835 NW 64th Street in Miami, Florida and revising the Inventory List of real properties, after a public hearing, to include such properties in accordance with section 125.379(1), Florida Statutes; authorizing conveyance, pursuant to section 125.379(2), Florida Statutes, of the properties to Affordable Housing and Community Development, Inc., a Florida not-for-profit corporation, at a price of \$10.00, for the purpose of rehabilitating such properties with affordable housing to be sold to low- and moderate income households; authorizing the Chairperson or Vice-Chairperson of the Board of County Commissioners to execute a County Deed; and authorizing the County Mayor to take all action necessary to enforce the provisions set forth in such County Deed and to ensure placement of appropriate signage

The accompanying resolution was prepared and placed on the agenda at the request of Prime Sponsor Vice Chairwoman Audrey M. Edmonson.


Abigail Price-Williams
County Attorney

APW/smm



MEMORANDUM

(Revised)

TO: Honorable Chairman Esteban L. Bovo, Jr.
and Members, Board of County Commissioners

DATE: November 7, 2017

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)
11-7-17

RESOLUTION NO. _____

RESOLUTION DECLARING SURPLUS TWO COUNTY-OWNED PROPERTIES LOCATED AT 1928 NW 67TH STREET AND 835 NW 64TH STREET IN MIAMI, FLORIDA AND REVISING THE INVENTORY LIST OF REAL PROPERTIES, AFTER A PUBLIC HEARING, TO INCLUDE SUCH PROPERTIES IN ACCORDANCE WITH SECTION 125.379(1), FLORIDA STATUTES; AUTHORIZING CONVEYANCE, PURSUANT TO SECTION 125.379(2), FLORIDA STATUTES, OF THE PROPERTIES TO AFFORDABLE HOUSING AND COMMUNITY DEVELOPMENT, INC., A FLORIDA NOT-FOR-PROFIT CORPORATION, AT A PRICE OF \$10.00, FOR THE PURPOSE OF REHABILITATING SUCH PROPERTIES WITH AFFORDABLE HOUSING TO BE SOLD TO LOW- AND MODERATE INCOME HOUSEHOLDS; AUTHORIZING THE CHAIRPERSON OR VICE-CHAIRPERSON OF THE BOARD OF COUNTY COMMISSIONERS TO EXECUTE A COUNTY DEED; AND AUTHORIZING THE COUNTY MAYOR OR COUNTY MAYOR'S DESIGNEE TO TAKE ALL ACTION NECESSARY TO ENFORCE THE PROVISIONS SET FORTH IN SUCH COUNTY DEED AND TO ENSURE PLACEMENT OF APPROPRIATE SIGNAGE

WHEREAS, Affordable Housing and Community Development, Inc. (the "Developer"), a Florida not-for-profit corporation, which is an affiliate of Royal Crown Developers, LLC, an experienced developer in Miami-Dade County's Infill Housing Initiative Program ("Infill Housing Program"); and

WHEREAS, the Developer has submitted an application to the County, dated March 1, 2017, a copy of which is attached hereto as Attachment "A" and incorporated herein by reference, requesting that the County convey two County-owned vacant properties located in County Commission District 3 at 1928 N.W. 67th Street and 835 N.W. 64th Street in Miami, Florida (the "Properties"), which are more fully described in Attachments "B" and "C"; and

WHEREAS, the Properties have existing homes located upon them, which the Developer proposes to rehabilitate and sell to low- and moderate income households (the “Project”); and

WHEREAS, the Developer proposes to partner with Neighborhood Housing Services of South Florida, Inc., which is a community based organization with experience in providing comprehensive homebuyer and financial literacy education to homebuyers of affordable housing; and

WHEREAS, pursuant to Administrative Order No. 8-4, Miami-Dade Internal Services Department has announced the availability of the Properties to all County departments to determine if they are interested in the Properties, and no County department has expressed an interest in the 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, providing background information concerning the Properties which is attached hereto as Attachment “D” and incorporated by reference; and

WHEREAS, section 125.379(1), Florida Statutes, requires each county to prepare an inventory list at least every three years of all real Properties that are appropriate for use as affordable housing and further allows the governing body of the County to revise the inventory list upon conclusion of a public hearing held before the governing body; and

WHEREAS, the Properties have not been included on the County’s inventory list of affordable housing sites (“Affordable Housing Inventory List”) as required by section 125.379(1), Florida Statutes; and

WHEREAS, this Board desires to declare the Properties surplus, desires to revise the Affordable Housing Inventory List to include the Properties, and also finds that the Properties are appropriate for use as affordable housing; and

WHEREAS, the Properties will be conveyed to the Developer, subject to a reverter and the Developer completing rehabilitation of the Properties through the Infill Housing Program within two years of the effective date of the conveyance in accordance with the Project, unless extended at the discretion 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 Properties as surplus, and, after a public hearing, revises the Affordable Housing Inventory List to include the Properties in accordance with Section 125.379(1), Florida Statutes.

Section 3. Pursuant to Section 125.379(2), Florida Statutes, this Board hereby approves the conveyance of the Properties to the Developer for a price of \$10.00, for the purpose of rehabilitating the existing homes located on the Properties and selling such homes to low- and moderate income households in accordance with the Infill Housing Program.

Section 4. 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 Properties, including the execution of the County Deed, in substantially the form attached hereto and made a part hereof as Attachments "E."

Section 5. 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 exercising the County's option to enforce its reversionary interest after conducting all due diligence, including but not limited to title searches and environmental reviews. In the event, the County Mayor or County Mayor's designee should exercise the County's reversionary interest, then the County Mayor or County Mayor's designee shall execute and record an instrument approved by the County Attorney's Office in the Public Record of Miami-Dade County and provide a copy of such instrument to the Properties Appraiser. This Board further authorizes the County Mayor or County Mayor's designee to receive on behalf of the County from the Developer, after conducting all due diligence, including but not limited to title searches and environmental reviews, a deed which conveys the Properties back to the County in the event the Developer is unable or fails to comply with the deed restrictions set forth in the County Deed. Upon the receipt of a deed from the Developer, the County Mayor or County Mayor's designee shall record such deed in the Public Records of Miami-Dade County. Notwithstanding the foregoing, any extensions beyond the two years to complete the Project shall be subject to this Board's approval.

Section 6. 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 7. This Board directs the County Mayor or County Mayor's designee to appoint staff to monitor compliance with the terms of the conveyance.

Section 8. This Board directs the County Mayor or County Mayor's designee, pursuant to Resolution No. R-974-09, to record in the public record County Deed, covenants, reverters and mortgages creating or reserving a real Properties interest in favor of the County and to provide a copy of such recorded instruments to the Clerk of the Board within thirty (30) days of execution and final acceptance. This 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 Vice Chairwoman Audrey M. Edmonson.

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:

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

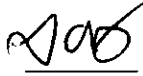
The Chairperson thereupon declared the resolution duly passed and adopted this 7th day of November, 2017. This resolution shall become effective upon the earlier of (1) 10 days after the date of its adoption unless vetoed by the County Mayor, and if vetoed, shall become effective only upon an override 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

Affordable Housing & Community Development, Inc. Not-for-Profit

13611 South Dixie Hwy #109 Suite 434

Palmetto Bay, Florida 33176

786-797-7108

Affordablecommunitydevelopment@gmail.com

March 1, 2017

The Honorable Audrey M. Edmonson
Miami-Dade County Commissioner, District 3
Caleb Center
5400 NW 22nd Ave., Suite 701
Miami, Florida 33142
Attention: Akeem Brutus-Legislative Aide/Community Liaison
Miami, FL 33189

Re: Request by Affordable Housing & Community Development, Inc., a not-for profit, for the conveyance of two (2) dilapidated homes in District 3 for Affordable Housing rehabilitation located at 1928 NW 67TH ST folio 30-3115-021-0270; and 835 NW 64TH ST folio 01-3114-036-1650.

Dear Commissioner Edmonson:

Affordable Housing & Community Development, Inc. is a not-for-profit, wholly-owned affiliate of an experienced Infill Housing Program Developer. Our managing director is a certified licensed general contractor with extensive residential development experience building affordable housing in the underserved moderate to low-income neighborhoods in Miami-Dade County.

With the assistance of staff members from Miami –Dade County Departments of Public Housing and Community Development, Infill Housing Division, and the Internal Services Department, Real Estate Asset Management Division; two (2) dilapidated homes were identified for availability and suitability for affordable housing rehabilitation development in District 3.

Affordable Housing & Community Development, Inc., will partner with the not-for-profit Neighborhood Housing Services of South Florida (NHSSF) a certified community development organization providing comprehensive homebuyer and financial literacy education and counseling to affordable homebuyers. NHSSF has qualified first-time homebuyers presently ready to purchase new homes in your district. All eligible first time homebuyers will be guided through Miami-Dade County's Miami-Dade County Department of Public Housing and Community Development (PHCD) first time homebuyers mortgage assistance programs, and the Miami-Dade County Advocacy Trust (MDEAT) homeownership assistance program (HAP), providing down payment and closing cost assistance to first time homebuyers.

Our mission is to foster new homeownership opportunities for first-time, low to moderate income homebuyers. Our immediate goal is to perform a total rehabilitation of the two dilapidated homes in your district.

We thank you for your kind consideration and support and look forward to providing first time home ownership for low to moderate income families in your district.

Respectfully yours,

Ron Amira

Executive Director

Affordable Housing & Community Development, Inc. A Not-for-Profit

1/9/2017

Property Search Application - Miami-Dade County



OFFICE OF THE PROPERTY APPRAISER

Detailed Report

Generated On : 1/9/2017

Property Information	
Folio:	01-3114-036-1650
Property Address:	835 NW 64 ST Miami, FL 33150-4349
Owner	MIAMI DADE COUNTY ISD RE MGMT
Mailing Address	111 NW 1 ST STE 2460 MIAMI, FL 33128
Primary Zone	0104 SINGLE FAM - ANCILIARY UNIT
Primary Land Use	8647 COUNTY : DADE COUNTY
Beds / Baths / Half	3 / 1 / 0
Floors	1
Living Units	1
Actual Area	1,345 Sq.Ft
Living Area	1,240 Sq.Ft
Adjusted Area	1,292 Sq.Ft
Lot Size	5,300 Sq.Ft
Year Built	1938



Assessment Information			
Year	2016	2015	2014
Land Value	\$16,002	\$12,002	\$12,002
Building Value	\$42,830	\$42,830	\$34,186
XF Value	\$0	\$0	\$0
Market Value	\$58,832	\$54,832	\$46,188
Assessed Value	\$58,832	\$54,832	\$42,012

Benefits Information				
Benefit	Type	2016	2015	2014
Non-Homestead Cap	Assessment Reduction			\$4,176
County	Exemption	\$58,832	\$54,832	

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

Taxable Value Information			
	2016	2015	2014
County			
Exemption Value	\$58,832	\$54,832	\$0
Taxable Value	\$0	\$0	\$42,012
School Board			
Exemption Value	\$58,832	\$54,832	\$0
Taxable Value	\$0	\$0	\$46,188
City			
Exemption Value	\$58,832	\$54,832	\$0
Taxable Value	\$0	\$0	\$42,012
Regional			
Exemption Value	\$58,832	\$54,832	\$0
Taxable Value	\$0	\$0	\$42,012

The Office of the Property Appraiser is continually editing and updating the tax roll. This website may not reflect the most current information on record. The Property Appraiser and Miami-Dade County assumes no liability, see full disclaimer and User Agreement at <http://www.miamidade.gov/info/disclaimer.asp>

Version:



OFFICE OF THE PROPERTY APPRAISER

Generated On : 1/9/2017

Property Information

Folio: 01-3114-036-1650

Property Address: 835 NW 64 ST

Roll Year 2016 Land, Building and Extra-Feature Details

Land Information					
Land Use	Muni Zone	PA Zone	Unit Type	Units	Calc Value
GENERAL	T3 L	0104	Front Ft.	50.00	\$16,002

Building Information						
Building Number	Sub Area	Year Built	Actual Sq.Ft.	Living Sq.Ft.	Adj Sq.Ft.	Calc Value
1	1	1938	1,345	1,240	1,292	\$42,830

Extra Features			
Description	Year Built	Units	Calc Value

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Property Information

Folio: 01-3114-036-1650

Property Address: 835 NW 64 ST

Roll Year 2015 Land, Building and Extra-Feature Details

Land Information					
Land Use	Muni Zone	PA Zone	Unit Type	Units	Calc Value
GENERAL	T3 L	0104	Front Ft.	50.00	\$12,002

Building Information						
Building Number	Sub Area	Year Built	Actual Sq.Ft.	Living Sq.Ft.	Adj Sq.Ft.	Calc Value
1	1	1938	1,345	1,240	1,292	\$42,830

Extra Features			
Description	Year Built	Units	Calc Value

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Generated On : 1/9/2017

Property Information

Folio: 01-3114-036-1650

Property Address: 835 NW 64 ST Miami, FL 33150-4349

Roll Year 2014 Land, Building and Extra-Feature Details

Land Information					
Land Use	Muni Zone	PA Zone	Unit Type	Units	Calc Value
GENERAL	T3 L	0104	Front Ft.	50.00	\$12,002

Building Information						
Building Number	Sub Area	Year Built	Actual Sq.Ft.	Living Sq.Ft.	Adj Sq.Ft.	Calc Value
1	1	1938	1,345	1,240	1,292	\$34,186

Extra Features			
Description	Year Built	Units	Calc Value

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OFFICE OF THE PROPERTY APPRAISER

Generated On : 1/9/2017

Property Information

Folio: 01-3114-036-1650

Property Address: 835 NW 64 ST

Full Legal Description
14 53 41
SEVENTH AVE PK PB 17-17
LOT 20 BLK 8
LOT SIZE 50.000 X 106

Sales Information			
Previous Sale	Price	OR Book-Page	Qualification Description
07/10/2015	\$0	29717-1840	Corrective, tax or QCD; min consideration

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Version:

1/9/2017

Property Search Application - Miami-Dade County



OFFICE OF THE PROPERTY APPRAISER

Detailed Report

Generated On : 1/9/2017

Property Information	
Folio:	30-3115-021-0270
Property Address:	1928 NW 67 ST Miami, FL 33147-7454
Owner	MIAMI DADE COUNTY ISD R/E MGMT
Mailing Address	111 NW 1 ST STREET STE 2460 MIAMI, FL 33128
Primary Zone	0100 SINGLE FAMILY - GENERAL
Primary Land Use	8647 COUNTY : DADE COUNTY
Beds / Baths / Half	3 / 1 / 0
Floors	1
Living Units	1
Actual Area	1,224 Sq.Ft
Living Area	1,224 Sq.Ft
Adjusted Area	1,224 Sq.Ft
Lot Size	4,500 Sq.Ft
Year Built	1948



Assessment Information			
Year	2016	2015	2014
Land Value	\$18,124	\$13,396	\$9,062
Building Value	\$32,304	\$32,304	\$31,368
XF Value	\$0	\$0	\$0
Market Value	\$50,428	\$45,700	\$40,430
Assessed Value	\$48,920	\$44,473	\$40,430

Benefits Information				
Benefit	Type	2016	2015	2014
Non-Homestead Cap	Assessment Reduction	\$1,508	\$1,227	
County	Exemption	\$48,920	\$44,473	\$40,430

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

Taxable Value Information			
	2016	2015	2014
County			
Exemption Value	\$48,920	\$44,473	\$40,430
Taxable Value	\$0	\$0	\$0
School Board			
Exemption Value	\$50,428	\$45,700	\$40,430
Taxable Value	\$0	\$0	\$0
City			
Exemption Value	\$0	\$0	\$0
Taxable Value	\$0	\$0	\$0
Regional			
Exemption Value	\$48,920	\$44,473	\$40,430
Taxable Value	\$0	\$0	\$0

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Generated On : 1/9/2017

Property Information

Folio: 30-3115-021-0270

Property Address: 1928 NW 67 ST

Roll Year 2016 Land, Building and Extra-Feature Details

Land Information					
Land Use	Muni Zone	PA Zone	Unit Type	Units	Calc Value
GENERAL	RU-1	0100	Front Ft.	50.00	\$18,124

Building Information						
Building Number	Sub Area	Year Built	Actual Sq.Ft.	Living Sq.Ft.	Adj Sq.Ft.	Calc Value
1	1	1948	1,224	1,224	1,224	\$32,304

Extra Features			
Description	Year Built	Units	Calc Value

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Property Information

Folio: 30-3115-021-0270

Property Address: 1928 NW 67 ST

Roll Year 2015 Land, Building and Extra-Feature Details

Land Information					
Land Use	Muni Zone	PA Zone	Unit Type	Units	Calc Value
GENERAL	RU-1	0100	Front Ft.	50.00	\$13,396

Building Information						
Building Number	Sub Area	Year Built	Actual Sq.Ft.	Living Sq.Ft.	Adj Sq.Ft.	Calc Value
1	1	1948	1,224	1,224	1,224	\$32,304

Extra Features			
Description	Year Built	Units	Calc Value

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OFFICE OF THE PROPERTY APPRAISER

Generated On : 1/9/2017

Property Information

Folio: 30-3115-021-0270

Property Address: 1928 NW 67 ST Miami, FL 33147-7454

Roll Year 2014 Land, Building and Extra-Feature Details

Land Information					
Land Use	Muni Zone	PA Zone	Unit Type	Units	Calc Value
GENERAL	RU-1	0100	Front Ft.	50.00	\$9,062

Building Information						
Building Number	Sub Area	Year Built	Actual Sq.Ft.	Living Sq.Ft.	Adj Sq.Ft.	Calc Value
1	1	1948	1,224	1,224	1,224	\$31,368

Extra Features			
Description	Year Built	Units	Calc Value

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OFFICE OF THE PROPERTY APPRAISER

Generated On : 1/9/2017

Property Information

Folio: 30-3115-021-0270

Property Address: 1928 NW 67 ST

Full Legal Description
ORANGE RIDGE EAST PB 44-14
LOT 4 BLK 3
OR 19468-4880 0898 4
COC 22862-1952 11 2004 1

Sales Information			
Previous Sale	Price	OR Book-Page	Qualification Description
10/19/2012	\$0	28321-0930	Corrective, tax or QCD; min consideration
11/01/2004	\$65,000	22862-1952	Sales which are qualified
08/01/2000	\$0	00000-00000	Sales which are disqualified as a result of examination of the deed

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Attachment "D"

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

	Folio	Annual Tax Revenue Generated	Lot Size Sq. Ft.	Comm District	2017 Market Value	Legal Description	Zoning	Annual Cost to Maintain	Address	Circulated To County Departments	Surplus	Deed Type
1	3031150210270	\$1,362.00	4,500	3	\$50,428.00	ORANGE RIDGE EAST PB 44-14 LOT 4 BLK 3	RU-1	\$196.00	1928 NW 67 ST	ISD CIRCULATED ON 5/30/2017	NO	Tax Deed 10/12/2012
2	0131140361650	\$582.00	5,300	3	\$26,670.00	14 53 41 SEVENTH AVE PK PB 17-17 LOT 20 BLK 8	T3 L	\$231.00	835 NW 64 ST	ISD CIRCULATED ON 5/30/2017	NO	Tax Deed 7/10/2015

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ATTACHMENT "E"

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 _____, 2017 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 **AFFORDABLE HOUSING AND COMMUNITY DEVELOPMENT, INC.**, a Florida not for profit corporation (hereinafter "Developer"), whose address is 13611 South Dixie Highway, No. 109, Suite 434, Palmetto Bay, Florida 33176.

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 two (2) years 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 Board 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 County Mayor or the County Mayor's designee:

- a. Be given prior to the event of the reverter; and
 - b. Be evidenced by the preparation of a letter executed by the County Mayor or the County Mayor's designee giving such waiver and specifying the new time frame in which the Developer must complete the homes. The letter by the County 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. If no waiver is recorded and a certificate of occupancy is not issued within two (2) years from the date of this Deed, any party may rely upon the fact that the reverter has occurred and that title has reverted to the County.
3. That the affordable housing developed on the Property 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 Two Hundred and Five Thousand and 00/100 (\$205,000.00). In the event the Developer fails to sell the home to a qualified household or sells the home above Two Hundred and Five Thousand and 00/100 (\$205,000.00) 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 7, 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 in paragraph 1 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: _____
Esteban L. Bovo Jr., Chairman

Approved for legal sufficiency:

By: _____
Terrence A. Smith
Assistant County Attorney

The foregoing was authorized by Resolution No. R- -17 approved by the Board of County Commissioners of Miami-Dade County, Florida, on the day of , 2017.

IN WITNESS WHEREOF, the representative of **AFFORDABLE HOUSING AND COMMUNITY DEVELOPMENT, INC.**, a Florida not-for-profit corporation, has caused this document to be executed by their respective and duly authorized representative on this _____ day of _____, 2017, and it is hereby approved and accepted.

Witness/Attest

By: _____
Name: _____
Title: _____

Witness/Attest

STATE OF FLORIDA
COUNTY OF MIAMI-DADE

The foregoing instrument was acknowledged before me this _____ day of _____, 2017, by _____, as _____ of **AFFORDABLE HOUSING AND COMMUNITY DEVELOPMENT, INC.**, a Florida not-for-profit corporation, and s/he () has produced _____ as identification or () is personally known to me.

(SEAL)

Notary of- State of _____

Commission Number: _____

EXHIBIT "A"

30-3115-021-0270	ORANGE RIDGE EAST PB 44-14, LOT 4 BLK 3, OR 19468-4880 0898 4, COC 22862-1952 11 2004 1
01-3114-036-1650	SEVENTH AVE PK PB 17-17, LOT 20 BLK 8