# **MEMORANDUM**

Agenda Item No. 8(K)(1)

TO:

Honorable Chairman Esteban L. Bovo, Jr.

and Members, Board of County Commissioners

DATE:

September 5, 2018

FROM:

Abigail Price-Williams

County Attorney

**SUBJECT:** 

Resolution resolution approving proposed funding recommendations for up to \$2,500,000.00 for the Fiscal Year 2017 Opa-Locka Magnolia North Documentary Stamp Surtax (Surtax Funds) request for applications (RFA); approving the Surtax Funds for continued use in the Magnolia North area as those funds are repaid; waiving certain requirements of the RFA; and authorizing the County Mayor or the County Mayor's designee to negotiate with Cazo Construction Corp. and Palmetto Homes of Miami, Inc. (applicants) for the award of the Surtax funds to one or both of the applicants, to execute all letters of commitment, shell loan documents and other agreements and to exercise the cancellation and other provisions contained therein, to subordinate and/or modify the terms of contracts, agreements, amendments and loan documents and to exercise the termination, waiver, acceleration, or other provisions set forth therein, and to rescind the award of the Surtax funds subject to the terms and conditions set forth herein

The accompanying resolution was prepared by the Public Housing and Community Development Department and placed on the agenda at the request of Prime Sponsor Commissioner Barbara J. Jordan.

Abigail Price-Williams

County Attorney

APW/uw

# Memorandum



Date:

September 5, 2018

To:

Honorable Chairman Esteban L. Bovo, Jr.

and Members. Board of County Commissioners

From:

Carlos A. Gimenez

Mayor

Subject:

Award Recommendations of up to \$2,500,000 of FY 2017 Documentary Stamp Surtax Funds for the Development of Multi-Family Rental Housing and Homeownership Units

on 18 Parcels of County-Owned Land in the Opa-Locka Magnolia North Area Totaling

2.19 Acres

# Recommendations

It is recommended that the Board of County Commissioners (Board):

1. Approve the proposed funding recommendations for up to \$2,500,000 for the FY 2017 Opa-Locka Magnolia North Documentary Stamp Surtax (Surtax) Request for Applications (RFA);

2. Approve the funds for continued use in the Magnolia North area as those funds are repaid;

3. Waive the requirements in the RFA, including but not limited to the scoring of the applicants, and authorize the County Mayor or the County Mayor's designee to negotiate with two of the four respondents to the RFA, Cazo Construction Corp. and Palmetto Homes of Miami, Inc. (Applicants);

4. Authorize the County Mayor or the County Mayor's designee to award up to \$2,500,000 in FY 2017 Surtax funding to be divided between the Applicants in the event the County Mayor or the County Mayor's designee's negotiations with such entities are successful, or alternatively, in the event the County Mayor or the County Mayor's designee is only able to successfully negotiate with one of the Applicants, then authorize the County Mayor or County Mayor's designee to award up to \$2,500,000 in FY 2017 Surtax funds to such applicant;

5. Subject to paragraph 4 above, authorize the County Mayor or County Mayor's designee to execute all letters of commitment, shell loan documents and other agreements and to exercise the cancellation and other provisions contained therein;

6. Authorize the County Mayor or County Mayor's designee, upon a determination that such actions are in the best interest of the County, to subordinate and/or modify the terms of contracts, agreements, amendments and loan documents so long as such modifications are approved by the County Attorney's Office and are not substantially inconsistent with this resolution and to exercise the termination, waiver, acceleration, or other provisions set forth therein; and

7. Authorize the County Mayor or the County Mayor's designee to rescind the award of the Surtax Funds in the event all of the conditions set forth in the attached resolution are not met.

This item recommends awarding funding to support new construction of multi-family rental housing and homeownership affordable housing units in the Opa-Locka Magnolia North area in District 1, represented by Commissioner Barbara J. Jordan. The item is expected to provide neighborhood stabilization benefits to the Opa-Locka Magnolia North neighborhood within District 1.

Honorable Chairman Esteban L. Bovo, Jr. and Members, Board of County Commissioners Page No. 2

Fiscal Impact/Funding Source

The award of Surtax funds will not have a negative fiscal impact on the County's General Fund. Table 1 below summarizes the recommended use for FY 2017 Surtax funding:

Table 1				
Category	FY 2017 Surtax Funding Available			
Multi-Family Rental and Homeownership: Opa-Locka Magnolia North	\$2,500,000			
Total FY 2017 Surtax:	\$2,500,000			

Track Record/Monitor

Michael Liu, Director of the Public Housing and Community Development Department (Department), will monitor all Surtax activities. The Department will continue to monitor the projects to ensure compliance with State and County guidelines and policies.

Background

The Magnolia North neighborhood within the City of Opa-Locka is one of the most economically challenged areas within Miami-Dade County. Located north of State Road 9, south of NW 151st Street, and east of NW 22<sup>nd</sup> Avenue, the Magnolia North area is within the Opa-Locka Neighborhood Revitalization Strategy Area (NRSA). Over the years there have been many efforts on the part of the County to revitalize and redevelop this area. For instance, on January 22, 2009, the Board adopted Resolution No. R-81-09, which authorized the County Mayor or County Mayor's designee to submit an amendment to the County's application to the United States Department of Housing and Urban Development (HUD) for the disposition of the Opa-locka Biscayne Plaza Public Housing Development, which was comprised of 26 County-owned properties. The intent of the resolution was to convey the properties to Habitat for Humanity of Greater Miami, Inc. (Habitat), which would develop the properties in order to create homeownership opportunities for eligible low-income families. However, Habitat was not successful in their efforts to develop most of the properties, which they eventually returned to the County. Thereafter, on January 22, 2014, the Board adopted Resolution No. R-64-14, which, in part, authorized the County Mayor or the County Mayor's designee to submit another amendment to the County's disposition application to HUD to permit the County and the Miami-Dade Housing Finance Authority (HFA) to negotiate and execute a ground lease(s) with developer(s) competitively selected by the HFA for the development of the before-mentioned properties with supportive housing for veterans and other special need persons. However, HFA was not successful in finding developers with an interest in developing the properties.

On September 29, 2017, the Department released the RFA to provide Surtax funds and county-owned land to successful applicants proposing to develop multi-family rental housing and homeownership units. As an incentive, the Department proposes to allocate up to \$2,500,000 in FY 2017 Documentary Stamp Surtax funds to developers to create affordable housing units on 18 County-owned vacant parcels of land in the area, inclusive of 11 former public housing sites described above and seven parcels of land designated for infill housing development (see Exhibit 1).

Honorable Chairman Esteban L. Bovo, Jr. and Members, Board of County Commissioners Page No. 3

The public was advised of the application process through a notice posted on the Department's website and through an email distribution to the Department's Developer's Mailing List. Four applications were submitted to and received by the Department by the due date of December 22, 2017. The four timely applicants were Cazo Construction Corporation, Hala Fashions Properties, LLC, Magnolia North Community Garden, LLC (Opa-Locka Community Development Corp.), and Palmetto Homes of Miami, Inc.

The Department conducted a due diligence and threshold review, which determined that none of the four applicants met established threshold requirements for the reasons stated in Table 2 below.

Table 2					
Applicant/ Entity Name	Developer Name and Address	Application - Proposed Development	Total Units	Threshold Review Comments	Surtax Funding Request
Palmetto Homes of Miami, Inc.	Barbara Gomez Consultant 3625 NW 82nd Avenue, Suite 316, Miami, FL 33166 Ariovistus Lundy President 20305 NW 3rd Court, Miami, FL 33169	New Construction of 25 units comprised of Single-Family Homes, Townhouses, Twin Homes and Duplexes	25	Fails to show Firm Financing Commitment	\$2,118,047
Magnolia North Community Garden, LLC	Willie Logan, President 490 Opa-Locka Blvd., Suite 20, Opa-Locka, FL 33054	New Construction of 72 Multi-Family units and 16 Homeownership units	88	Fails to show Firm Financing Commitment and Lacks a good performance track record	\$2,500,000
Hala Fashions Properties, LLC	Assim Alabed 2428 NW 20th Street, Miami, FL 33142	Rehabilitate two applicant-owned 8- unit apartment complexes on Ali Baba Avenue; New Construction of 60 units, Duplexes and Multi-Family	76	Fails to show Firm Financing Commitment Fails to show Organizational and Financial Capacity	\$2,500,000
Cazo Construction Corp.	Armando Cazo 3461 SW 8th Street, Miami, FL 33135	New Construction of Homeownership 27 units; Multi-Family Rental Apartments 48 units	75	Fails to show Firm Financing Commitment	\$2,500,000
GRAND TOTAL FUNDING REQUESTED				\$9,618,047	

Honorable Chairman Esteban L. Bovo, Jr. and Members, Board of County Commissioners Page No. 4

A selection committee kick-off meeting was held on April 10, 2018. The Department staff informed the committee that the applications submitted lacked information and criteria required by the RFA as it relates to financing requirements, and, therefore, the applications did not meet the RFA's threshold requirements to be scored. Therefore, none of the applications were scored. Notwithstanding the issues with the applications described above, the Department believes that the Applicants have demonstrated, through materials submitted in their applications and more importantly their recent history with the Department, that they possess the experience required to successfully develop the properties with a minimum of 12 new affordable housing units, which will consist of single-family homes and/or duplexes, with the potential for multi-family affordable housing development. The Department has also determined that the Applicants have enough financial capacity and access to leverage funding to construct the affordable housing. Therefore, the Department is recommending that the Board waive the requirements of the RFA, including the requirements related to the scoring of the Applicants, and authorize the County Mayor or the County Mayor's designee to negotiate with the Applicants. In the event the County Mayor or the County Mayor's designee successfully negotiates with the Applicants, then up to \$2,500,000 in FY 2017 Surtax funds will be equitably divided between them. However, in the event the County Mayor or County Mayor's designee is only able to successfully negotiate with one of the Applicants, then up to \$2,500,000 in FY 2017 Surtax funds will be awarded to such applicant.

The Department has met with the Applicants to lay out the plan for moving this project forward. The Department has explained to the Applicants that they will have the option to develop the properties as described in their application, but, at a minimum, they must be prepared to develop units that meet the current zoning requirements. In the event the Department is able to successfully negotiate terms favorable to the County, the Department will request that the Board, in a separate resolution, authorize the County Mayor or the County Mayor's designee to submit an amendment of the County's disposition application to HUD for the former public housing sites, and authorize the Chair or the Vice-Chairwoman to execute County Deeds to convey the properties to one or both of the Applicants. In the event that the negotiations with the Applicants are not successful, or the Board and/or HUD do not authorize the conveyance of the properties, then the \$2,500,000 award authorized by the attached resolution will be rescinded and the funds will be redeployed by the Department for other affordable housing purposes permitted by the Surtax program.

A due diligence review is required pursuant to Resolution No. R-630-13 to make efficient and transparent use of the Department's funds for much needed services to County's residents. The Board requires a report of findings to accompany all recommendations for commitment of County funds. A due diligence review was completed for each of the Applicants and there were no findings to report.

Attachment

Maurice L. Kemp Deputy Mayor



DATE:

September 5, 2018

Honorable Chairman Esteban L. Bovo, Jr.

TO:

	and Members, Board of County Commission	oners
FROM:	Abigail Price-Williams County Attorney	SUBJECT: Agenda Item No. 8(K)(1)
Ple	ase note any items checked.	·
	"3-Day Rule" for committees appl	icable if raised
·	6 weeks required between first rea	ding and public hearing
	4 weeks notification to municipal of hearing	officials required prior to public
<u></u>	Decreases revenues or increases ex	penditures without balancing budget
<del></del>	Budget required	
	Statement of fiscal impact require	ł.
	Statement of social equity required	İ
	Ordinance creating a new board re report for public hearing	equires detailed County Mayor's
. <del></del>	No committee review	
	Applicable legislation requires mon 3/5's, unanimous) to a	re than a majority vote (i.e., 2/3's, pprove
	Current information regarding fur balance, and available capacity (if	nding source, index code and available debt is contemplated) required

Approved	Mayor	Agenda Item No. 8(K)(1)
Veto		9-5-18
Override		
RE	SOLUTION NO.	

RESOLUTION APPROVING PROPOSED **FUNDING** RECOMMENDATIONS FOR UP TO \$2,500,000.00 FOR THE FISCAL YEAR 2017 OPA-LOCKA MAGNOLIA NORTH DOCUMENTARY STAMP SURTAX (SURTAX FUNDS) REQUEST FOR APPLICATIONS (RFA); APPROVING THE SURTAX FUNDS FOR CONTINUED USE IN THE MAGNOLIA NORTH AREA AS THOSE FUNDS ARE REPAID; WAIVING CERTAIN REQUIREMENTS OF THE RFA: AUTHORIZING THE COUNTY MAYOR OR THE COUNTY MAYOR'S DESIGNEE TO NEGOTIATE WITH CAZO CONSTRUCTION CORP. AND PALMETTO HOMES OF MIAMI, INC. (APPLICANTS) FOR THE AWARD OF THE SURTAX FUNDS TO ONE OR BOTH OF THE APPLICANTS, TO EXECUTE ALL LETTERS OF COMMITMENT, SHELL LOAN DOCUMENTS AND OTHER AGREEMENTS AND TO EXERCISE THE CANCELLATION AND OTHER PROVISIONS CONTAINED THEREIN, TO SUBORDINATE MODIFY THE TERMS OF CONTRACTS, AGREEMENTS. AMENDMENTS AND LOAN DOCUMENTS AND TO EXERCISE THE TERMINATION, WAIVER, ACCELERATION, OR OTHER PROVISIONS SET FORTH THEREIN, AND TO RESCIND THE AWARD OF THE SURTAX FUNDS SUBJECT TO THE TERMS AND CONDITIONS SET FORTH HEREIN

**WHEREAS**, this Board 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:

Section 1. This Board ratifies and adopts the matters set forth in the accompanying justification memorandum as if fully set forth herein.

- Section 2. This Board approves the proposed funding recommendations for up to \$2,500,000.00 for the Fiscal Year 2017 Opa-Locka Magnolia North Documentary Stamp Surtax ("Surtax Funds") Request for Applications ("RFA").
- Section 3. This Board approves the Surtax Funds for continued use in the Magnolia North area as those funds are repaid.
- Section 4. This Board waives the requirements set forth in the RFA, including but not limited to the scoring of the applicants. This Board further authorizes the County Mayor or the County Mayor's designee to negotiate with two of the four respondents to the RFA, i.e., Cazo Construction Corp. and Palmetto Homes of Miami, Inc. ("Applicants"), for the development of multi-family rental and homeownership in the Opa-Locka Magnolia North area, as more fully set forth in Exhibit 1, attached hereto and incorporated herein by reference.
- Section 5. This Board authorizes the County Mayor or the County Mayor's designee to award up to \$2,500,000.00 in Surtax funding to be divided between the Applicants in the event the County Mayor or the County Mayor's designee's negotiations with such entities, as described in Section 4 of this resolution, are successful. Alternatively, in the event the County Mayor or the County Mayor's designee is only able to successfully negotiate with one of the Applicants, then the County Mayor or County Mayor's designee is hereby authorized to award up to \$2,500,000.00 in Surtax Funds to such applicant.
- Section 6. Subject to Section 5 of this resolution, this Board authorizes the County Mayor or the County Mayor's designee to execute all standard shell contracts, amendments, standard shell loan documents and other agreements necessary to accomplish the purposes of this resolution and to exercise the cancellation and other provisions contained therein. All funding awards set forth herein are contingent upon availability of funding from the funding source or

program and the recipient agency complying with the conditions set forth in this resolution and the justification memorandum. This Board further authorizes the County Mayor or County Mayor's designee, upon a determination that such actions are in the best interest of the County, to subordinate and/or modify the terms of contracts, agreements, amendments and loan documents so long as such modifications are approved by the County Attorney's Office and are not substantially inconsistent with this resolution and to exercise the termination, waiver, acceleration, or other provisions set forth therein.

Section 7. Notwithstanding the before-mentioned provisions set forth in Sections 2 through 6 of this resolution, the award of the Surtax Funds to one or both of the Applicants shall be subject to (1) the terms set forth in Section 4 of this resolution being satisfied; (2) this Board's subsequent approval of the conveyance of the properties described in Exhibit 1 to one or both of the Applicants; (3) this Board's approval of a resolution authorizing the County Mayor or the County Mayor's designee to submit an amendment to the County's disposition application for the public housing sites described in the County Mayor's memorandum; and (4) the United States Department of Housing and Urban Development's approval of such amended disposition application. In the event, all of these conditions are not met, then this Board authorizes the County Mayor or the County Mayor's designee to rescind the award of the Surtax Funds.

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:

Agenda Item No. 8(K)(1) Page No. 4

Esteban L. Bovo, Jr., Chairman Audrey M. Edmonson, Vice Chairwoman

Daniella Levine Cava

Jose "Pepe" Diaz

Sally A. Heyman

Eileen Higgins
Joe A. Martinez

Barbara J. Jordan

Dennis C. Moss

Jean Monestime Rebeca Sosa

Sen. Javier D. Souto

Xavier L. Suarez

The Chairperson thereupon declared this resolution duly passed and adopted this 5<sup>th</sup> day of September, 2018. 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.

Shannon D. Summerset-Williams

# EXHIBIT 1

OR 8k 27257 Pas 1619 - 1622; (4pas) RECORDED 04/21/2010 12:13:50 HARVEY RUVIN, CLERK OF COURT MIAMI-DADE COUNTY, FLORIDA

instrument prepared under the direction of Terrence Smith, Assistant County Attorney 111 N.W. 1 Street, 28 Floor Miami, Florida 33128-1907

08-2122-003-1510, 08-2122-003-1520, 08-2122-003-1530.

# COUNTY DEED

day of Anri L2000 AD. by MIAMI-DADE COUNTY, a Political THIS DEED, made this Subdivision of the State of Florida, party of the first part, whose address is: Stephen P. Clark Center, 111 N.W. 1 Street Suite 17-202, Miami, Florida 33128-1963, and HABITAT FOR HUMANITY OF GREATER MIAMI, INC., a not-for-profit corporation, party of the second part, whose address is 3800 NW 22nd Ave., Miami, Florida 33142:

### WITNESSETH:

That the said party of the first part, for and in consideration of the sum of Ten Dollars and No/100 (\$10.00) to it in hand paid by the party of the second part, receipt whereof is hereby acknowledged, has granted, bargained, and sold to the said party of the second part, his/her heirs and assigns forever, the following described land lying and being in Miami-Dade County, Florida (the "Property"):

LOTS 7 & 8 BLK 9 MAGNOLIA SUB PB 40-80

LOTS 35 & 36 BLK 9 MAGNOLIA SUB PB 40-80

LOT 37 BLK 9 MAGNOLIA SUB PB 40-80

LOT 38 BLK 9 MAGNOLIA SUB PB 40-80

LOT 39 BLK 9 MAGNOLIA SUB PB 40-80

LOT 40 BLK 9 MAGNOLIA SUB PB 40-80

LOTS 19 & 20 BLK 9 MAGNOLIA SUB PB 40-80

THIS CONVEYANCE IS SUBJECT TO all zoning, rules, regulations and ordinances and other prohibitions imposed by any governmental authority with jurisdiction over the Property; 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 Property shall be developed with affordable housing, as defined by and in accordance with the requirements of the Infill Housing Initiative established in Sections 17-121 through 128 of the Code of Miami-Dade County and the County's Infill Housing Initiative Guidelines. If the event Party of the Second Part fails to develop the home in accordance with the Infill Housing Initiative Guidelines, title shall automatically revert to the Party of the First Part as a matter of lay and party and the property of the First Part as a matter of lay and party and the party of the First Part as a matter of lay and party and the party of the First Part as a matter of lay and party and the party of the First Part as a matter of lay and party and the party of the First Part as a matter of lay and party and the party of the First Part as a matter of lay and party and the party of the First Part as a matter of lay and party and the party of the First Part as a matter of lay and party of the First Part as a matter of lay and party of the party of the First Part as a matter of lay and party of the First Part as a matter of lay and party of the First Part as a matter of lay and party of the First Part as a matter of lay and party of the First Part as a matter of lay and party of the First Part as a matter of lay and party of the First Part as a matter of lay and party of the First Part as a matter of lay and party of the First Part as a matter of lay and party of the First Part as a matter of lay and party of the First Part as a matter of lay and party of the First Part as a matter of lay and party of the First Party of the Party of the First Part as a matter of law

- 2. That the Property shall be developed with affordable housing within one (1) year of the recording of this deed, as evidenced by the issuance of a final Certificate of Occupancy. In the event Party of the Second Part fails to complete the construction of the home(s) within one (1) year from the date of this deed, title shall automatically revert to the Party of the First Part as a matter of law and pursuant to this reverter. Notwithstanding, Party of the First Part may, in its sole discretion, waive this reverter condition if Party of the First Part finds it necessary to extend the time frame in which Party of the Second Part must complete the home. Such waiver by Party of the First Part, to be effective must (i) be given prior to the event of the reverter and (ii) shall be evidenced by the preparation of a letter executed by the County Manager or his designee giving such waiver and specifying the new time frame in which Party of the Second Part must complete the home. The letter by Party of the First Part 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 (1) year from the date of this deed, any party may rely upon the fact that the reverter has occurred and that title has reverted to Party of the First Part.
- 3. That the affordable housing developed on the property shall be sold to a qualified low income household earning less than or equal to eighty percent of the area median income, must be "affordable" to that household (PITI is less than one-third of household's gross monthly income), and is sold at a price equal to or 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 Twenty-Nine Thousand and 00/100 (\$129,000.00). In the event Party of the Second Part fails to sell the home to a qualified household or sells the home above One Hundred and Twenty-Nine Thousand and 00/100 (\$129,000.00), title shall automatically revert to the Party of the First Part as a matter of law and pursuant to this reverter clause, and by such reverter to the Party of the First Part, Party of the Second Part shall forfeit all monetary investments and improvements without any compensation or right to compensation whatsoever.
- 4. Within 30-days of closing on the sale of the home to the qualified household, Grantee shall submit a report to Miami-Dade County's Department of Housing and Community Development indicating the size of the household, ethnicity of the household, and the amount of Program income generated from the amount (percentage) of the CDBG investment. Program income is defined as the income from the sale of the houses.

Party of the Second Part 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 20 years for a maximum of 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."

Party of the Second Part (or Successor in Interest), shall pay real estate taxes and assessments on the property or any part thereof when due. Party of the Second Part 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 Party of the Second Part may encumber the property 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 single family home 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.

The recordation, together with any mortgage purporting to meet the requirements of clauses (a) or (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 single family home 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.

Upon receiving proof of compliance with all the deed restrictions listed above, the County shall furnish the Party of the Second Part 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.

In the event the Party of the Second Part, its successors or assigns, shall violate or otherwise fail to comply with any of the restrictions and covenants set forth herein, the Party of the Second Part, its successors or assigns, shall correct or cure the default/violation within (30) days of notification of the default by the county. If the party of the Second Part, its successors or assigns, fails to remedy the default within thirty (30) days, the County shall have the right to re-enter and take possession of the property and to terminate and revest in the County the estate conveyed by this Deed to the Party of the Second Part, its successors or assigns, and by such reverter to the County, the Party of the Second Part shall forfeit all monetary investments and improvements without any compensation or right to compensation whatsoever; provided, that any such right of re-entry shall always be subjected to and limited by, and shall not defeat, render invalid, or limit any way the lien of any valid mortgage or Deed or Trust permitted by this Deed.

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

IN WITNESS WHEREOF the said party of the first part has caused these presents to be executed in its name by its Board of County Commissioners acting by the Mayor of said Board, the day and year aforesaid.

(OFFICIAL SEAL)

ATTEST:

HARVEY RUVIN, CLERK

Ву:

Approved for legal sufficiency

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

Mayor

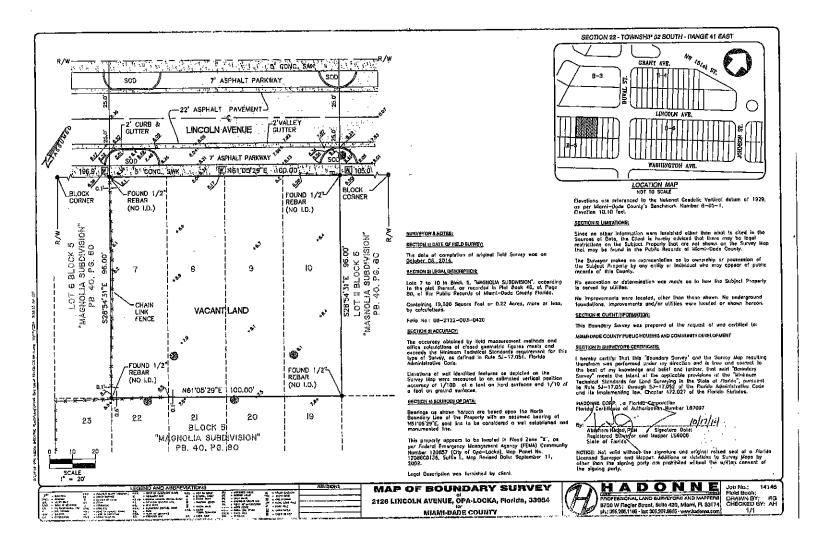
The foregoing was authorized by Resolution No. R-1383-09 approved by the Board of County Commissioners of Miami-Dade County, Florida, on the 1<sup>st</sup> day of December, 2009.

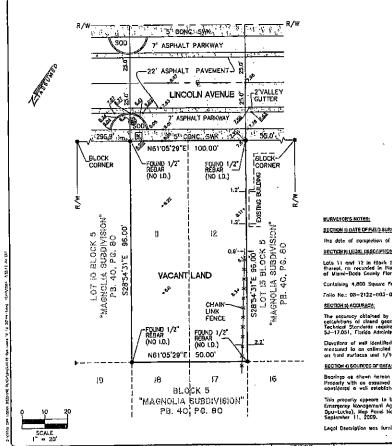
HARVEY HUMAN, CLERK of Grount Suries

HARVEY HUMAN, CLERK of Grount Suries

BY

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### SECTION I) DATE OF FIELD SURVEY:

The date of completion of original field Survey was on <u>October 08</u>, 2014,

### SECTION PLED AL DESCRIPTION:

Lots 11 and 12 in Block 5, "AAGNOUA SUBURISION", according to the plat thereof, an recorded in Piel Dook 40, of Page 80, of the Fublic Records of Manni-Dode County Floriko.

Contoloing 4,800 Square Feet or 0.11 Acres, more or less, by colculations.

### Folio No.: 98-2122-003-0430

The activities obtained by field maccurement methods and office colculations of chiefd geometric figures meets and exceeds the Midmum Technical Standards requirement for fish type of Survey, as defined in Rule 33-17.051, Florido Administrative Code.

Elevations of well identified features as depicted on the Survey Map name measured to an astimuted vertical position accuracy of 1/100 of a foot on foot at studies and 1/10 of a foot on ground surfaces.

Bearings on shown hereon are based upon the North Boundary Line Property with an assumed braving of N61'05'29'E, and line to be considered a well established and monumented line.

This property appears to be located in Flood Zone "X", as per Federal Emergency Management Agency (FEMI) Community Number 120657 (City of Spellowher II, 2005.

Legal Description was furnished by slight

# SECTION 22 - TOWNSHIP 52 SOUTH - RANGE 41 EAST WASHINGTON AVE

Elevations are referenced to the Malianat Geodelic Vertical datum of 1929, as per Michal-Bada County's Banchmark Number B-65-1. Elevation 10.10 feet,

### SECTION B) LIMITATIONS:

Since no other information were furnished other than what is stilled in the Sources of Date, the Crient is taraby advised that there may be figed restrictions on the Subject Property kind are not shown on the Survey Map that may be found in the Public Records of Manni-Dade County.

The Surveyor modeus no representation as to unreachip or passession of the Subject Property by any antity or individual who may appear of public records of this County.

SECTION IN CLIENT MECHATION:

This Boundary Survey was prepared of the request of and certified to:

### MISSING AND COUNTY PUBLIC HOUSING AND COMMUNITY DEVELOPMENT

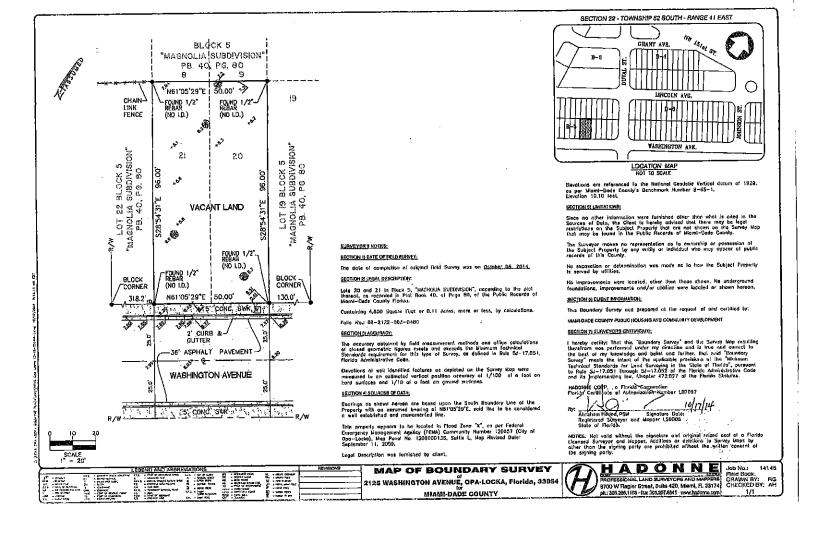
### SECTION I) SURVEYORS CERTIFICATE:

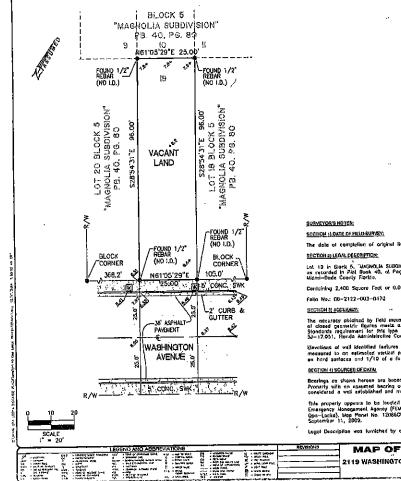
CEGENIO ANI) ABBREVIATIONS

10. | The state of the state - Bright Batt F - Gray William Language of Sec. 11 in - Charles - Capital - Capital - Capital - Capital

MAP OF BOUNDARY SURVEY 2136 LINCOLN AVENUE, OPA-LOCKA, Florido, 33054 MIAMI-DADE COUNTY

| 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100





et and water

The date of completion of original links Survey was on <u>Detailer (ill., 2014.</u>

Containing 2,400 Square Fact or 0.06 Acres, more or less, by calculations.

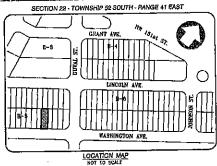
The accuracy obtained by field inconsurement melitods and office colors of closed geometric figures meets and exceeds the Whimum Technical Standards regionement for this type of Survey, us defined in Rude 51–17.051, Florda Administrative Code.

Elevations of well identified features os depicted on the Survey Mop were measured to an estimated vertical position accuracy at 1/100 of a foot on hard surfaces and 1/10 of a foot on ground surfaces.

Bearings or shawn hereen are based upon the South Boundary Una of the Pronerty with an assumed bearing of NSTOS'22'C, said line to be considered a well established and monumented line.

Rile properly uppers to be located in Feed Zann "N", as per Federal Emergency Management Agance (FEMA) Community Number (2007) (Oby of Open-Locat), bog Panel No. 12066(0)136, Sulfix L, Mop Revited Color Soptember 11, 2009.

Legal Description was furnished by olient.



Clavallons are reforenced to the National Geodetic Vertical colum of 1920, or per Minmi-Dade County's Benchmark Number 8-65-1.
Eboralian 10.10 feet.

Since no other information were furnishing other from what is clied in the Sources of Onia, the Clinn is hereby orbited that linter may be legal relaticitiens on this Subject Preparity like are not shown on the Survey Map that may be tourne in the Public Records of Mami-Dade County.

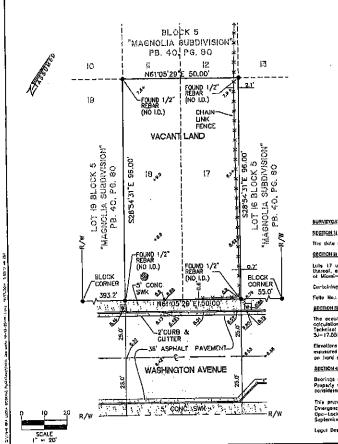
The Surveyor makes no representation as to amerating or possession of the Subject Property by any entity or individual who may appear of public records of this County.

### SUCTION 7] SURVEYOR'S CERTIFICATE;

hereby certify. That this "Soundary Survey" and the Survey Map resulting therefore were performed under my direction and in these and correct to the best of my knowledge and bestlet and further, their still "Soundary Servey" mosts the Indext of the opplicable providence of the "Minimum Vendorbical Stundards for Lond Surveying in the Sinice of Period", nurstend to Note Science 2017 12-02 of the Tracked Administration Code on its Implementation (are, Chicago Su-17.02) of the Tracked Administration Code on its Implementation (are, Chicago Survey).

MAP OF BOUNDARY SURVEY 2119 WASHINGTON AVENUE, OPA-LOCKA, Florida, 23054 MIAMI-DADE COUNTY





### BURVEYOR'S NOTES:

# SECTION 1) DATE OF RELD SURVEY!

The date of completion of original field Survey was on <u>October 05, 2014.</u>

### GECTION 2) LEGAL GEOGRIPTION

Luly 17 and 18 is Block 5, "MAGNOLIA SUBDINISION", occording to the ptol thereof, as recorded in Ptol Back 40, at Page 80, at the Public Records of Micmi-Dade County Florida.

Cartaining 4.800 Square Feel or 0.11 Acres, more or less, by colculations.

### Fello No.: 08-2122-003-0160 BECTION STACCUTACY:

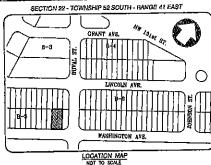
The occuracy abbleired by Reid measurement methods and office colcabilens of clased geometric figures mosts and exceeds the Minimum Technical Standards requirement for this type of Survey, as defined in Rule 5J-17.051, Florida Administrative Code.

Elevations of self identified features as depicted on the Survey Map were measured to an astimated vertical position accuracy of 1/100 of a foot on pround surfaces and 1/10 of a foot on ground surfaces.

### SECTION 4) SOURCES OF DATA:

Bearings as shown hereon are borred upon the South Boundary Line of the Proparty with an externed bearing of N61'05'29's, soid line to be sonsidered a well established and manumented line.

This prunerly appears to be (wested in Flood Zone "K", as per Federal Cheaugusey Moranyament Agency (FEMA) Community Humber 120657 (City of Oper-Locke), May Panel to 120650138, Suffer L, May Revised Tails: September 11, 2009.



NOT TO SCALE

Elevations or relurenced to the National Seadells Vertical datum of 1920, og par Micmi-Dade County's Benchmark Number B-65-1 Elevation 10.10 (vol.

### SECTION (I) LIMITATIONS:

Since no either information were furnished other than what is cited in the Sewices of Dolo, the Client is hereby advised that there may be legal realizations on the Subject Property that one not show on the Survey Map that may be round in the Public Records of Miami-Bode County.

The Surveyor makes no representation as to numership or possession of the Subject Property by any solity or individual who may appear of public records of this County.

No excavation or determination was mude as to how the S is served by utilities.

SECTION OF CLIENT INFORMATION;

This Boundary Survey was prepared of the request of and certified to:

MANAGED COUNTY PUBLIC HOUSING AND COMMUNITY DEVELOPMENT

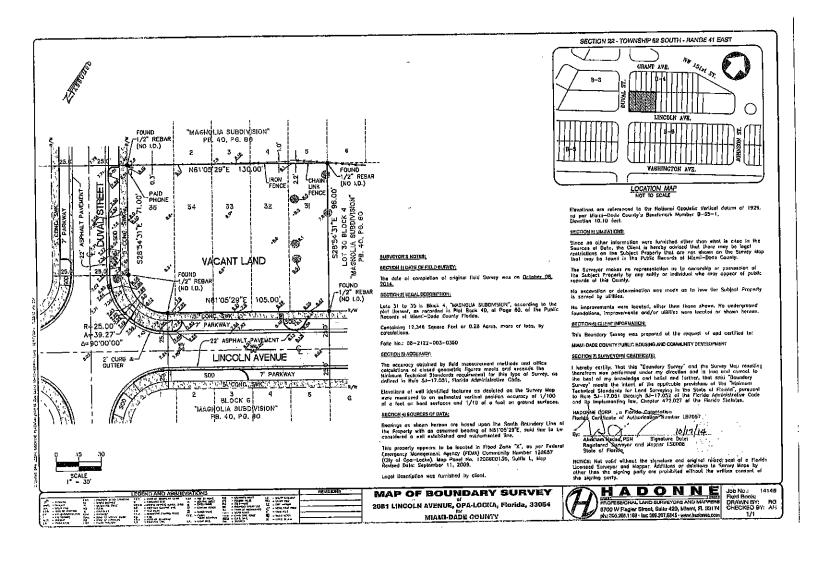
### SECTION 7) BURVEYOR'S CERTIFICATE:

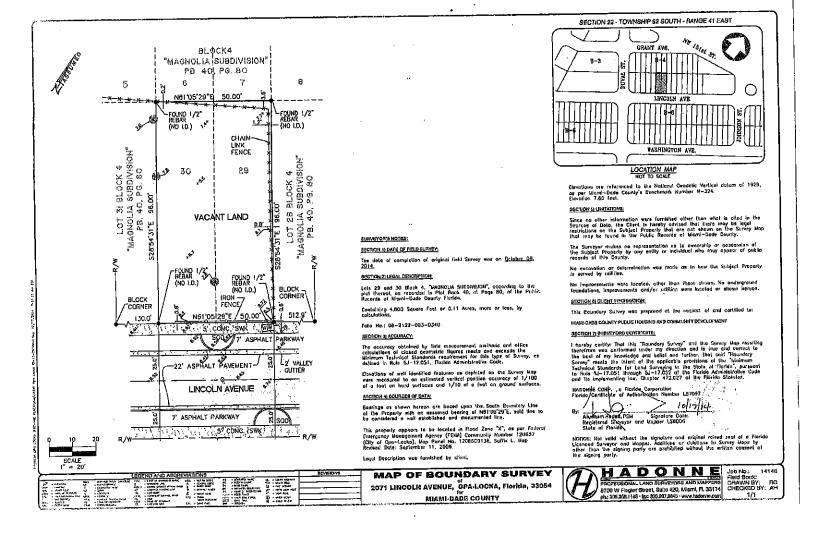
Contract the contract of the c

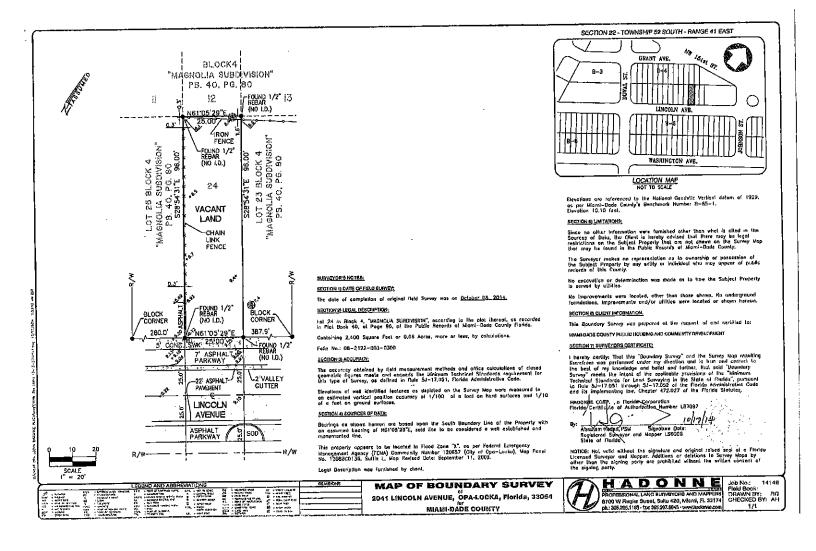
MAP OF BOUNDARY SURVEY 2113 Washington Avenue, Opa-Locka, Florida, 3305/ MIAMI-DADE COUNTY

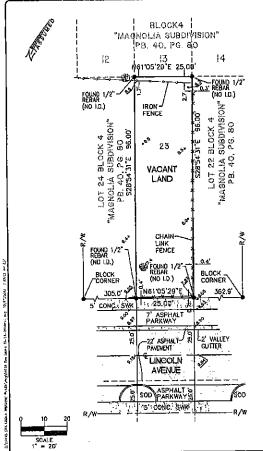
PROPESSIONAL LAND SURVEYORS AND MAPPERS 9700 W Flogler Strott, Skille 420, Milont, R. 39174 ph. 365,266,1183 - last 005,977.8945 - www.hadomo.com

Job No.: 14146 Field Book: DRAWN SY: RG CHECKED BY: AH 14148









SURVEYOR'S NOTES;

### BECTION I) DATE OF FIELD SURVEY:

The date of completion of original field Survey was an October 05\_2014.

### SECTION 2) LEGAL DESCRIPTION:

Lot 23 in Block 4, "MADNOLIA SUBDIVISION", according to the plot thereof, as recorded in Plot Bank 40, at Page 80, of the Public Records at Miomi-Dadw County Florida.

Containing 2,400 Square Feet or 0,06 Acres, more or less, by calculations.

Feil's No.: 08-2122-003-0290

### SECTION 3) ACCURACY:

The accuracy obtained by field measurement methods and office calculations of closed governance figures moving and exceeds the Minimum Technical Standards reginarement for this type of Survey, as defined in Rule 51–17.051, Fladda Administrative Cade,

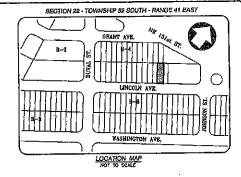
Eloyations of well identified features as depicted on the Survey Map were measured to an estimated vertical position occurrecy of 1/100 of a feet on hard surfaces and 1/10 of a feet on ground surfaces.

### SECTION 4) SOURCES OF DATA:

Boorings as shown hereon are pased upon the South Boundary Line of the Property with an assumed bearing of N61'05'29'C, edid line to be considered a well established and monumented line.

This properly appears to be inculed in Flout Zone "k", as ner Feldrol Emergency Management Agency (FDIA) Community Number 120657 (Gily of Oper-Locks), May Fond No. 12080(2013), Sulfie L. Map Revised Date: September 1, 2009.

Logal Description was furnished by client.



Elevations are relevanced to the National Gendelia Vertical datum of 1929, as per Marni-Doda County's Benchmurk Number 8-65-1. Bayellan 10.10 feet.

### SECTION S) LIMITATIONS:

The Surveyor makes no representation as to ownerskip or cossession of the Subject Property by any entity or individual who may appear of public records of this County.

No exposuling or determination was made as to how the Subject Property is served by

hig improvements were located, other than trace shown. No underground foundations, improvements and/or utilities were located or shown harvon

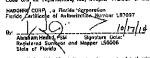
### GEOTION 6) CLIENT INFORMATION:

This Boundary Survey was prepared at the request of and curtified to

MIAMPDADE COUNTY PUBLIC HOUSING AND COMMUNITY DEVELOPMENT

### SECTION 71 BURVEYORS CERTIFICATE:

It heavily certify, first this 'boundary Survey' and the Survey Map resulting thandtont was performed under my direction and is loss and correct to the best of my knowledge and best of during, that soil Quantary Survey, moste the Intent of the applications of the Micronium (cetained Standards for Land Surveying in the State of Federal During Country Surveying in the State of Federal During Landard Country in the Federal Administrativa Coule and the linguistmentical land, School Country in the Implementary law, Chapter 472.027 of the Florido Statetes.



LEGEND AND ABBREVIATIONS

The Part of Company of the Company of th

MAP OF BOUNDARY SURVEY 2041 LINCOLN AVENUE, OPA-LOCKA, Florida, 33054 MIAMI-DADE COUNTY

HADONNE
PROFESSIONAL LAND SURVEYORS AND MAPPENS
BYOU W Rogler Street, Suite 430, Marri, R. 39174
ph: 305.205, 1188 - box 305.207, 8845 - www.hadorna.com

