OFFICIAL FILE COPY
CLERK OF THE BOARD
OF COUNTY COMMISSIONERS
MIAMI-DADE COUNTY, FLORIDA

MEMORANDUM

Agenda Item No. 5(L)

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

DATE: March 8, 2016

FROM: Abigail Price-Williams
County Attorney

SUBJECT: Resolution declaring surplus two County-owned properties and revising the inventory list of real property, after a public hearing, to include the 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; authorizing the conveyance of the two County-owned 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

Resolution No. R-190-16

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 Audrey M. Edmonson.

Abigail Price-Williams
County Attorney

APW/cp

/

Memorandum

MIAMI-DADE COUNTY

Date: March 8, 2016

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

From: Carlos A. Giménez
Mayor

Subject: Authorize the Conveyance of Two Lots to Habitat for Humanity of Greater Miami, Inc. to Develop Infill Housing and the Execution of a County Deed for Such Purpose

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Recommendation

It is recommended that the Board of County Commissioners (Board) adopt the attached resolution to:

1) Declare as surplus two (2) parcels of County-owned land (Infill Properties) and, after a public hearing, revise the Affordable Housing Inventory List to include the Infill Properties in accordance with Section 125.379(1) of the Florida Statutes;
2) Approve the waiver of Implementing Order No. 3-44 as it relates to the conveyance process established in the section entitled "Availability of County Property" for the Infill Properties which were not offered through the Work Order Proposal process;
3) Authorize the conveyance of the Infill Properties, pursuant Section 125.379(2), Florida Statutes, and Section 17-121 of the Code of Miami-Dade County (the Code) to Habitat for Humanity of Greater Miami, Inc. (Habitat), a 501(c)(3) not-for-profit Florida corporation and an approved Infill Housing Initiative Program (Infill Program) developer, at a price of $10.00;
4) Authorize the Chairperson or Vice-Chairperson of the Board to execute a County Deed to convey the Infill Properties to Habitat to develop affordable homes;
5) Authorize the County Mayor or the County Mayor's designee to take all necessary action to enforce the provisions set forth in the County Deed, including, but not limited to, granting extensions and exercising the County's option to enforce its reversionary interest; and
6) Ensure the placement of appropriate signage on each lot by the County Mayor or County Mayors designee.

Scope

The Infill Properties are located in District 3 which is represented by Commissioner Audrey M. Edmonson.

Fiscal Impact

The conveyance of the Infill Properties will eliminate the County's obligation to maintain these properties, which costs approximately $952.00 annually. Further, once the Infill Properties are developed and sold, the new homes will generate real estate taxes to the County. The funds used to maintain the lots are paid from the Internal Services Department's Capital Outlay Reserve Fund.

Track Record/Monitoring

This project will be monitored by Jorge R. Cibran, AIA, Department Director of Facilities and Development for the Public Housing and Community Development Department.

Background

On November 5, 2015, Habitat submitted a written request to the County for the conveyance of the Infill Properties in order to develop them in accordance with the Infill Housing Program. In accordance with Administrative Order No. 8-4, the Internal Services Department forwarded a memorandum to all County departments on November 12, 2015 to determine if they had any planned use or anticipated need for any of the Infill Properties. No County department expressed interest in the Infill Properties.

The Infill Properties are part of the County's inventory of properties on the County's "List of Lands." The Board is requested to surplus these properties and add them, after a public hearing, to the Affordable Housing Inventory List, which is maintained in accordance with Section 125.379(1) of the Florida Statutes. All or some of the properties may require corrective actions, such as variances of zoning and platting, as well as water and sewer connection charges, which Habitat has agreed to resolve at its expense. Additionally, Habitat is willing to pay any outstanding special assessments and real estate taxes.

The Infill Properties will be conveyed, subject to the requirements of the Infill Program's Developer Pool Contract No. RFQ839a executed on November 1, 2013, the Infill Program, and the County Deed, which contains restrictions and a reverter provision. In the event that Habitat fails to comply with the deed restrictions, the County may, at its option, exercise its reversionary interest.

Since the Infill Properties requested by Habitat were not offered through the Work Order Proposal process, it is necessary to waive the section of Implementing Order No. 3-44 entitled "Availability of County Property." This Implementing Order requires that properties that have been determined to be suitable for development through the Infill Program will be offered to a pre-qualified pool through a competitive work order proposal process. Notwithstanding the requirements of Implementing Order No. 3-44, the Board is authorized to donate, without competitive process, the Infill Properties to Habitat pursuant to Section 125.379(2), Florida Statutes, because Habitat is a not-for-profit housing organization that intends to construct permanent affordable housing. As no County department has expressed an interest in the Infill Properties and because Habitat intends to develop these properties as affordable housing to be sold to qualified homebuyers, it is the Department's recommendation that the Infill Properties should be conveyed to Habitat.

The Department has complied with Resolutions Nos. R-376-11 and R-333-15 by providing detailed information on the Infill Properties, as set forth in Exhibit A of this memorandum, which includes information concerning the County's investment, future control, and disclosure of market values of each of the properties.

Attachment

Russell Benford, Deputy Mayor

MEMORANDUM

(Revised)

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

DATE: March 8, 2016

FROM: Abigail Price-Williams
County Attorney

SUBJECT: Agenda Item No. 5(L)

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(L)
3-8-16

RESOLUTION NO. R-190-16

RESOLUTION DECLARING SURPLUS TWO COUNTY-OWNED PROPERTIES AND REVISING THE INVENTORY LIST OF REAL PROPERTY, AFTER A PUBLIC HEARING, TO INCLUDE THE 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; AUTHORIZING THE CONVEYANCE OF THE TWO COUNTY-OWNED 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; 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 November 5, 2015, a copy of which is attached hereto as Attachment "A," and incorporated herein by reference, requesting that the County convey to them two parcels of land (the "Infill Properties"), which are more fully described in Attachments "B" and "C" 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 no County departments have expressed an interest in the Infill Properties; and

WHEREAS, this 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 to the County Mayor's memorandum as Exhibit "A" 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 property that is 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 Infill Properties have not yet 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 Infill Properties surplus, desires to revise the Affordable Housing Inventory List to include the Infill Properties, and also finds that the Infill Properties are appropriate for use as affordable housing; and

WHEREAS, 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 the 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 Infill Properties as surplus and, after a public hearing, revises the Affordable Housing Inventory List to include the Infill Properties in accordance with Section 125.379(1), Florida Statutes.

Section 3. This Board waives the requirements of Administrative Order 8-4 as it relates to review by the Planning Advisory Board.

Section 4. This Board hereby approves the conveyance of the Infill Properties to Habitat at a price of $10.00 pursuant to Section 125.379(2), Florida Statutes.

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 Infill Properties, including the execution of the County Deed, in substantially the form attached hereto and made a part hereof as Attachment "D." 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 foregoing resolution was offered by Commissioner **Dennis C. Moss**, who moved its adoption. The motion was seconded by Commissioner **Daniella Levine Cava** and upon being put to a vote, the vote was as follows:

Jean Monestime, Chairman **aye**
Esteban L. Bovo, Jr., Vice Chairman **absent**

Bruno A. Barreiro	**aye**	Daniella Levine Cava	**aye**
Jose "Pepe" Diaz	**aye**	Audrey M. Edmonson	**aye**
Sally A. Heyman	**aye**	Barbara J. Jordan	**aye**
Dennis C. Moss	**aye**	Rebeca Sosa	**absent**
Sen. Javier D. Souto	**aye**	Xavier L. Suarez	**aye**
Juan C. Zapata	**aye**		

The Chairperson thereupon declared the resolution duly passed and adopted this 8th day of March, 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: Christopher Agrippa
Deputy Clerk

Approved by County Attorney as
to form and legal sufficiency.

Terrence A. Smith

ATTACHMENT "A"

Habitat for Humanity® of Greater Miami

November 5, 2015

Mr. Michael Liu, Director
Miami-Dade County
Public Housing and Community Development
Overtown Transit Village North
701 NW 1st Court, 16th Floor
Miami, FL 33136

Dear Mr. Liu:

Recently, Habitat for Humanity of Greater Miami made a request of the Public Housing and Community Development department (through correspondence to the District Commissioners)requesting some infill lots which we will use to build low income housing as per our Habitat model. As you know, Habitat's partnership with the infill program has resulted in hundreds of single family homes being built. The program is an integral component of our ability to help so many families reach their goal of home ownership.

Since that request Habitat has identified an additional five (5) infill lots which will help our efforts and we are respectfully requesting that these lots be added to our original request, or if that is not possible, that a separate item is prepared for Habitat to receive these lots from the infill program. It is our intention to build on these lots on our upcoming fiscal year. All of these lots are in unincorporated Miami Dade and will move to the top of the list of our offerings.

All, or some of the properties, may require corrective actions such as, variances of zoning and platting, and water and sewer connection charges, which Habitat has agreed to resolve at their expense. Habitat is willing to pay any outstanding special assessments and real estate taxes. For folio 30-3111-047-0040, Habitat has agreed to demolish an 831 square foot structure at their expense, and plans to split the parcel and build two homes.

The list of properties is included as an attachment.

Thank you very much for your attention to this matter and for your continues support of our mission. You are great partners to Habitat.

Mario Artecona
Chief Executive Officer
Habitat for Humanity of Greater Miami

Cc: Alan Eson, Infill Coordinator, PHCD

3800 NW 22nd Avenue Miami, FL 33142. | Tel: 305.634.3628 | Fax: 305.638.4917 | www.miamihabitat.org

District 2- Request for 3 folio's					
Address	Folio #	Location	Lot Size	Zone	District
7930(4) NW 10 AVE (will be split into 2)	30-3111-047-0040	West Little River	13,500 Sq.Ft (will be 6,750)	RU-2	2
Part 2		West Little River	6,750 Sq. Ft	RU-2	2
22 Ave and NW 92 ST	30-3103-012-1345	West Little River	8,468 Sq.Ft	RU-1	2
3441 NW 94 TER	30-3104-006-0460	West Little River	6,000 Sq.Ft	RU-1	2

District 3- Request for 2 folio's					
Address	Folio #	Location	Lot Size	Zone	District
1937 NW 51 TER	30-3122-052-5240	Brownsville	5,000 Sq.Ft	RU-2	3
4435 NW 23 AVE	30-3122-029-0430	Brownsville	8,733 Sq.Ft	RU-2	3

OFFICE OF THE PROPERTY APPRAISER

Detailed Report

Generated On : 11/5/2015

Property Information	
Folio:	30-3122-052-5240
Property Address:	1937 NW 51 TER Miami, FL 33142-3772
Owner	MIAMI DADE COUNTY ISD R/E MGMT
Mailing Address	111 NW 1 ST STE 2460 MIAMI, FL 33128
Primary Zone	5700 DUPLEXES - GENERAL
Primary Land Use	8047 VACANT GOVERNMENTAL : DADE COUNTY
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	5,000 Sq.Ft
Year Built	0

Assessment Information			
Year	2015	2014	2013
Land Value	$12,500	$17,500	$11,250
Building Value	$0	$0	$0
XF Value	$0	$0	$0
Market Value	$12,500	$17,500	$11,250
Assessed Value	$12,500	$17,500	$11,250

Taxable Value Information			
	2015	2014	2013
County			
Exemption Value	$12,500	$17,500	$11,250
Taxable Value	$0	$0	$0
School Board			
Exemption Value	$12,500	$17,500	$11,250
Taxable Value	$0	$0	$0
City			
Exemption Value	$0	$0	$0
Taxable Value	$0	$0	$0
Regional			
Exemption Value	$12,500	$17,500	$11,250
Taxable Value	$0	$0	$0

Benefits Information				
Benefit	Type	2015	2014	2013
County	Exemption	$12,500	$17,500	$11,250

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

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:

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OFFICE OF THE PROPERTY APPRAISER

Generated On : 11/5/2015

Property Information

Folio: 30-3122-052-5240

Property Address: 1937 NW 51 TER

Roll Year **2015** Land, Building and Extra-Feature Details

Land Information

Land Use	Muni Zone	PA Zone	Unit Type	Units	Calc Value
GENERAL	RU-2	5700	Square Ft.	5,000.00	$12,500

Building Information

Building Number	Sub Area	Year Built	Actual Sq.Ft.	Living Sq.Ft.	Adj Sq.Ft.	Calc Value

Extra Features

Description	Year Built	Units	Calc Value

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Property Information

Folio: 30-3122-052-5240

Property Address: 1937 NW 51 TER

Roll Year **2014** Land, Building and Extra-Feature Details

Land Information

Land Use	Muni Zone	PA Zone	Unit Type	Units	Calc Value
GENERAL	RU-2	5700	Square Ft.	5,000.00	$17,500

Building Information

Building Number	Sub Area	Year Built	Actual Sq.Ft.	Living Sq.Ft.	Adj Sq.Ft.	Calc Value

Extra Features

Description	Year Built	Units	Calc Value

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Property Information

Folio: 30-3122-052-5240

Property Address: 1937 NW 51 TER Miami, FL 33142-3772

Roll Year **2013** Land, Building and Extra-Feature Details

Land Information

Land Use	Muni Zone	PA Zone	Unit Type	Units	Calc Value
GENERAL	RU-2	5700	Square Ft.	5,000.00	$11,250

Building Information

Building Number	Sub Area	Year Built	Actual Sq.Ft.	Living Sq.Ft.	Adj Sq.Ft.	Calc Value

Extra Features

Description	Year Built	Units	Calc Value

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Generated On : 11/5/2015

Property Information

Folio: 30-3122-052-5240

Property Address: 1937 NW 51 TER

Full Legal Description
14 15 22 23 53 41
FLORAL PK PB 8-5
LOT 20 BLK 29
LOT SIZE 50.000 X 100
OR 23089-1341 0205 3
COC 23602-3743 25336-0911 0705 6

Sales Information			
Previous Sale	Price	OR Book-Page	Qualification Description
04/30/2013	$0	28606-4545	Corrective, tax or QCD; min consideration
07/01/2005	$47,000	23602-3743	Other disqualified
02/01/2005	$0	23089-1341	Sales which are disqualified as a result of examination of the deed

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Version:

CFN 2013R0339829
OR Bk 28606 Pg 4545; (1pg)
RECORDED 04/30/2013 13:49:02
HARVEY RUVIN, CLERK OF COURT
MIAMI-DADE COUNTY, FLORIDA
LAST PAGE

Tax Deed File Number 08-797
Property Identification No. 30-3122-052-5240

E S C H E A T M E N T
T A X D E E D
TO MIAMI-DADE COUNTY

STATE OF FLORIDA
COUNTY OF MIAMI-DADE

FILED
2013 APR 30 AM 9:33
CLERK OF MIAMI-DADE

This Tax Deed is issued pursuant to Section 197.502(8), Florida Statutes wherein three years have passed from the day the subject land was offered for public sale and placed on the list of "lands available for taxes" in accordance with Section 197.502(7), Florida Statutes, without having been purchased. As provided in Section 197.502(8), Florida Statutes, the property hereby escheats to the County free and clear of any and all tax certificates, tax liens or any other liens of record, including governmental liens, which liens are hereby deemed canceled pursuant to said statute.

On this 22nd day of MARCH 2013 the undersigned Clerk conveys to Miami-Dade County through its Board of County Commissioners, whose address is:

111 NW 1st Street
Miami, Florida 33128

together with all hereditaments, buildings, fixtures and improvements of any kind and description, the following legally described land situate in Miami-Dade County, Florida:

14 15 22 23 53 41 FLORAL PK PB 8-5 LOT 20 BLK 29 LOT SIZE 50.000 X 100

Witnessed by:

MONICA E. DE LA CRUZ 5/2/09

JULICIA NISBETT

HARVEY RUVIN
Clerk of the Circuit Court
Miami-Dade County, Florida

BY: DEPUTY CLERK

CIRCUIT AND COUNTY COURTS SEAL IN GOD WE TRUST DADE COUNTY, FLORIDA

BEFORE ME, the undersigned notary public, personally appeared Ina Melceras, Deputy Clerk of the Circuit Court in and for Miami-Dade County, Florida, who is personally known to me and who acknowledged the execution of this instrument to be of her own free act and deed for the uses and purposes therein mentioned.

SWORN TO AND SUBSCRIBED BEFORE ME ON March 22, 2013

ARLENE GRIFFIN
MY COMMISSION # EE 110552
EXPIRES: July 10, 2015
Bonded Thru Notary Public Underwriters

Notary Public, State of Florida, At Large
My Commission Expires:

This instrument prepared by

DANIEL CALIXTE
Deputy Clerk of the Circuit Court of
Miami-Dade County, Florida

tdrpt07a 01/04

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OFFICE OF THE PROPERTY APPRAISER

Summary Report

Generated On : 11/5/2015

Property Information	
Folio:	30-3122-029-0430
Property Address:	4435 NW 23 AVE Miami, FL 33142-4605
Owner	MIAMI DADE COUNTY ISD R/E MGMT
Mailing Address	111 NW 1ST STREET #2460 MIAMI, FL 33128
Primary Zone	5700 DUPLEXES - GENERAL
Primary Land Use	8047 VACANT GOVERNMENTAL : DADE COUNTY
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	8,733 Sq.Ft
Year Built	0

Assessment Information			
Year	2015	2014	2013
Land Value	$19,649	$27,509	$17,684
Building Value	$0	$0	$0
XF Value	$0	$0	$0
Market Value	$19,649	$27,509	$17,684
Assessed Value	$19,649	$19,452	$17,684

Taxable Value Information			
	2015	2014	2013
County			
Exemption Value	$19,649	$19,452	$17,684
Taxable Value	$0	$0	$0
School Board			
Exemption Value	$19,649	$27,509	$17,684
Taxable Value	$0	$0	$0
City			
Exemption Value	$0	$0	$0
Taxable Value	$0	$0	$0
Regional			
Exemption Value	$19,649	$19,452	$17,684
Taxable Value	$0	$0	$0

Benefits Information				
Benefit	Type	2015	2014	2013
Non-Homestead Cap	Assessment Reduction		$8,057	
County	Exemption	$19,649	$19,452	$17,684

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

Sales Information			
Previous Sale	Price	OR Book-Page	Qualification Description
01/05/2010	$100	27140-1283	Corrective, tax or QCD; min consideration
01/04/2010	$100	27137-2147	Corrective, tax or QCD; min consideration
08/01/2004	$0	22601-3221	Sales which are disqualified as a result of examination of the deed
03/01/1996	$0	00000-00000	Sales which are disqualified as a result of examination of the deed

Short Legal Description
22 53 41
BUCKEYE PK PB 13-69
N1/2 OF LOT 22 & ALL OF LOT 23
LOT SIZE 61.500 X 142
OR 23404-1780 0505 3

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OFFICE OF THE PROPERTY APPRAISER

Generated On : 11/5/2015

Property Information

Folio: 30-3122-029-0430

Property Address: 4435 NW 23 AVE

Roll Year **2015** Land, Building and Extra-Feature Details

Land Information

Land Use	Muni Zone	PA Zone	Unit Type	Units	Calc Value
GENERAL	RU-2	5700	Square Ft.	8,733.00	$19,649

Building Information

Building Number	Sub Area	Year Built	Actual Sq.Ft.	Living Sq.Ft.	Adj Sq.Ft.	Calc Value

Extra Features

Description	Year Built	Units	Calc Value

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OFFICE OF THE PROPERTY APPRAISER

Generated On : 11/5/2015

Property Information

Folio: 30-3122-029-0430

Property Address: 4435 NW 23 AVE

Roll Year **2014** Land, Building and Extra-Feature Details

Land Information

Land Use	Muni Zone	PA Zone	Unit Type	Units	Calc Value
GENERAL	RU-2	5700	Square Ft.	8,733.00	$27,509

Building Information

Building Number	Sub Area	Year Built	Actual Sq.Ft.	Living Sq.Ft.	Adj Sq.Ft.	Calc Value

Extra Features

Description	Year Built	Units	Calc Value

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Version:

OFFICE OF THE PROPERTY APPRAISER

Generated On : 11/5/2015

Property Information

Folio: 30-3122-029-0430

Property Address: 4435 NW 23 AVE Miami, FL 33142-4605

Roll Year **2013** Land, Building and Extra-Feature Details

Land Information

Land Use	Muni Zone	PA Zone	Unit Type	Units	Calc Value
GENERAL	RU-2	5700	Square Ft.	8,733.00	$17,684

Building Information

Building Number	Sub Area	Year Built	Actual Sq.Ft.	Living Sq.Ft.	Adj Sq.Ft.	Calc Value

Extra Features

Description	Year Built	Units	Calc Value

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 : 11/5/2015

Property Information

Folio: 30-3122-029-0430

Property Address: 4435 NW 23 AVE

Full Legal Description
22 53 41
BUCKEYE PK PB 13-69
N1/2 OF LOT 22 & ALL OF LOT 23
LOT SIZE 61.500 X 142
OR 23404-1780 0505 3
CASE #08-A00792

Sales Information

Previous Sale	Price	OR Book-Page	Qualification Description
01/05/2010	$100	27140-1283	Corrective, tax or QCD; min consideration
01/04/2010	$100	27137-2147	Corrective, tax or QCD; min consideration
08/01/2004	$0	22601-3221	Sales which are disqualified as a result of examination of the deed
03/01/1996	$0	00000-00000	Sales which are disqualified as a result of examination of the deed
12/01/1995	$0	17018-3401	Sales which are disqualified as a result of examination of the deed
02/01/1995	$0	00000-00000	Sales which are disqualified as a result of examination of the deed
08/01/1991	$0	00000-00000	Sales which are disqualified as a result of examination of the deed
05/01/1989	$0	14123-4576	Sales which are disqualified as a result of examination of the deed

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Version:

22

CFN 2013R0340102
OR Bk 28607 Pg 0234f (1pg)
RECORDED 04/30/2013 14:27:23
HARVEY RUVIN, CLERK OF COURT
MIAMI-DADE COUNTY, FLORIDA
LAST PAGE

Tax Deed File Number 08-792
Property Identification No. 30-3122-029-0430

ESCHEATMENT
TAX DEED
TO MIAMI-DADE COUNTY

STATE OF FLORIDA
COUNTY OF MIAMI-DADE

FILED
2013 APR 30 AM 9:32
CLERK OF COURT
MIAMI-DADE

This Tax Deed is issued pursuant to Section 197.502(8), Florida Statutes wherein three years have passed from the day the subject land was offered for public sale and placed on the list of "lands available for taxes" in accordance with Section 197.502(7), Florida Statutes, without having been purchased. As provided in Section 197.502(8), Florida Statutes, the property hereby escheats to the County free and clear of any and all tax certificates, tax liens or any other liens of record, including governmental liens, which liens are hereby deemed canceled pursuant to said statute.

On this 22nd day of MARCH 2013 the undersigned Clerk conveys to Miami-Dade County through its Board of County Commissioners, whose address is:

111 NW 1st Street
Miami, Florida 33128

together with all hereditaments, buildings, fixtures and improvements of any kind and description, the following legally described land situate in Miami-Dade County, Florida:

22 53 41 BUCKEYE PK PB 13-69 N1/2 OF LOT 22 & ALL OF LOT 23 LOT SIZE 61.500 X 142.

Witnessed by:

MONICA E. DE LA CRUZ 2/2/09

JULICIA NISBETT

HARVEY RUVIN
Clerk of the Circuit Court
Miami-Dade County, Florida

BY: DEPUTY CLERK 8736

CIRCUIT AND COUNTY COURTS CLERK (SEAL) IN GOD WE TRUST DADE COUNTY, FLORIDA

BEFORE ME, the undersigned notary public, personally appeared Ina Melceras, Deputy Clerk of the Circuit Court in and for Miami-Dade County, Florida, who is personally known to me and who acknowledged the execution of this instrument to be of her own free act and deed for the uses and purposes therein mentioned.

SWORN TO AND SUBSCRIBED BEFORE ME ON March 22, 2013

ARLENE GRIFFIN
MY COMMISSION # EE 110552
EXPIRES: July 10, 2015
Bonded Thru Notary Public Underwriters

Notary Public, State of Florida, At Large
My Commission Expires:

This instrument prepared by

DANIEL CALIXTE
Deputy Clerk of the Circuit Court of
Miami-Dade County, Florida

tdrpt07a 01/04

23

ATTACHMENT "D"

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 _____, 2015 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 penden, 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"

1. **30-3122-052-5240**

   FLORAL PK, PB 8-5, LOT 20 BLK 29

2. **30-3122-029-0430**

   BUCKEYE PK, PB 13-69, N1/2 OF LOT 22 & ALL OF LOT 23