

## MEMORANDUM

Agenda Item No. 11(A)(4)

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

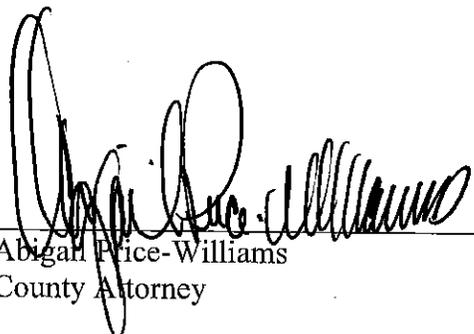
**DATE:** April 5, 2016

**FROM:** Abigail Price-Williams  
County Attorney

**SUBJECT:** Resolution declaring surplus one County-owned property located at 770 NW 58 Street, Unit 101, Miami, Florida 33127; waiving Administrative Order 8-4 as it relates to review by the Planning Advisory Board; authorizing the conveyance of the property, pursuant to section 125.38, Florida Statutes, at a price of \$10.00 to Downtown Housing Improvement, Inc., Florida a not-for profit corporation, for the purpose of developing such property as affordable housing to be sold to a qualified homebuyer

Resolution No. R-288-16

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



Abigail Price-Williams  
County Attorney

APW/smm

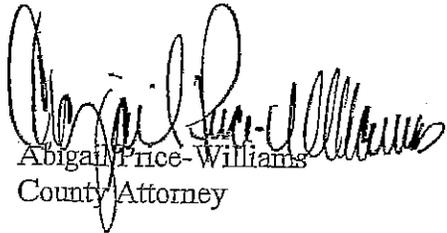


# MEMORANDUM

(Revised)

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

**DATE:** April 5, 2016

**FROM:**   
Abigail Price-Williams  
County Attorney

**SUBJECT:** Agenda Item No. 11(A)(4)

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. 11(A)(4)  
4-5-16

RESOLUTION NO. R-288-16

RESOLUTION DECLARING SURPLUS ONE COUNTY-OWNED PROPERTY LOCATED AT 770 NW 58 STREET, UNIT 101, MIAMI, FLORIDA 33127; WAIVING ADMINISTRATIVE ORDER 8-4 AS IT RELATES TO REVIEW BY THE PLANNING ADVISORY BOARD; AUTHORIZING THE CONVEYANCE OF THE PROPERTY, PURSUANT TO SECTION 125.38, FLORIDA STATUTES, AT A PRICE OF \$10.00 TO DOWNTOWN HOUSING IMPROVEMENT, INC., FLORIDA A NOT-FOR PROFIT CORPORATION, FOR THE PURPOSE OF DEVELOPING SUCH PROPERTY AS AFFORDABLE HOUSING TO BE SOLD TO A QUALIFIED HOMEBUYER; AUTHORIZING THE CHAIRPERSON OR VICE-CHAIRPERSON OF THE BOARD OF COUNTY COMMISSIONERS TO EXECUTE COUNTY DEED; DIRECTING THE COUNTY MAYOR OR COUNTY MAYOR'S DESIGNEE TO ENSURE PLACEMENT OF APPROPRIATE SIGNAGE; 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**, Downtown Housing Improvement, Inc. ("Downtown Housing") is a Florida not-for profit 501(c)(3) corporation, which promotes, develops and provides safe and affordable housing to persons in Miami-Dade County; and

**WHEREAS**, Downtown Housing invests federal, state, local and private donations and funds into Miami-Dade County neighborhoods through rehabilitation and rebuilding homes; and

**WHEREAS**, Downtown Housing has submitted an application, dated June 15, 2015, a copy of which is attached hereto as Attachment "A," and incorporated herein by reference, requesting that the County convey one parcel of County-owned land located at 770 NW 58 Street, Unit 101, Miami, Florida 33127 (Folio No. 01-3114-063-0010) (the "Property"); and

**WHEREAS**, the Property is more fully described in Attachment “B” attached hereto and incorporated by reference; and

**WHEREAS**, the Property is one of five units, which is governed by a condominium association known as Mino-Condo Corporation, Inc. (the “Association”); and

**WHEREAS**, the structure in which the Property is located is dilapidated and requires a 40 year certification; and

**WHEREAS**, Downtown Housing proposes to assist in the 40-year recertification of the structure, at their sole costs, and to redevelop the Property to be sold to a qualified homebuyer (“Affordable Housing Project”); and

**WHEREAS**, on January 16, 2016, the County received a letter from the Association, a copy of which is attached hereto as Attachment “C” and incorporated by reference, wherein the Association consents to the County’s conveyance of the Property to Downtown Housing, subject to the County and Downtown Housing compliance with all of the Association’s documents and the Association having approval of the new owners; and

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

**WHEREAS**, no County department or the City of Miami have expressed an interest in the Property; and

**WHEREAS**, the Board has reviewed and is satisfied with the information regarding the Property required by Resolution Nos. 376-11 and R-333-15, which is attached hereto as Attachment “D” and incorporated by reference; and

**WHEREAS**, this Board finds that, pursuant to Section 125.38, Florida Statutes, the Property is required for the use described in Downtown Housing's application, that the County does not otherwise require the Property for a County purpose, and that the intended use would promote community interest and welfare; and

**WHEREAS**, the Property will be conveyed to Downtown Housing pursuant to a reverter requiring the completion of the Affordable Housing Project 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 Property as surplus.

**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 Property to Downtown Housing at a price of \$10.00 pursuant to Section 125.38, Florida Statutes, for the purpose of developing and selling the Affordable Housing Project to a qualified homebuyer.

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

**Section 6.** Pursuant to Section 125.411, Florida Statutes, this Board authorizes the Chairperson or Vice-Chairperson of the Board to take all actions necessary to effectuate the conveyance of the Property, including the execution of the County Deed, in substantially the form attached hereto and made a part hereof as Attachment "E." 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 Affordable Housing Project and exercising the County's reversionary interest.

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

The Prime Sponsor of the foregoing resolution is Commissioner Audrey M. Edmonson. It was offered by Commissioner **Rebeca Sosa**, who moved its adoption. The motion was seconded by Commissioner **Xavier L. Suarez** and upon being put to a vote, the vote was as follows:

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

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

A handwritten signature in black ink, appearing to read "TAS" or similar, with "001" written below it.

Terrence A. Smith

# ATTACHMENT A



Downtown Housing Improvement, Inc

6992 NW 42 ST.  
Miami FL 33166  
www.dhinc.org  
E-mail: director@dhinc.org  
Phone: 786-534-5655  
Fax: 844-692-3303

September 17, 2015,

Miami Dade County  
Board of County Commissioners  
**Commissioner Audrey M. Edmonson, District 3**  
2525 NW 62nd Street  
Miami, FL 33147

RE: LETTER OF INTENTION

Dear Commissioner and Legislative Aide/Community Liaison Officer:

Downtown Housing Improvement, Inc. is a non-profit community developer of community properties & affordable housing. We are interested in requesting the conveyance of the dilapidated property listed below for the construction of new affordable housing in your District. This property needs to have the 40 year re-certification; the roof has termite issues in a high percentage in the trusses and has mildew in most of the areas. By DHI, Inc. having this property conveyed out team can re-certify this property through the services with the Engineer we partner and turn it around to have it to enter into compliance by correcting the termites and mildew and have a qualified family call this place home.

1. Folio No. 01-3114-063-0010 Address: 770 NW 58<sup>th</sup> Street # 101

Our goal is to provide new homes, build community properties, beautify the neighborhood and generate employment. We further will assist individuals in the community interested in becoming homeowners by guiding them through the entire process, from homeowner education and obtaining homeowner certification with Miami-Dade County, to assisting them in obtaining financial assistance through County participating lenders and working with Miami-Dade County Public Housing and Community Development.

We appreciate the opportunity to serve the community by obtaining this property and your consideration to make this possible. If you have any questions, or if we can be of further assistance, please do not hesitate contacting the undersigned.

Respectfully submitted,

  
Erika Borrego  
Program Officer

# ATTACHMENT B

Property Search Application - Miami-Dade County

11/5/2015

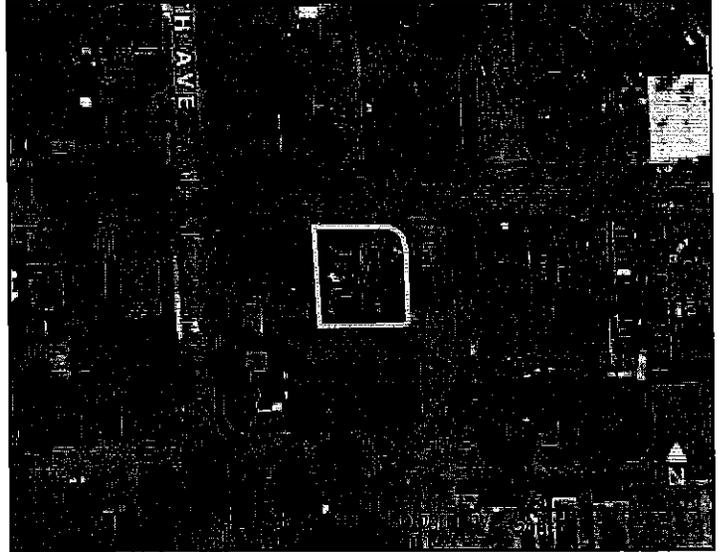


# OFFICE OF THE PROPERTY APPRAISER

## Detailed Report

Generated On : 11/5/2015

Property Information	
Folio:	01-3114-063-0010
Property Address:	770 NW 58 ST UNIT: 101 Miami, FL 33127-1162
Owner	MIAMI DADE COUNTY ISD R/E MGMT
Mailing Address	111 NW 1ST STREET STE 2460 MIAMI, FL 33128
Primary Zone	6107 RESIDENTIAL-MEDIUM RETAIL
Primary Land Use	8607 COUNTY : CONDOMINIUM - RESIDENTIAL
Beds / Baths / Half	0 / 0 / 0
Floors	0
Living Units	1
Actual Area	Sq.Ft
Living Area	872 Sq.Ft
Adjusted Area	872 Sq.Ft
Lot Size	0 Sq.Ft
Year Built	1975



Assessment Information			
Year	2015	2014	2013
Land Value	\$0	\$0	\$0
Building Value	\$0	\$0	\$20,140
XF Value	\$0	\$0	\$0
Market Value	\$22,150	\$20,140	\$20,140
Assessed Value	\$22,150	\$20,140	\$20,140

Benefits Information				
Benefit	Type	2015	2014	2013
County	Exemption	\$22,150	\$20,140	\$20,140

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

Taxable Value Information			
	2015	2014	2013
<b>County</b>			
Exemption Value	\$22,150	\$20,140	\$20,140
Taxable Value	\$0	\$0	\$0
<b>School Board</b>			
Exemption Value	\$22,150	\$20,140	\$20,140
Taxable Value	\$0	\$0	\$0
<b>City</b>			
Exemption Value	\$22,150	\$20,140	\$20,140
Taxable Value	\$0	\$0	\$0
<b>Regional</b>			
Exemption Value	\$22,150	\$20,140	\$20,140
Taxable Value	\$0	\$0	\$0

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:** 01-3114-063-0010

**Property Address:** 770 NW 58 ST 101

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

Land Information					
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Land Use	Muni Zone	PA Zone	Unit Type	Units	Calc Value
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Building Information						
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Building Number	Sub Area	Year Built	Actual Sq.Ft.	Living Sq.Ft.	Adj Sq.Ft.	Calc Value
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Extra Features			
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Description	Year Built	Units	Calc Value
-------------	------------	-------	------------

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Version:



# OFFICE OF THE PROPERTY APPRAISER

Generated On : 11/5/2015

**Property Information**

Folio: 01-3114-063-0010

Property Address: 770 NW 58 ST 101

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

Land Information						
Land Use	Muni Zone	PA Zone	Unit Type	Units	Calc Value	
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: 01-3114-063-0010

Property Address: 770 NW 58 ST UNIT: 101 Miami, FL 33127-1162

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

**Land Information**

Land Use	Muni Zone	PA Zone	Unit Type	Units	Calc Value
----------	-----------	---------	-----------	-------	------------

**Building Information**

The calculated values for this property have been overridden. Please refer to the Land, Building, and XF Values in the Assessment Section, in order to obtain the most accurate values.

Building Number	Sub Area	Year Built	Actual Sq.Ft.	Living Sq.Ft.	Adj Sq.Ft.	Calc Value
1	1	1975			872	

**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: 01-3114-063-0010

Property Address: 770 NW 58 ST 101

Full Legal Description
MINO CONDO
UNIT 101
UNDIV 20% INT IN COMMON
ELEMENTS
CLERKS FILE 75R112210
CF 75R-234471
CASE #08-A01306

Sales Information			
Previous Sale	Price	OR Book-Page	Qualification Description
09/04/2013	\$0	28835-4992	Corrective, tax or QCD; min consideration
11/01/1975	\$26,000	00000-00000	Sales which are qualified

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Version:

ATTACHMENT C

INTERNAL SERVICES DEPT  
ACCOUNTING

16 JAN 21 AM 10:01

Mildred E. Berry, Registered Agent and Managing Director  
Miami Condo Association, Inc.  
1190 NW 88 St.  
Miami FL 33150  
January 13, 2016

Miami Dade County  
Internal Services  
Real Estate Development Association  
111 NW 1<sup>st</sup> Street Suite 2400  
Miami, Florida 33128

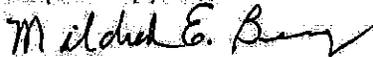
Dear Sir or Madam:

As of December 23, 2015, public records show the following as owners of units at 770 NW 58 St  
Unit 101 Miami Dade County  
Unit 102 Mildred E. Berry  
Unit 103 Aurora Loan Services\* deed shows Thelma Young as owner  
Unit 104 Corinthia Johnson  
Unit 105 Mildred E. Berry

The owners of units 102, 103, 104, and 105 met and voted based on percentage of ownership to approve the conveyance of Unit 101 owned by Miami Dade County to Downtown Housing Improvement, Inc. based on the stipulation that all condo agreements will be followed and the Association has the right to approve the new owners. Based on the Declaration of Condominiums filed by the Association in Miami-Dade County, the majority owner is able to enter into this agreement. The Declaration of Condominiums and by-laws are in the process of being amended.

It is further stipulated that Mildred E. Berry and other owners will be held harmless and not liable for any damages based upon the agreement to approve conveyance of said property to Downtown Housing Improvement, LLC.

Respectfully yours,



Mildred E. Berry, Registered Agent and Owner/ Managing Director

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

Folio	Unit Size Sq FT	Commission District	2016 Assessed Value	Legal Description	Zoning	Estimated Annual Maintenance Cost	Address	Remarks/Recommendation	Type of Deed County Acquired by Parcel
01-3114-063-0010	872 Sq FT	3	\$22,150	MINO CONDO UNIT 101 UNDIV 20% INT IN COMMON ELEMENTS	CONDORINIUM RESIDENTIAL	\$2,500	770 NW 58 ST UNIT 101	CONUSK Co Not-For-Profit DOWNTON HOUSING IMPROVEMENT, INC.	Tax Deed 9/4/2013 OR 28835/PG 4992

**ATTACHMENT "E"**

Instrument prepared by and returned to:  
Terrence A. Smith  
Assistant County Attorney  
111 N.W. 1<sup>st</sup> 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 **DOWNTON HOUSING IMPROVEMENT, INC.**, a Florida not-for-profit corporation (hereinafter "Developer"), whose address is 6992 N.W. 42 Street, Miami, Florida 33166.

***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 heirs and assigns forever, the following described land lying and being in Miami-Dade County, Florida (hereinafter the "Property"):

*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 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 redeveloped with an affordable housing unit. For purposes of this Deed, the term "affordable" shall mean that monthly mortgage payments including taxes, insurance, and maintenances fees that do not exceed 30 percent of that amount which represents the percentage of the median annual gross income for very low, low and moderate income households as defined in Section 420.9071, Florida Statutes. The Developer shall sell such affordable housing to a qualified homebuyer 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 the qualified homebuyer, and such restrictive covenant shall be recorded in the public records of Miami-Dade County.

2. That the Property 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 redevelop the Property. In order for such waiver by the County to be effective, the waiver by the County Mayor or the County Mayor's designee must:
  - 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 redevelop the Property. 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 one (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 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 Property exceed One Hundred and Twenty-Four Thousand and 00/100 Dollars (\$124,000.00). In the event the Developer fails to sell the Property to a qualified household or sells the Property above One Hundred and Forty-Nine Thousand and 00/100 Dollars (\$124,000.00) and the Developer, upon written notification from the County, fails to cure such default, then title to the subject Property reverts to the County, at the option of the County, as set forth in paragraph 8, 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 Developer shall not assign or transfer its interest in the Property or in this Deed absent consent of the Miami-Dade County Board of County Commissioners, with the exception of any conveyance to qualified homebuyer.
5. The Developer shall require that the qualified household purchasing the Property to 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.”

Such Affordable Housing Restrictive Covenant shall not be superior to any restrictive covenant, deed, mortgage or any other instrument that currently exists and runs with the land, including but not limited to the Declaration of Condominium recorded in favor of Mino-Condo Corporation, Inc., recorded on June 6, 1975 at Official Record 9010, Page 277 in the Public records of Miami-Dade County.

6. That Developer shall pay real estate taxes and assessments on the Property 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 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 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.
7. 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.

8. If in the sole discretion of the County, the Property ceases to be used solely for the purpose set forth in paragraph 1 herein by the Developer, or if the Developer fails to redevelop the Property 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 homebuyer, 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 Property 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 Property back to the County, and the County shall have the right to immediate possession of such Property, 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 Property, 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.
9. 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 Property.

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 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 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 \_\_\_\_\_, 2015.

**EXHIBIT "A"**

**Folio No. 01-3114-063-0010**

MINO CONDO UNIT 101 UNDIVIDED 20% INTEREST IN COMMON ELEMENTS