



# AGENDA ITEM

# #27

Meeting Date

05/08/07

10:00 AM

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**Requested Action**

(Identify appropriate Action or Motion, Authority or Requirement for Item and identify the outcome and/or purpose of item.)

A. MOTION TO AUTHORIZE Mayor and Clerk to execute Declaration of Restrictive Covenants encumbering five (5) lots owned by Broward County in the Boulevard Gardens Neighborhood that escheated to Broward County pursuant to Section 197.542, Florida Statutes; and recordation of same. **(Commission District 7)**

B. MOTION TO ADOPT Resolution authorizing the conveyance of five (5) lots to Habitat for Humanity of Broward, Inc., for the construction of five (5) affordable housing units; authorize Mayor and Clerk to execute Deed; and recordation of same. **(Commission District 7)**

**Why Action is Necessary:** A. County Commission action on January 23, 2007, requires the recording of a Declaration of Restrictive Covenants against properties donated for the construction of affordable housing.  
B. Section 125.38, Florida Statutes, requires the adoption of a resolution in order to convey real property to a non-profit organization within the State.

**What Action Accomplishes:** Authorizes the conveyance of vacant properties to non-profit Habitat for Humanity of Broward, Inc., to construct five (5) affordable homes.

**Is this Action Goal Related?**  Yes  No

**Summary Explanation/Background**

(The first sentence includes the Agency recommendation. Provide an executive summary of the action that gives an overview of the relevant details for the item. Identify how item meets Commission Challenge Goal.)

The Urban Planning and Redevelopment Department, Planning Services Division, recommends approval of the motion.

This project supports Commission Goal 2: Establish that everyone can have an affordable place to call home with reasonable and realistic access to regional economic opportunities and amenities.

Section 125.38 Florida Statutes, requires the adoption of a resolution in order for the Board of County Commissioners to convey real property to a not-for-profit organization for the purpose of promoting community interest and welfare. The five (5) properties subject to this action, located in the Boulevard Gardens neighborhood, are not part of the Infill Housing Program currently underway.

Authorized Signature		Scheduling
(Signature confirms that required approvals from other agencies have been received – e.g. Purchasing, Budget, Risk Mgmt, Attorney)		County Admin initials
Signature:	Date:	Type: Name, Title, Agency, and Phone
<i>CS Chambers</i>	4/27/07	Cynthia S. Chambers, Director Urban Planning and Redevelopment Department (954) 357-6613
Source of additional information: Type Name, Agency, and Phone		<i>JS</i>
Al Shamoun, Director, Planning Services Division (954) 357-6632		

The Boulevard Gardens Neighborhood Council has reviewed and recommended approval of the transfer of the lots to Habitat for Humanity. The properties will be restricted to use for affordable housing for thirty (30) years, consistent with the affordability term applied to the Broward County Unincorporated Area Single Family Infill Housing Program approved by the Board of County Commissioners on June 27, 2006.

Broward County has secured quiet title for two of the five properties; Habitat will obtain quiet title for the remaining three properties. Once quiet title has been obtained on all five properties the following actions are required to occur: 1) Habitat must apply for building permits for all properties within 90 days; 2) once building permits have been issued Habitat must obtain Certificates of Occupancy for homes constructed on these properties within 270 days (Exhibit 3 Quit Claim Deed, page 2, sections (2) and (3)). Additionally, Habitat is limited to 24 months from the date of the Quit Claim deed to obtain Certificates of Occupancy for homes constructed on these properties (Exhibit 3 Quit Claim Deed, page 2, section (4)).

Should Habitat fail to meet the conditions contained in the Quit Claim Deed, those properties for which the conditions were not met will revert to Broward County.

**Fiscal Impact/Cost Summary**

(Include projected cost, approved budget amount and account number, source of funds, and any future funding requirements.)

Title to this property will be transferred from Broward County to Habitat for Humanity of Broward, Inc., at no cost, thus relieving the County from responsibility for maintenance costs. Further, the transfer of title will result in a residential housing unit being constructed on each of the lots, resulting in an increase in the ad valorem tax base.

**Exhibits Attached** (copies of original agreements)

(Please number exhibits consecutively.)

- Exhibit 1 – Declaration of Restrictive Covenants
- Exhibit 2 – Resolution
- Exhibit 3 – Quit Claim Deed
- Exhibit 4 – Location Map
- Exhibit 5 – Boulevard Gardens Neighborhood Council Letter

**Commission Action**

1 Executed original(s) for permanent record  
(Number)

APPROVED     DENIED

1 each Executed copies return to:  
(Number)

Return executed Quit Claim Deed (Do Not Record) and executed Resolution to Dale Wilson, Real Property, Room 326 (954) 357-6809

DEFERRED

Other instructions (Include name, agency, and phone)

From: \_\_\_\_\_  
To: \_\_\_\_\_

*E-mail for Phu - 5/9/07 - maw.*