

**BOARD OF COUNTY COMMISSIONERS
AGENDA ITEM SUMMARY**

Meeting Date: 4/18/2007 - KL

Division: County Attorney

Bulk Item: Yes No

Staff Contact Person: Suzanne Hutton

AGENDA ITEM WORDING:

Approval of a resolution authorizing the acceptance of Block H, Lot 10, Part C of Master Plat of North Marathon Shores from the Monroe County Land Authority for affordable housing.

ITEM BACKGROUND:

The subject property consists of a vacant 7,200 square foot lot on Bonito Drive in Marathon zoned Improved Subdivision and nominated by the Marathon City Council for affordable housing. Habitat for Humanity of the Middle Keys proposes to build a single-family home on the lot. The Land Authority is in the process of purchasing the lot, imposing affordable housing deed restrictions, and conveying title to the BOCC as part of the land bank of affordable housing properties. The proposed resolution authorizes acceptance of the deed-restricted title. The BOCC could then impose its own deed restrictions and transfer title to the Middle Keys Habitat for Humanity Community Land Trust.

PREVIOUS RELEVANT BOCC ACTION:

On September 28, 2005 the Board indicated its desire to have affordable housing land bank properties titled in the BOCC. On March 21, 2007, sitting as the Land Authority, the Board approved purchasing the subject property and conveying same to the BOCC.

CONTRACT/AGREEMENT CHANGES: N/A

STAFF RECOMMENDATIONS: Approval.

TOTAL COST: _____

BUDGETED: Yes No

COST TO COUNTY: _____

SOURCE OF FUNDS: _____

REVENUE PRODUCING: Yes No **AMOUNT PER MONTH** _____ **Year** _____

APPROVED BY: County Atty OMB/Purchasing _____ Risk Management _____

DOCUMENTATION: Included Not Required _____

DISPOSITION: _____

AGENDA ITEM # _____

RESOLUTION NO. _____

A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF MONROE COUNTY, FLORIDA, AUTHORIZING THE ACCEPTANCE OF BLOCK H, LOT 10, PART C OF MASTER PLAT OF NORTH MARATHON SHORES FROM THE MONROE COUNTY COMPREHENSIVE PLAN LAND AUTHORITY FOR AFFORDABLE HOUSING.

WHEREAS, sections 125.01(1)j and 125.01055, Florida Statutes (FS) empower the Board of County Commissioners of Monroe County, Florida (hereinafter "BOCC") to take measures necessary to increase the supply of affordable housing; and

WHEREAS, section 125.35, FS empowers the BOCC to sell or lease real property to the highest and best bidder for the particular use the BOCC deems to be the highest and best or to adopt by ordinance alternative standards and procedures to sell or lease real property; and

WHEREAS, section 125.38, FS empowers the BOCC to sell or lease real property to government or not for profit organizations at a price of the BOCC's choosing; and

WHEREAS, based on the above enabling legislation, the BOCC desires to control and oversee the development of certain affordable housing sites acquired by the Monroe County Comprehensive Plan Land Authority; now, therefore,

BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF MONROE COUNTY, FLORIDA, that:

1. The BOCC hereby agrees to accept title from the Monroe County Comprehensive Plan Land Authority for the following affordable housing site: Block H, Lot 10, Part C of Master Plat of North Marathon Shores in Marathon.
2. The BOCC hereby acknowledges that use of the above property will be restricted to affordable housing as defined in the Florida Statutes and the deed(s) into the BOCC will contain the specific deed restrictions shown in Attachment A.

PASSED AND ADOPTED by the Board of County Commissioners of Monroe County, Florida, at a meeting of said Board held on the _____ day of _____ 2007.

Mayor Mario Di Gennaro	_____
Mayor Pro Tem Dixie Spehar	_____
Commissioner Charles "Sonny" McCoy	_____
Commissioner Sylvia Murphy	_____
Commissioner George Neugent	_____

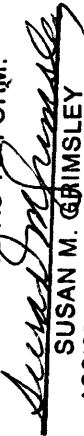
(SEAL)

Attest: DANNY L. KOLHAGE, Clerk

BOARD OF COUNTY COMMISSIONERS OF MONROE COUNTY, FLORIDA

By: _____
Deputy Clerk

By: _____
Mayor/Chairman Mario Di Gennaro

MONROE COUNTY ATTORNEY
 APPROVED AS TO FORM:

 SUSAN M. GRIMSLEY
 ASSISTANT COUNTY ATTORNEY
 Date April 3, 2007

ATTACHMENT A

AFFORDABILITY COVENANTS

1. **Term.** These affordability covenants are perpetual, run with the land in favor of the Monroe County Comprehensive Plan Land Authority, and are binding on all present and subsequent owners and mortgagees.
2. **Property Use.** Use of the property shall be restricted to the provision of affordable housing as defined in section 380.0666(3), Florida Statutes, as said statute may be amended from time to time.
3. **Monitoring.** Grantee is responsible for ensuring compliance with the affordability covenants contained herein and expressly agrees to furnish, upon Grantor's request, written certification thereof.