

**BOARD OF COUNTY COMMISSIONERS
AGENDA ITEM SUMMARY**

Meeting Date: August 15, 2007

Division: Housing & Community Development

Bulk Item: Yes X No

Department: Housing & Community Development

Staff Contact Person: James R. "Reggie" Paros

AGENDA ITEM WORDING: Approval of a Resolution authorizing the acceptance of Key Vaca Parcel RE 103560-000200, proposed Sea Grape Apartments site, from the Monroe County Comprehensive Plan Land Authority for affordable housing

ITEM BACKGROUND: The proposed Sea Grape Apartments site is located near MM 50.5 on the Oceanside in Marathon. The Carlisle Group submitted this site in response to the Board's request for proposals for purchase/leaseback of affordable housing sites. Carlisle proposes to develop the site with 56 affordable housing units for rental use. Acquisition of the property will involve the following steps: 1) Land Authority will purchase the site; 2) the Land Authority will transfer title to the BOCC; and 3) the BOCC will lease the property back to the Sellers for development. Approval of this agenda item will allow staff to complete step 2.

PREVIOUS RELEVANT BOCC ACTION: On March 15, 2006, the Board approved Ordinance 005-2006 establishing the purchase and leaseback program for affordable housing.

CONTRACT/AGREEMENT CHANGES: This is not a contract.

STAFF RECOMMENDATIONS: Approval

TOTAL COST: N/A

BUDGETED: Yes No

COST TO COUNTY:

SOURCE OF FUNDS:

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

APPROVED BY: County Atty YES OMB/Purchasing N/A Risk Management N/A

DOCUMENTATION: Included X Not Required

DISPOSITION:

AGENDA ITEM #

RESOLUTION NO. ____ - 2007

A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF MONROE COUNTY, FLORIDA, AUTHORIZING THE ACCEPTANCE OF KEY VACA PARCEL RE #103560-000200 (PROPOSED SEA GRAPE APARTMENTS SITE) FROM THE MONROE COUNTY COMPREHENSIVE PLAN LAND AUTHORITY FOR AFFORDABLE HOUSING.

WHEREAS, Sections 125.01(1)j and 125.01055, Florida Statutes (FS), authorize 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, authorizes 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, under Section 125.379, FS, properties identified as appropriate for use as affordable housing on the County's inventory list may be offered for sale and the proceeds used for affordable housing, or may be sold with a restriction that requires the development of the property as permanent affordable housing, or may be donated to a nonprofit housing organization for the construction of permanent affordable housing, or, the County may otherwise make the property available for use for the production and preservation of permanent affordable housing; and,

WHEREAS, 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 affordable housing site identified as the Phase I parcel in Exhibit A.
2. The BOCC hereby acknowledges that use of the property will be restricted to affordable housing as defined in the Florida Statutes and the deed(s) to the BOCC will contain the specific deed restrictions shown in Exhibit B.

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 DiGennaro _____
 Mayor Pro Tem Spehar _____
 Commissioner McCoy _____
 Commissioner Neugent _____
 Commissioner Murphy _____

(SEAL)

Attest: **DANNY L. KOLHAGE**, Clerk

BOARD OF COUNTY COMMISSIONERS OF MONROE COUNTY, FLORIDA

By: _____
Deputy Clerk

By: _____
Mayor Mario DiGennaro

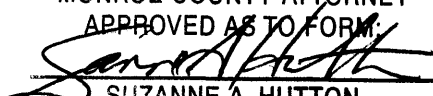
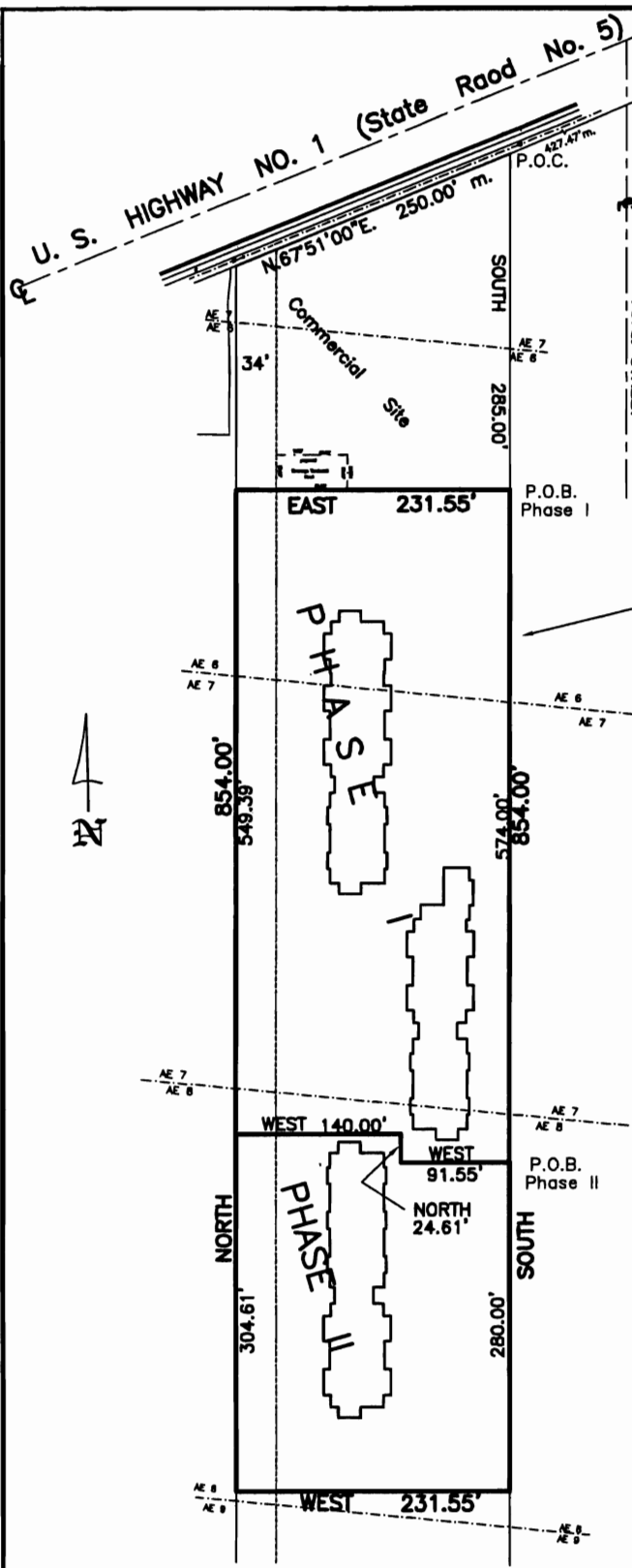
MONROE COUNTY ATTORNEY
 APPROVED AS TO FORM:

 SUZANNE A. HUTTON
 COUNTY ATTORNEY
 Date: 7/31/07

Exhibit A

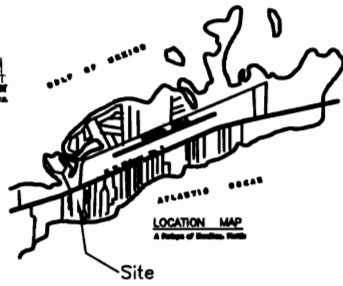


Phase i:
 A parcel of land in Section 11, Township 66 South, Range 32 East, Key Vaca, Monroe County, Florida, more particularly described as follows:
 Begin at the intersection of the East line of said Section 11 and the Southeasterly right of way line of U.S. Highway 1; thence South along the said East line of Section 11 for 285.00 feet to the Point of Beginning; thence contine South for 574.00 feet; thence West for 91.55 feet; thence North for 24.61 feet; thence West for 140.00 feet; thence North for 549.39 feet; thence East for 231.55 feet to the Point of Beginning;
 Containing 129463 s.f. or 2.97 acres, more or less.

East Line of Amended plat of MARATHON SHORES.

West Line Section 12, Township .66 South, Range 32 East

Phase II:
 A parcel of land in Section 11, Township 66 South, Range 32 East, Key Vaca, Monroe County, Florida, more particularly described as follows:
 Begin at the intersection of the East line of said Section 11 and the Southeasterly right of way line of U.S. Highway 1; thence South along the said East line of Section 11 for 859.00 feet to the Point of Beginning; thence contine South for 280.00 feet; thence West for 231.55 feet; thence North for 304.61 feet; thence East for 140.00 feet; thence South for 24.61 feet; thence east for 91.55 feet to the Point of Beginning;
 Containing 68279 s.f. or 1.57 acres, more or less.



SeaGrape Ltd., a Florida Limited Partnership U.S. Highway No. 1, Marathon, Florida			
Sketch to accompany Legal Description Phase I & II		Dwn No.: 06-409	
Scale: 1"=120'	Ref.	Flood panel No. 1379 K	Dwn. By: F.H.H.
Date: 7/28/06		Flood Zone: AE	Flood Elev.
REVISIONS AND/OR ADDITIONS			

FREDERICK H. HILDEBRANDT
ENGINEER PLANNER SURVEYOR

3150 Northside Drive
 Suite 101
 Key West, Fl. 33040
 (305) 293-0466
 Fax. (305) 293-0237

EXHIBIT B

AFFORDABILITY COVENANTS

1. **Term.** These affordability covenants are perpetual, run with the land, 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 380.0866(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.