

**LAND AUTHORITY GOVERNING BOARD
AGENDA ITEM SUMMARY**

Meeting Date: August 15, 2007

Division: Land Authority

Bulk Item: Yes No

Contact / Phone #: Mark Rosch / 295-5180

Agenda Item Wording: Approval of a resolution authorizing the conveyance of the Sea Grape Apartments Phase I site (part of RE #103560-000200) to the Monroe County Board of County Commissioners for affordable housing.

Item Background: The proposed resolution imposes affordable housing deed restrictions and authorizes the Land Authority to convey the property to the BOCC. It is anticipated the BOCC will then lease the property back to the Seller for development with affordable housing.

Advisory Committee Action:

8/23/06 - The Committee voted 4/0 to approve the proposed conveyance.

Previous Governing Board Action:

10/18/06 - The Board tabled this item pending resolution of closing issues regarding easement agreements and the proposed lease from the BOCC.

6/16/04 - The Board approved adding the site to the Acquisition List.

Contract/Agreement Changes: N/A

Staff Recommendation: Approval

Total Cost: \$535.50

Budgeted: Yes No .

Cost to Land Authority: \$535.50

Source of Funds: Land Authority
(Park Surcharge and Tourist Impact Tax Revenue)

Approved By: Attorney County Land Steward N/A.

Documentation: Included: To Follow: Not Required: .

Disposition: _____

Agenda Item _____

**Conveyance to BOCC
08/15/07**

<u>Property</u>	<u>Purchase Price</u>	<u>Envr. Audit, Survey or Clean-up</u>	<u>Title Insurance</u>	<u>Attorney Fee</u>	<u>Recording Fee</u>	<u>Total Costs</u>
Vaca Key Acreage RE#00103560-000200 (Sea Grape Apartments, Ltd. - Phase I)	\$0.00	\$0.00	\$0.00	\$500.00	\$35.50	\$535.50

RESOLUTION NO. _____

A RESOLUTION OF THE MONROE COUNTY COMPREHENSIVE PLAN LAND AUTHORITY AUTHORIZING THE CONVEYANCE OF THE SEA GRAPE APARTMENTS PHASE I SITE ON KEY VACA TO THE MONROE COUNTY BOARD OF COUNTY COMMISSIONERS FOR AFFORDABLE HOUSING.

WHEREAS, section 380.0666(3), Florida Statutes (FS) and section 9.3-2, Monroe County Code, empower the Monroe County Comprehensive Plan Land Authority (hereinafter "Land Authority") to acquire and dispose of interests in real property for the purpose of providing affordable housing; and

WHEREAS, the Land Authority has entered into a contract to purchase real property on Key Vaca (part of RE #103560-000200), the proposed site of the Sea Grape Apartments Phase I affordable housing development and more particularly described as the Phase I parcel in Exhibit A; and

WHEREAS, the Monroe County Board of County Commissioners desires to provide necessary housing while protecting long-term affordability by leasing the site back to the seller for development;

WHEREAS, the Land Authority Advisory Committee considered the proposed conveyance at a meeting held on August 23, 2006 and voted 4/0 to recommend approval; NOW, THEREFORE,

BE IT RESOLVED BY THE MONROE COUNTY COMPREHENSIVE PLAN LAND AUTHORITY:

The Chairman of the Land Authority Governing Board is hereby authorized to sign a deed conveying title to the Phase I parcel identified in Exhibit A to the Monroe County Board of County Commissioners. Said deed shall restrict future use of the property as specified in Exhibit B.

PASSED AND ADOPTED by the Monroe County Comprehensive Plan Land Authority at a regular meeting on this _____ day of _____ 2007.

(Seal)

ATTEST:

MONROE COUNTY COMPREHENSIVE
PLAN LAND AUTHORITY

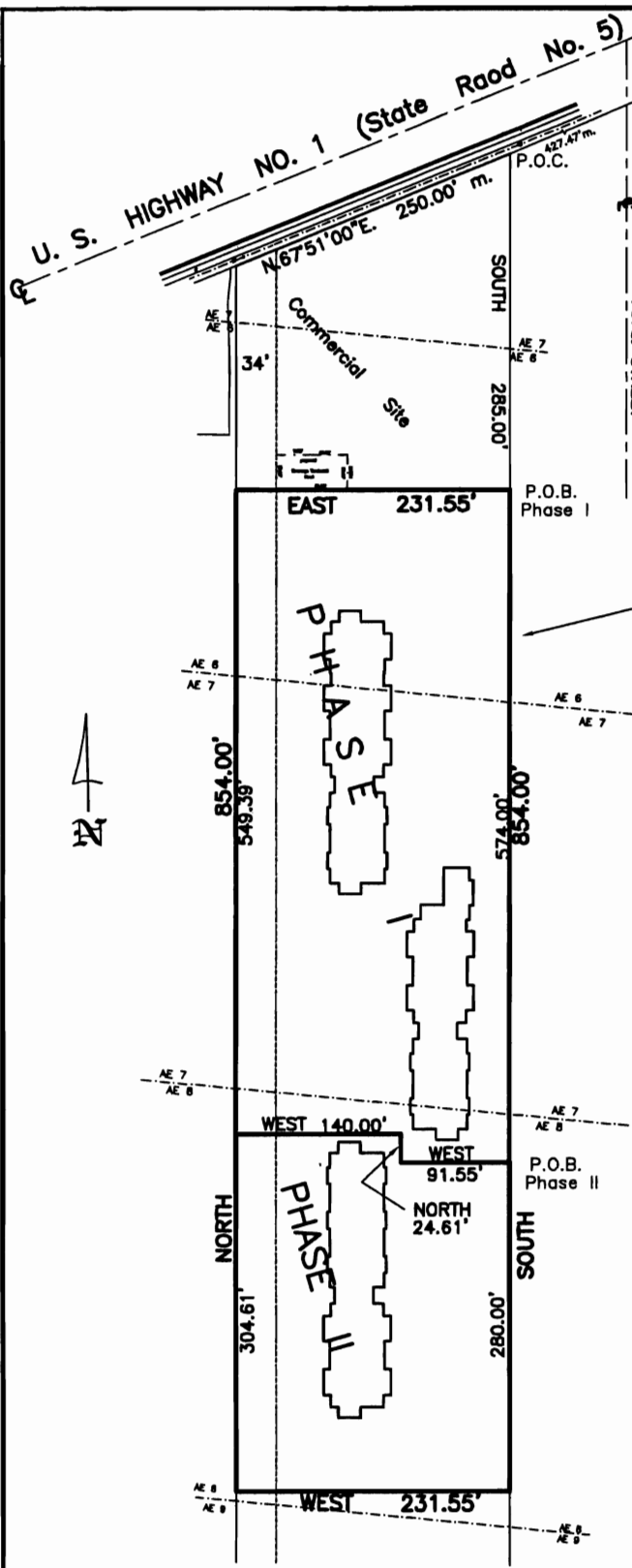
Mark J. Rosch
Executive Director

Charles "Sonny" McCoy
Vice Chairman

Approved for Legal Sufficiency

Larry R. Erskine

Exhibit A

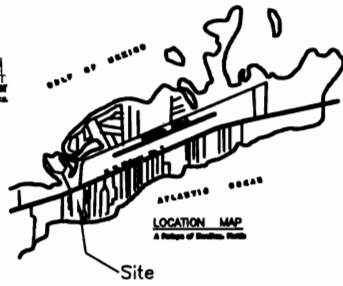


Phase i:
 A parcel of land in Section 11, Township 66 South, Range 32 East, Key Vaca, Monroe County, Florida, more particularly described as follows:
 Begin at the intersection of the East line of said Section 11 and the Southeasterly right of way line of U.S. Highway 1; thence South along the said East 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
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 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 380.0666(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.