

**SEMINOLE COUNTY GOVERNMENT  
AGENDA MEMORANDUM**

**SUBJECT:** Transfer of County-Owned Lot to Habitat for Humanity

**DEPARTMENT:** Planning & Development      **DIVISION:** Community Resources

**AUTHORIZED BY:** Dan Matthys      **CONTACT:** Buddy Balagia      **EXT.** 7379

<p><b>Agenda Date</b> <u>06/14/2005</u> <b>Regular</b> <input type="checkbox"/> <b>Consent</b> <input checked="" type="checkbox"/> <b>Work Session</b> <input type="checkbox"/> <b>Briefing</b> <input type="checkbox"/></p> <p align="center"><b>Public Hearing – 1:30</b> <input type="checkbox"/>      <b>Public Hearing – 7:00</b> <input type="checkbox"/></p>
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**MOTION/RECOMMENDATION:**

Approve and authorize the Chairman to execute a County Deed to transfer ownership of a County-owned lot to Habitat for Humanity in Seminole County, Inc. for the construction of affordable housing.

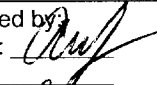

**BACKGROUND:**

On December 14, 2004 the Board initiated a pilot program with Habitat for Humanity in Seminole County, Inc. ("Habitat") in which the County would provide funding to develop a minimum of five (5) affordable housing units for very low income households and consider the transfer of surplus lots suitable for affordable housing.

Staff has identified a County-owned lot on Ronald Reagan Boulevard which has been declared surplus. It is anticipated that a lot split and rezoning will allow this property to be used for partnerships that Habitat has with both Bank of America and St. Mary Magdalen Church to build two homes.

The parcel abuts the East Altamonte CDBG service area and is surrounded by undeveloped parcels, with single family use nearby. Staff recommends that the Board transfer the lot to Habitat by means of the attached County Deed. The Deed requires development of the lot within two years, with the sale of all units to lower income households.

Attachment: Map

<p>Reviewed by: </p> <p>Co Atty: </p> <p>DFS: _____</p> <p>Other: <u>GR</u></p> <p>DCM: <u>WJ</u></p> <p>CM: <u>JA</u></p> <p>File No: <u>Cpdc03</u></p>
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This document was prepared by:  
Arnold W. Schneider  
Assistant County Attorney  
County Attorney's Office  
Seminole County Government  
1101 East First Street  
Sanford, FL 32771

Please return to:  
Habitat For Humanity In Seminole County, Florida, Inc.  
1548 Seminola Blvd.  
Casselberry, FL 32707

**COUNTY DEED**

**COUNTY OF SEMINOLE, FLORIDA**

**THIS DEED** is made this \_\_\_\_ day of \_\_\_\_\_, 2005, by **SEMINOLE COUNTY**, a political subdivision of the State of Florida, whose address is Seminole County Services Building, 1101 East First Street, Sanford, Florida 32771, hereinafter called the "GRANTOR," and **HABITAT FOR HUMANITY IN SEMINOLE COUNTY, FLORIDA, INC.**, a Florida non-profit corporation, whose address is 1548 Seminola Blvd, Casselberry, Florida 32707, hereinafter called the "GRANTEE".

**W I T N E S S E T H:**

**THAT GRANTOR** for and in consideration of the sum of TEN AND NO/100 DOLLARS (\$10.00) in hand paid by GRANTEE, the receipt of which is hereby acknowledged, does hereby grant, bargain and sell to GRANTEE, its heirs and assigns forever, the following described land lying and being in Seminole County, Florida, to wit:

LOT 11, (LESS THE SOUTH 94 FEET THEREOF AND ROAD RIGHT OF WAY), FROST'S ADDITION NUMBER 2 TO ALTAMONTE, ACCORDING TO THE PLAT THEREOF AS RECORDED IN PLAT BOOK 1, PAGE 13 OF THE PUBLIC RECORDS OF SEMINOLE COUNTY, FLORIDA.

Parcel Identification Number: 18-21-30-509-0000-011A

This conveyance shall be construed as a determinable fee simple according to the following conditions:

(1) That GRANTEE is now and shall continue to be a local, non-profit housing developer constructing affordable housing units in Seminole County, Florida, for qualified lower income households. If GRANTEE fails to continue in that capacity at any time while it has title to the property, the property, improvements thereto and all rights conveyed pursuant to this County Deed shall revert to the GRANTOR; and

(2) That GRANTEE shall develop at least one (1) affordable housing unit in Seminole County, Florida, on the parcel which is conveyed by this instrument within two (2) years from the date hereof and convey the unit(s) to a qualified Low Income or Very Low Income purchaser with no profit, monetary or otherwise, gained from the improvement, conveyance or lease of the property accruing to GRANTEE. Any funds received from such development and conveyance shall be placed in the Habitat for Humanity's Fund for Humanity and only used to construct additional affordable single family homes in Seminole County. If GRANTEE utilizes the property for any purpose whatsoever, other than as described herein or acts in such a way as to evidence intent to reap any profit or gain from the subject parcel, then the property, improvements thereto and all rights conveyed pursuant to this County Deed shall revert to GRANTOR.

This deed is made and is to be accepted with the understanding that use of the property hereby conveyed is restricted to single family residential purposes only for the occupancy and benefit of Low Income and Very Low Income households which are defined as follows:

"Low income" means gross household income not to exceed eighty percent (80%) of the median family income within the Orlando Metropolitan Statistical Area.

"Very Low income" means gross household income not to exceed fifty percent (50%) of the median family income within the Orlando Metropolitan Statistical Area.

The property may not be used for any commercial, business or other purpose and only detached, single family dwellings and private garages may be constructed and maintained on the premises. These restrictions are for the benefit of the present owner and its successors in title and may be enforced by them in every lawful manner. These restrictions shall continue in effect for a period of five (5) years from the date of subsequent conveyance by GRANTEE to any third party.

**IN WITNESS WHEREOF**, the GRANTOR has caused these presents to be executed in its name by its Board of County Commissioners acting by the Chairman of said Board, the day and year aforesaid.

BOARD OF COUNTY COMMISSIONERS  
SEMINOLE COUNTY, FLORIDA

ATTEST:

\_\_\_\_\_  
MARYANNE MORSE  
Clerk to the Board of  
County Commissioners of  
Seminole County, Florida.

By: \_\_\_\_\_  
CARLTON HENLEY, Chairman

Date: \_\_\_\_\_

For the use and reliance  
of Seminole County only.

Approved as to form and  
legal sufficiency.

As authorized for execution  
by the Board of County Commissioners  
at their \_\_\_\_\_, 20\_\_\_\_  
regular meeting.

\_\_\_\_\_  
County Attorney

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