

6C-2

Agenda Item #:

PALM BEACH COUNTY
BOARD OF COUNTY COMMISSIONERS
AGENDA ITEM SUMMARY

Meeting Date: October 20, 2020 [] Consent [X] Regular
[] Ordinance [] Public Hearing

Department: Facilities Development & Operations
Housing and Economic Sustainability

I. EXECUTIVE BRIEF

Motion and Title: Staff recommends motion to:

- A) **adopt**: a Resolution authorizing the conveyance of certain real property to Habitat for Humanity of South Palm Beach County, Inc., a Florida not-for-profit corporation (Habitat), pursuant to Florida Statutes Section 125.38, without charge and with reservation of mineral and petroleum rights, but without rights of entry and exploration; and providing for an effective date; and
- B) **approve** three (3) County Deeds in favor of Habitat conveying three (3) properties located on Highview Road, Peak Road and West Ocean Avenue in Palm Beach County for three affordable units to be developed.

Summary: Pursuant to Florida Statutes Section 125.38, the County is conveying three (3) vacant properties to Habitat as follows: 1) Highview Road (.0919 acres) in unincorporated Palm Beach County which escheated to the County in August 2012, and has a current appraised value of \$42,000; 2) Peak Road (.0918 acres) in unincorporated Palm Beach County which escheated to the County in March 2016, and has a current appraised value of \$42,000; and 3) West Ocean Avenue (.2106 acres) in Boynton Beach which escheated to the County in October 2015, and has a current appraised value of \$69,000. Under the Palm Beach County Code Section 22-103(a), since all three properties being conveyed exceeded the \$25,000 threshold, appraisals were required and obtained in August 2020. The Property Review Committee was not required to review the conveyance in accordance with PPMCW-L-023 since the appraised value of each is less than \$250,000. Habitat has successfully implemented single-family housing projects and has an established track record in the affordable housing arena in Palm Beach County. Habitat is proposing to develop three (3) affordable single-family homes each with three (3) bedrooms, two (2) bathrooms and a one (1) car garage. The homes will be sold to families earning no more than 120% of Area Median Income and the anticipated sales price for buyers will not exceed \$331,888.

Continued on page 3

Attachments:

- 1. Location Maps
- 2. Resolution
- 3. County Deeds for properties on Highview Road, Peak Road and W. Ocean Avenue
- 4. Letter dated June 17, 2020 from Habitat
- 5. Disclosure of Beneficial Interests

Recommended By: *[Signature]* Department Director Date: 9/25/20

Approved By: *[Signature]* County Administrator Date: 10/13/2020

II. FISCAL IMPACT ANALYSIS

A. Five Year Summary of Fiscal Impact:

Fiscal Years	2021	2022	2023	2024	2025
Capital Expenditures	_____	_____	_____	_____	_____
Operating Costs	_____	_____	_____	_____	_____
External Revenues	_____	_____	_____	_____	_____
Program Income (County)	_____	_____	_____	_____	_____
In-Kind Match (County)	_____	_____	_____	_____	_____
NET FISCAL IMPACT	<u>-\$0-</u>	<u>-\$0-</u>	<u>\$0-</u>	<u>-\$0-</u>	<u>-\$0-</u>
# ADDITIONAL FTE POSITIONS (Cumulative)	_____	_____	_____	_____	_____
Is Item Included in Current Budget:	Yes	_____	No	_____	
Does this item include the use of federal funds?	Yes	_____	No	<u>X</u>	
Budget Account No:	Fund _____	Dept _____	Unit _____	Object _____	
		Program _____			

B. Recommended Sources of Funds/Summary of Fiscal Impact:

No Fiscal Impact

Fixed Assets Number: Highview Rd H07753, Peak Rd H07934, W Ocean: H07919

C. Departmental Fiscal Review:

[Signature]
 a. DiPietro
 9/28/20
 F/Amo OFMB

III. REVIEW COMMENTS

A. OFMB Fiscal and/or Contract Development Comments:

<p><i>[Signature]</i> 9/29/2020 OFMB PC 9/29 LM 9/29</p>	<p><i>[Signature]</i> 10/17/2020 Contract Development and Control 10-6-20 TW</p>
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B. Legal Sufficiency:

[Signature] 10/9/2020
 for Howard Faben
 Assistant County Attorney

C. Other Department Review:

[Signature]
 Department Director, DHES

This summary is not to be used as a basis for payment.

Summary (cont'd.): The Board should be cognizant that as a result of the County's affordability restrictions on the property, the units cannot be used to meet a Workforce Housing Program obligation. Mineral and petroleum rights on the property will be retained by the County in accordance with Florida Statutes, Section 270.11, without rights of entry and exploration. Approval of this item will convey County-owned property to Habitat and result in an increase in the County's affordable housing stock. **This conveyance must be approved by a Supermajority Vote of five (5 Commissioners).** (PREM) Districts 3 and 7 (HJF)

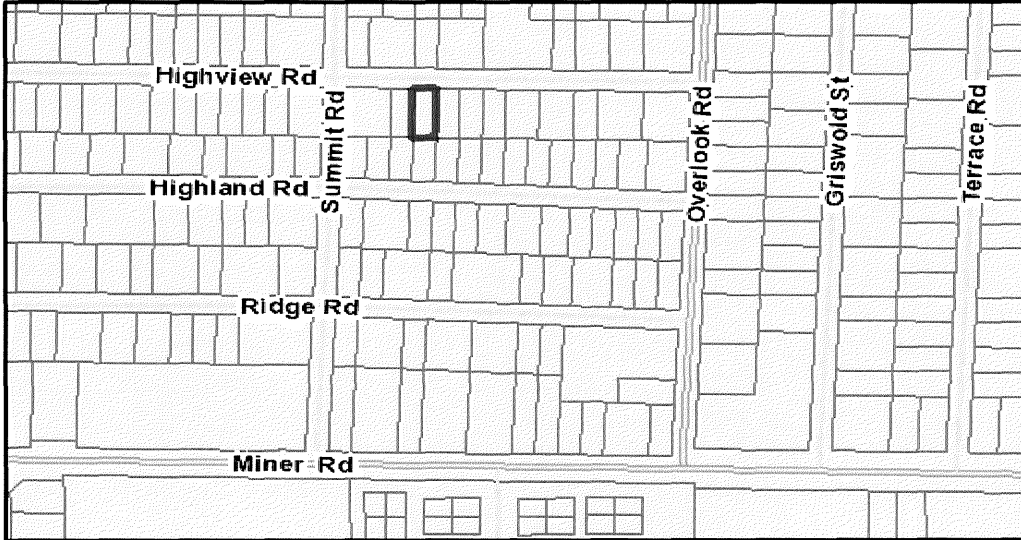
Background and Policy Issues: Florida Statutes, Section 125.38 allows County property that is not needed for County purposes to be conveyed to a not-for-profit corporation organized for the purpose of promoting community interest and welfare. These conveyances will relieve the County of potential liability for occurrences on the property. Habitat provided a Beneficial Interest Affidavit identifying it as a non-profit where no individual person or entity is considered to have a beneficial interest in Habitat.

LOCATION MAP

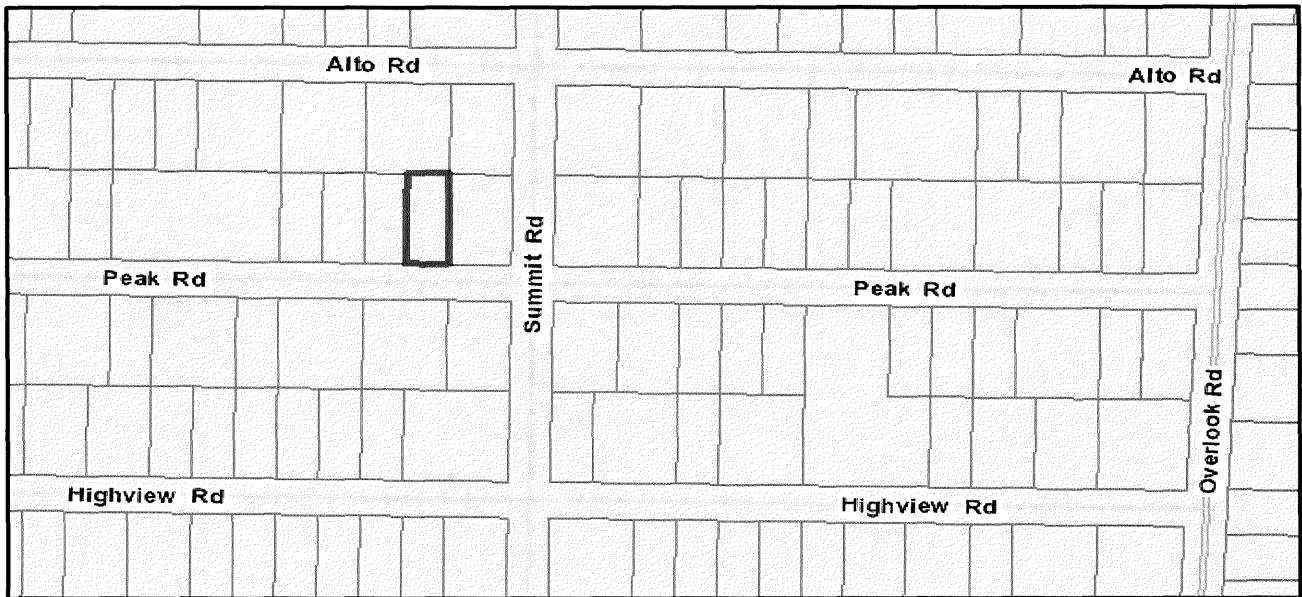


Highview Road - PCN: 00-43-45-09-09-000-1670

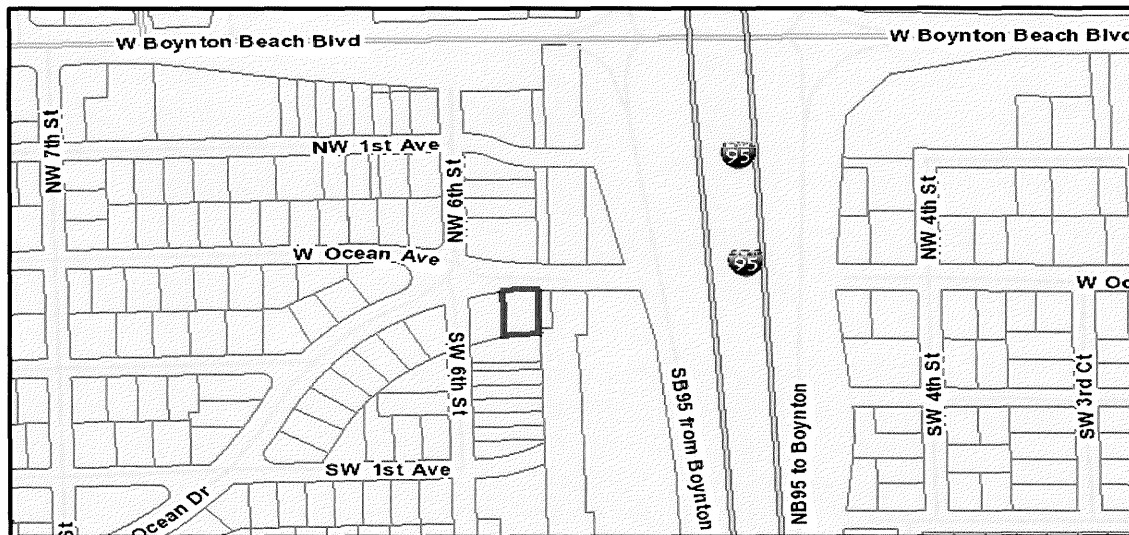
North



Peak Road - PCN: 00-43-45-09-09-000-2630



West Ocean Avenue -PCN: 08-43-45-29-01-011-0010



Attachment #2
Resolution w/Exhibits A, B and C
8 Pages

RESOLUTION NO. R2020-_____

RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF PALM BEACH COUNTY, FLORIDA, AUTHORIZING THE CONVEYANCE OF CERTAIN REAL PROPERTY TO HABITAT FOR HUMANITY OF SOUTH PALM BEACH COUNTY, INC., PURSUANT TO FLORIDA STATUTE SECTION 125.38, WITHOUT CHARGE AND WITH MINERAL AND PETROLEUM RIGHTS RESERVATION WITHOUT RIGHTS OF ENTRY AND EXPLORATION; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, Habitat for Humanity of South Palm Beach County, Inc., a Florida not for profit corporation (“Habitat”), has made application to the Board of County Commissioners of Palm Beach County requesting that Palm Beach County convey three (3) vacant residential properties to Habitat for construction of three (3) homes for affordable housing purposes; and

WHEREAS, Habitat has been successfully serving Palm Beach County for 30 years and has an established track record in the affordable housing arena in Palm Beach County; and

WHEREAS, Habitat is a homeownership program that empowers families to build a new life for themselves through the stability and security of owning their own home; and

WHEREAS, Habitat homes are not given away but are sold to families who qualify and are willing to put a minimum of 400 hundred hours of sweat equity labor into the construction of homes before being eligible to purchase their home utilizing a 30 year, no profit, no interest loan with required monthly mortgage payments; and

WHEREAS, the Board of County Commissioners of Palm Beach County hereby finds that Habitat is organized for the purpose of promoting community interest and welfare by making affordable housing available to the community, the aforementioned use constitutes a use for the community interest and welfare, such real property is required for such use, and such real property is not needed for County purposes; and

WHEREAS, pursuant to Florida Statute Section 270.11, Habitat has requested that such property be conveyed without reservation of and to release the rights of entry and exploration relating to phosphate, mineral, metals and petroleum rights; and

WHEREAS, the Board of County Commissioners of Palm Beach County hereby agrees to convey such property reserving phosphate, mineral, metals and petroleum rights but releasing any and all rights of entry and exploration relating to such rights.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF PALM BEACH COUNTY, FLORIDA, that:

Section 1. Recitals

The foregoing recitals are true and correct and incorporated herein by reference.

Section 2. Authorization to Convey Real Property

The Board of County Commissioners of Palm Beach County shall convey to Habitat, without charge and by the County Deeds attached hereto as Exhibits "A", "B" and "C", and incorporated herein by reference, the real property legally described in such Deeds, subject to a restrictive covenant limiting the use of such real property to use as affordable housing through December 31, 2050.

Section 3. Conflict with Federal or State Law or County Charter

Any statutory or Charter provisions in conflict with this Resolution shall prevail.

Section 4. Effective Date.

The provisions of this Resolution shall be effective immediately upon adoption hereof.

The foregoing resolution was offered by Commissioner _____ who moved its adoption. The Motion was seconded by Commissioner _____, and upon being put to a vote, the vote was as follows:

- Commissioner Dave Kerner, Mayor - _____
- Commissioner Robert S. Weinroth, Vice Mayor - _____
- Commissioner Hal R. Valeche - _____
- Commissioner Gregg K. Weiss - _____
- Commissioner Mary Lou Berger - _____
- Commissioner Melissa McKinlay - _____
- Commissioner Mack Bernard - _____

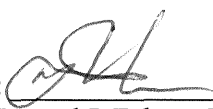
The Mayor thereupon declared the Resolution duly passed and adopted this _____ day of _____, 2020.

PALM BEACH COUNTY, FLORIDA, BY ITS BOARD OF COUNTY COMMISSIONERS

SHARON R. BOCK
CLERK & COMPTROLLER

By: _____
Deputy Clerk

APPROVED AS TO FORM AND LEGAL SUFFICIENCY

By: 
Howard J. Falcon, III
Chief Assistant County Attorney

APPROVED AS TO TERMS AND CONDITIONS

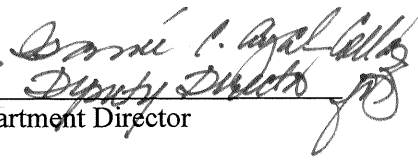
By: 
Department Director

EXHIBIT A

PREPARED BY:
Dept. of Housing & Economic Sustainability

RETURN TO:
PALM BEACH COUNTY
PROPERTY & REAL ESTATE MANAGEMENT DIVISION
2633 Vista Parkway
West Palm Beach, FL 33411-5605

PCN: 00-43-45-09-09-000-1670

Closing Date: _____

Purchase Price: \$0.00

Property Address: 1094 Highview Road, Lantana, FL 33462

COUNTY DEED

This COUNTY DEED, made _____, by **PALM BEACH COUNTY**, a political subdivision of the State of Florida, by and through its Board of County Commissioners, whose legal mailing address is 2633 Vista Parkway, West Palm Beach, Florida 33411-5605, "County", and **HABITAT FOR HUMANITY OF SOUTH PALM BEACH COUNTY INC.**, a Florida not-for-profit corporation, whose legal mailing address is 181 S.E. 5th Avenue, Delray Beach, FL 33483 "Grantee".

W I T N E S S E T H:

That County, for and in consideration of the sum of Ten and 00/100 (\$10.00) Dollars to it in hand paid by Grantee, the receipt whereof is hereby acknowledged, has granted, bargained and sold to Grantee, its successors and assigns forever, the following described land lying and being in Palm Beach County, Florida:

Lot 167, RIDGE GROVE-ADDITION NO. 1, according to the Plat thereof on file in the office of the Clerk of the Circuit Court in and for Palm Beach County, Florida, recorded in Plat Book 22, page 43; said lands situate, lying and being in Palm Beach County, Florida.

Reserving, however, unto County, its successors and assigns, an undivided three-fourths ($\frac{3}{4}$) interest in, and title in and to an undivided three-fourths ($\frac{3}{4}$) interest in, all the phosphate, minerals, and metals that are or may be in, on, or under the said land and an undivided one-half ($\frac{1}{2}$) interest in all petroleum that is or may be in, on, or under said land. The aforementioned reservation of phosphate, mineral, metals and petroleum rights shall not include and County hereby expressly releases any and all rights of entry and rights of exploration relating to such phosphate, mineral, metals and petroleum rights.

This County Deed is given subject to the following conditions and restrictions which are imposed by County upon Grantee as follows:

1. The Property is hereby restricted to use for one (1) single family residential home occupied by, and affordable to, a person or family earning no more than one hundred twenty percent (120%) of the "Area Median Income" for Palm Beach County as defined by the United States Department of Housing and Urban Development, or any successor agency responsible for such definition (the "Housing Use Restriction").
2. This property is not eligible to be used for the Offsite Construction/Exchange Builder Option or other similar option developed by the County to meet a developer's workforce housing obligation offsite pursuant to the Palm Beach County Workforce Housing Program, contained in Article 5, Supplementary Standards, Chapter D. Density Bonus Programs, Section 1. Workforce

Housing, of the Palm Beach County Unified Land Development Code as may be codified or amended from time to time (the “Workforce Housing Prohibition”).

3. Any conveyance of the Property or any portion thereof, by the Grantee before December 31, 2050, shall specifically recite the Housing Use Restriction and the Workforce Housing Prohibition in any deed conveying the Property or any portion thereof and shall include a reference to this County Deed by referencing the official record book and page number in which it is recorded. The Grantee shall obtain written approval of any subsequent purchasers from the Palm Beach County Department of Housing and Economic Sustainability prior to conveyance.
4. The conditions and restrictions imposed by this County Deed shall constitute covenants running with the land and shall be binding upon and burden the Grantee, its successors and assigns, having or hereafter acquiring any right, title, or interest in or to all or any portions of the real property described in this County Deed through December 31, 2050.

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

ATTEST:

**SHARON R. BOCK
CLERK & COMPTROLLER**

**PALM BEACH COUNTY, a political
subdivision of the State of Florida**

By: _____
Deputy Clerk

By: _____
Dave Kerner, Mayor

**APPROVED AS TO FORM
AND LEGAL SUFFICIENCY**

(OFFICIAL SEAL)

By: _____
Assistant County Attorney

EXHIBIT B

PREPARED BY:
Dept. of Housing & Economic Sustainability

RETURN TO:
PALM BEACH COUNTY
PROPERTY & REAL ESTATE MANAGEMENT DIVISION
2633 Vista Parkway
West Palm Beach, FL 33411-5605

PCN: 00-43-45-09-09-000-2630

Closing Date: _____

Purchase Price: \$0.00

Property Address: Peak Road, Lantana, FL

COUNTY DEED

This COUNTY DEED, made _____, by **PALM BEACH COUNTY**, a political subdivision of the State of Florida, by and through its Board of County Commissioners, whose legal mailing address is 2633 Vista Parkway, West Palm Beach, Florida 33411-5605, "County", and **HABITAT FOR HUMANITY OF SOUTH PALM BEACH COUNTY, INC.**, a Florida not-for-profit corporation, whose legal mailing address is 181 S. E. 5th Avenue, Delray Beach, FL 33483, "Grantee".

W I T N E S S E T H:

That County, for and in consideration of the sum of Ten and 00/100 (\$10.00) Dollars to it in hand paid by Grantee, the receipt whereof is hereby acknowledged, has granted, bargained and sold to Grantee, its successors and assigns forever, the following described land lying and being in Palm Beach County, Florida:

Lot (s) 263, RIDGE GROVE- ADDITION NO. 1, according to the Plat thereof on file in the office of the Clerk of the Circuit Court in and for Palm Beach County, Florida, recorded in Plat Book 22, Page 43. Said lands situate, lying and being in Palm Beach County, Florida.

Reserving, however, unto County, its successors and assigns, an undivided three-fourths ($\frac{3}{4}$) interest in, and title in and to an undivided three-fourths ($\frac{3}{4}$) interest in, all the phosphate, minerals, and metals that are or may be in, on, or under the said land and an undivided one-half ($\frac{1}{2}$) interest in all petroleum that is or may be in, on, or under said land. The aforementioned reservation of phosphate, mineral, metals and petroleum rights shall not include and County hereby expressly releases any and all rights of entry and rights of exploration relating to such phosphate, mineral, metals and petroleum rights.

This County Deed is given subject to the following conditions and restrictions which are imposed by County upon Grantee as follows:

1. The Property is hereby restricted to use for no less than one (1) single family residential home occupied by, and affordable to, a person or family earning no more than one hundred twenty percent (120%) of the "Area Median Income" for Palm Beach County as defined by the United States Department of Housing and Urban Development, or any successor agency responsible for such definition (the "Housing Use Restriction").
2. This property is not eligible to be used for the Offsite Construction/Exchange Builder Option or other similar option developed by the County to meet a developer's workforce housing obligation offsite pursuant to the Palm Beach County Workforce Housing Program, contained in Article 5, Supplementary Standards, Chapter D. Density Bonus Programs, Section 1. Workforce

Housing, of the Palm Beach County Unified Land Development Code as may be codified or amended from time to time (the “Workforce Housing Prohibition”).

3. Any conveyance of the Property or any portion thereof, by the Grantee before December 31, 2050, shall specifically recite the Housing Use Restriction and the Workforce Housing Prohibition in any deed conveying the Property or any portion thereof and shall include a reference to this County Deed by referencing the official record book and page number in which it is recorded. The Grantee shall obtain written approval of any subsequent purchasers from the Palm Beach County Department of Housing and Economic Sustainability prior to conveyance.
4. The conditions and restrictions imposed by this County Deed shall constitute covenants running with the land and shall be binding upon and burden the Grantee, its successors and assigns, having or hereafter acquiring any right, title, or interest in or to all or any portions of the real property described in this County Deed through December 31, 2050.

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

ATTEST:

**SHARON R. BOCK
CLERK & COMPTROLLER**

**PALM BEACH COUNTY, a political
subdivision of the State of Florida**

By: _____
Deputy Clerk

By: _____
Dave Kerner, Mayor

**APPROVED AS TO FORM
AND LEGAL SUFFICIENCY**

(OFFICIAL SEAL)

By: _____
Assistant County Attorney

EXHIBIT C

PREPARED BY:
Dept. of Housing & Economic Sustainability

RETURN TO:
PALM BEACH COUNTY
PROPERTY & REAL ESTATE MANAGEMENT DIVISION
2633 Vista Parkway
West Palm Beach, FL 33411-5605

PCN: 08-43-45-29-01-011-0010

Closing Date: _____

Purchase Price: \$0.00

Property Address: W. Ocean Avenue, Boynton Beach, FL

COUNTY DEED

This COUNTY DEED, made _____, by **PALM BEACH COUNTY**, a political subdivision of the State of Florida, by and through its Board of County Commissioners, whose legal mailing address is 2633 Vista Parkway, West Palm Beach, Florida 33411-5605, "County", and **HABITAT FOR HUMANITY OF SOUTH PALM BEACH COUNTY, INC.**, a Florida not for profit corporation, whose legal mailing address is 181 S.E. 5th Avenue, Delray Beach, FL 33483, "Grantee".

W I T N E S S E T H:

That County, for and in consideration of the sum of Ten and 00/100 (\$10.00) Dollars to it in hand paid by Grantee, the receipt whereof is hereby acknowledged, has granted, bargained and sold to Grantee, its successors and assigns forever, the following described land lying and being in Palm Beach County, Florida:

LOT 1 AND LOT 2 LESS THE WEST 24.97 FEET, BLOCK 11,
LAKE BOYNTON ESTATES, PLAT NO.1, ACCORDING TO THE
PLAT THEREOF ON FILE IN THE OFFICE OF THE CLERK OF
THE CIRCUIT COURT, IN AND FOR PALM BEACH COUNTY,
FLORIDA, RECORDED IN PLAT BOOK 13, PAGE 32.

Reserving, however, unto County, its successors and assigns, an undivided three-fourths ($\frac{3}{4}$) interest in, and title in and to an undivided three-fourths ($\frac{3}{4}$) interest in, all the phosphate, minerals, and metals that are or may be in, on, or under the said land and an undivided one-half ($\frac{1}{2}$) interest in all petroleum that is or may be in, on, or under said land. The aforementioned reservation of phosphate, mineral, metals and petroleum rights shall not include and County hereby expressly releases any and all rights of entry and rights of exploration relating to such phosphate, mineral, metals and petroleum rights.

This County Deed is given subject to the following conditions and restrictions which are imposed by County upon Grantee as follows:

1. The Property is hereby restricted to use as no more than two (2) single family residential homes occupied by, and affordable to, a person or family earning no more than one hundred twenty percent (120%) of the "Area Median Income" for Palm Beach County as defined by the United States Department of Housing and Urban Development, or any successor agency responsible for such definition (the "Housing Use Restriction").
2. Any conveyance of the Property or any portion thereof, by the Grantee before December 31, 2050, shall specifically recite the Housing Use Restriction in any deed conveying the Property or any portion thereof and shall include a reference to this County Deed by referencing the official record book and page number in which it is recorded. The Grantee shall obtain written approval of any subsequent purchasers from the Palm Beach County Department of Housing and Economic Sustainability prior to conveyance.

3. This property is not eligible to be used for the Offsite Construction/Exchange Builder Option or other similar option developed by the County to meet a developer's workforce housing obligation offsite pursuant to the Palm Beach County Workforce Housing Program, contained in Article 5, Supplementary Standards, Chapter D. Density Bonus Programs, Section 1. Workforce Housing, of the Palm Beach County Unified Land Development Code as may be codified or amended from time to time (the "Workforce Housing Prohibition").
4. The conditions and restrictions imposed by this County Deed shall constitute covenants running with the land and shall be binding upon and burden the Grantee, its successors and assigns, having or hereafter acquiring any right, title, or interest in or to all or any portions of the real property described in this County Deed through December 31, 2050.

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

ATTEST:

**SHARON R. BOCK
CLERK & COMPTROLLER**

**PALM BEACH COUNTY, a political
subdivision of the State of Florida**

By: _____
Deputy Clerk

By: _____
Dave Kerner, Mayor

**APPROVED AS TO FORM
AND LEGAL SUFFICIENCY**

(OFFICIAL SEAL)

By: _____
Assistant County Attorney

Attachment #3
Deeds
6 Pages

PREPARED BY:
Dept. of Housing & Economic Sustainability

RETURN TO:
PALM BEACH COUNTY
PROPERTY & REAL ESTATE MANAGEMENT DIVISION
2633 Vista Parkway
West Palm Beach, FL 33411-5605

PCN: 00-43-45-09-09-000-1670

Closing Date: _____

Purchase Price: \$0.00

Property Address: 1094 Highview Road, Lantana, FL 33462

COUNTY DEED

This COUNTY DEED, made _____, by **PALM BEACH COUNTY**, a political subdivision of the State of Florida, by and through its Board of County Commissioners, whose legal mailing address is 2633 Vista Parkway, West Palm Beach, Florida 33411-5605, "County", and **HABITAT FOR HUMANITY OF SOUTH PALM BEACH COUNTY INC.**, a Florida not-for-profit corporation, whose legal mailing address is 181 S.E. 5th Avenue, Delray Beach, FL 33483 "Grantee".

W I T N E S S E T H:

That County, for and in consideration of the sum of Ten and 00/100 (\$10.00) Dollars to it in hand paid by Grantee, the receipt whereof is hereby acknowledged, has granted, bargained and sold to Grantee, its successors and assigns forever, the following described land lying and being in Palm Beach County, Florida:

Lot 167, RIDGE GROVE-ADDITION NO. 1, according to the Plat thereof on file in the office of the Clerk of the Circuit Court in and for Palm Beach County, Florida, recorded in Plat Book 22, page 43; said lands situate, lying and being in Palm Beach County, Florida.

Reserving, however, unto County, its successors and assigns, an undivided three-fourths ($\frac{3}{4}$) interest in, and title in and to an undivided three-fourths ($\frac{3}{4}$) interest in, all the phosphate, minerals, and metals that are or may be in, on, or under the said land and an undivided one-half ($\frac{1}{2}$) interest in all petroleum that is or may be in, on, or under said land. The aforementioned reservation of phosphate, mineral, metals and petroleum rights shall not include and County hereby expressly releases any and all rights of entry and rights of exploration relating to such phosphate, mineral, metals and petroleum rights.

This County Deed is given subject to the following conditions and restrictions which are imposed by County upon Grantee as follows:

1. The Property is hereby restricted to use for one (1) single family residential home occupied by, and affordable to, a person or family earning no more than one hundred twenty percent (120%) of the "Area Median Income" for Palm Beach County as defined by the United States Department of Housing and Urban Development, or any successor agency responsible for such definition (the "Housing Use Restriction").
2. This property is not eligible to be used for the Offsite Construction/Exchange Builder Option or other similar option developed by the County to meet a developer's workforce housing obligation offsite pursuant to the Palm Beach County Workforce Housing Program, contained in Article 5, Supplementary Standards, Chapter D. Density Bonus Programs, Section 1. Workforce

Housing, of the Palm Beach County Unified Land Development Code as may be codified or amended from time to time (the "Workforce Housing Prohibition").

3. Any conveyance of the Property or any portion thereof, by the Grantee before December 31, 2050, shall specifically recite the Housing Use Restriction and the Workforce Housing Prohibition in any deed conveying the Property or any portion thereof and shall include a reference to this County Deed by referencing the official record book and page number in which it is recorded. The Grantee shall obtain written approval of any subsequent purchasers from the Palm Beach County Department of Housing and Economic Sustainability prior to conveyance.
4. The conditions and restrictions imposed by this County Deed shall constitute covenants running with the land and shall be binding upon and burden the Grantee, its successors and assigns, having or hereafter acquiring any right, title, or interest in or to all or any portions of the real property described in this County Deed through December 31, 2050.

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

ATTEST:

**SHARON R. BOCK
CLERK & COMPTROLLER**

**PALM BEACH COUNTY, a political
subdivision of the State of Florida**

By: _____
Deputy Clerk

By: _____
Dave Kerner, Mayor

**APPROVED AS TO FORM
AND LEGAL SUFFICIENCY**

(OFFICIAL SEAL)

By:  _____
Assistant County Attorney

PREPARED BY:
Dept. of Housing & Economic Sustainability

RETURN TO:
PALM BEACH COUNTY
PROPERTY & REAL ESTATE MANAGEMENT DIVISION
2633 Vista Parkway
West Palm Beach, FL 33411-5605

PCN: 00-43-45-09-000-2630

Closing Date: _____

Purchase Price: \$0.00

Property Address: Peak Road, Lantana, FL

COUNTY DEED

This COUNTY DEED, made _____, by **PALM BEACH COUNTY**, a political subdivision of the State of Florida, by and through its Board of County Commissioners, whose legal mailing address is 2633 Vista Parkway, West Palm Beach, Florida 33411-5605, "County", and **HABITAT FOR HUMANITY OF SOUTH PALM BEACH COUNTY, INC.**, a Florida not-for-profit corporation, whose legal mailing address is 181 S. E. 5th Avenue, Delray Beach, FL 33483, "Grantee".

WITNESSETH:

That County, for and in consideration of the sum of Ten and 00/100 (\$10.00) Dollars to it in hand paid by Grantee, the receipt whereof is hereby acknowledged, has granted, bargained and sold to Grantee, its successors and assigns forever, the following described land lying and being in Palm Beach County, Florida:

Lot (s) 263, RIDGE GROVE- ADDITION NO. 1, according to the Plat thereof on file in the office of the Clerk of the Circuit Court in and for Palm Beach County, Florida, recorded in Plat Book 22, Page 43. Said lands situate, lying and being in Palm Beach County, Florida.

Reserving, however, unto County, its successors and assigns, an undivided three-fourths ($\frac{3}{4}$) interest in, and title in and to an undivided three-fourths ($\frac{3}{4}$) interest in, all the phosphate, minerals, and metals that are or may be in, on, or under the said land and an undivided one-half ($\frac{1}{2}$) interest in all petroleum that is or may be in, on, or under said land. The aforementioned reservation of phosphate, mineral, metals and petroleum rights shall not include and County hereby expressly releases any and all rights of entry and rights of exploration relating to such phosphate, mineral, metals and petroleum rights.

This County Deed is given subject to the following conditions and restrictions which are imposed by County upon Grantee as follows:

1. The Property is hereby restricted to use for no less than one (1) single family residential home occupied by, and affordable to, a person or family earning no more than one hundred twenty percent (120%) of the "Area Median Income" for Palm Beach County as defined by the United States Department of Housing and Urban Development, or any successor agency responsible for such definition (the "Housing Use Restriction").
2. This property is not eligible to be used for the Offsite Construction/Exchange Builder Option or other similar option developed by the County to meet a developer's workforce housing obligation offsite pursuant to the Palm Beach County Workforce Housing Program, contained in Article 5, Supplementary Standards, Chapter D. Density Bonus Programs, Section 1. Workforce

Housing, of the Palm Beach County Unified Land Development Code as may be codified or amended from time to time (the "Workforce Housing Prohibition").

3. Any conveyance of the Property or any portion thereof, by the Grantee before December 31, 2050, shall specifically recite the Housing Use Restriction and the Workforce Housing Prohibition in any deed conveying the Property or any portion thereof and shall include a reference to this County Deed by referencing the official record book and page number in which it is recorded. The Grantee shall obtain written approval of any subsequent purchasers from the Palm Beach County Department of Housing and Economic Sustainability prior to conveyance.

4. The conditions and restrictions imposed by this County Deed shall constitute covenants running with the land and shall be binding upon and burden the Grantee, its successors and assigns, having or hereafter acquiring any right, title, or interest in or to all or any portions of the real property described in this County Deed through December 31, 2050.

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

ATTEST:

**SHARON R. BOCK
CLERK & COMPTROLLER**

**PALM BEACH COUNTY, a political
subdivision of the State of Florida**

By: _____
Deputy Clerk

By: _____
Dave Kerner, Mayor

**APPROVED AS TO FORM
AND LEGAL SUFFICIENCY**

(OFFICIAL SEAL)

By:  _____
Assistant County Attorney

PREPARED BY:
Dept. of Housing & Economic Sustainability

RETURN TO:
PALM BEACH COUNTY
PROPERTY & REAL ESTATE MANAGEMENT DIVISION
2633 Vista Parkway
West Palm Beach, FL 33411-5605

PCN: 08-43-45-29-01-011-0010
Closing Date: _____
Purchase Price: \$0.00

Property Address: W. Ocean Avenue, Boynton Beach, FL

COUNTY DEED

This COUNTY DEED, made _____, by **PALM BEACH COUNTY**, a political subdivision of the State of Florida, by and through its Board of County Commissioners, whose legal mailing address is 2633 Vista Parkway, West Palm Beach, Florida 33411-5605, "County", and **HABITAT FOR HUMANITY OF SOUTH PALM BEACH COUNTY, INC.**, a Florida not for profit corporation, whose legal mailing address is 181 S.E. 5th Avenue, Delray Beach, FL 33483, "Grantee".

WITNESSETH:

That County, for and in consideration of the sum of Ten and 00/100 (\$10.00) Dollars to it in hand paid by Grantee, the receipt whereof is hereby acknowledged, has granted, bargained and sold to Grantee, its successors and assigns forever, the following described land lying and being in Palm Beach County, Florida:

LOT 1 AND LOT 2 LESS THE WEST 24.97 FEET, BLOCK 11, LAKE BOYNTON ESTATES, PLAT NO.1, ACCORDING TO THE PLAT THEREOF ON FILE IN THE OFFICE OF THE CLERK OF THE CIRCUIT COURT, IN AND FOR PALM BEACH COUNTY, FLORIDA, RECORDED IN PLAT BOOK 13, PAGE 32.

Reserving, however, unto County, its successors and assigns, an undivided three-fourths ($\frac{3}{4}$) interest in, and title in and to an undivided three-fourths ($\frac{3}{4}$) interest in, all the phosphate, minerals, and metals that are or may be in, on, or under the said land and an undivided one-half ($\frac{1}{2}$) interest in all petroleum that is or may be in, on, or under said land. The aforementioned reservation of phosphate, mineral, metals and petroleum rights shall not include and County hereby expressly releases any and all rights of entry and rights of exploration relating to such phosphate, mineral, metals and petroleum rights.

This County Deed is given subject to the following conditions and restrictions which are imposed by County upon Grantee as follows:

1. The Property is hereby restricted to use as no more than two (2) single family residential homes occupied by, and affordable to, a person or family earning no more than one hundred twenty percent (120%) of the "Area Median Income" for Palm Beach County as defined by the United States Department of Housing and Urban Development, or any successor agency responsible for such definition (the "Housing Use Restriction").
2. This property is not eligible to be used for the Offsite Construction/Exchange Builder Option or other similar option developed by the County to meet a developer's workforce housing obligation offsite pursuant to the Palm Beach County Workforce Housing Program, contained in Article 5, Supplementary Standards, Chapter D. Density Bonus Programs, Section 1. Workforce Housing, of the Palm Beach County Unified Land Development Code as may be codified or amended from time to time (the "Workforce Housing Prohibition").

3. Any conveyance of the Property or any portion thereof, by the Grantee before December 31, 2050, shall specifically recite the Housing Use Restriction in any deed conveying the Property or any portion thereof and shall include a reference to this County Deed by referencing the official record book and page number in which it is recorded. The Grantee shall obtain written approval of any subsequent purchasers from the Palm Beach County Department of Housing and Economic Sustainability prior to conveyance.
4. The conditions and restrictions imposed by this County Deed shall constitute covenants running with the land and shall be binding upon and burden the Grantee, its successors and assigns, having or hereafter acquiring any right, title, or interest in or to all or any portions of the real property described in this County Deed through December 31, 2050.

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

ATTEST:

**SHARON R. BOCK
CLERK & COMPTROLLER**

**PALM BEACH COUNTY, a political
subdivision of the State of Florida**

By: _____
Deputy Clerk

By: _____
Dave Kerner, Mayor

**APPROVED AS TO FORM
AND LEGAL SUFFICIENCY**

By:  _____
Assistant County Attorney

(OFFICIAL SEAL)

Attachment #4
Request Letter Habitat For Humanity
1 Page



**Habitat
for Humanity®**
South Palm Beach County

181 S.E. 5th Avenue
Delray Beach, FL 33483
561-819-6070
Fax: 561-819-0173

June 17, 2020

Sherry Howard
Deputy Director
100 Australian Ave., Suite 500
West Palm Beach, FL 33406

Dear Ms Howard,

Attached please find three maps of vacant properties with PCNs (00-43-45-09-09-000-1670), (00-43-45-09-09-000-2630), and (08-43-45-29-01-011-0010), which Habitat for Humanity of South Palm Beach County respectfully requests that the County of Palm Beach transfer the title/ownership of these properties to Habitat for Humanity of South Palm Beach County.

Such transfer would enable us to construct three single family homes consisting of 3-Bedrooms, 2 Bathrooms, a 1 Car Garage, All Tile, Hurricane Impact Windows, Double Truss Strapping, Owen's Coming 20-Year Architectural Shingle Roof, Landscape with Sprinkler System, Stucco Siding, and Whirlpool Appliances. The timeline to complete each project would be 24 months from permit issuance. Pictures of representative homes are attached.

We feel that with Palm Beach County's help we can continue to enhance the Heart of Boynton Beach and our mission to upgrade the community and provide affordable and attainable housing to low income families who need it the most.

Respectfully,

Jeffrey Fengler
Director of Construction
561-371-2191
jfengler@hfhboca.org

Visit Our Restores At: 1900 North Federal Highway, Delray Beach, Florida 33483 • 561-455-4441
272 South Dixie Highway, Boca Raton, Florida 33432 • 561-362-7284



GRANTEE'S DISCLOSURE OF BENEFICIAL INTERESTS

TO: PALM BEACH COUNTY CHIEF OFFICER, OR HIS OR HER OFFICIALLY DESIGNATED REPRESENTATIVE

STATE OF FLORIDA
COUNTY OF PALM BEACH

BEFORE ME, the undersigned authority, this day personally appeared, Randy Nobles, hereinafter referred to as "Affiant", who being by me first duly sworn, under oath, deposes and states as follows:

1. Affiant is the Chief Executive Officer of Habitat for Humanity of South Palm Beach County, Inc., a Florida not for profit corporation, (the "Grantee") which entity is the Grantee in the donation of the real property legally described on the attached Exhibit "A" (the "Property").

2. Affiant's address is: 181 S.E. 5th Avenue, Delray Beach, FL 33483.

3. Attached hereto, and made a part hereof, as Exhibit "B" is a complete listing of the names and addresses of every person or entity having a five percent (5%) or greater beneficial interest in the Grantee and the percentage interest of each such person or entity.

4. Affiant further states that Affiant is familiar with the nature of an oath and with the penalties provided by the laws of the State of Florida for falsely swearing to statements under oath.

5. Under penalty of perjury, Affiant declares that Affiant has examined this Affidavit and to the best of Affiant's knowledge and belief it is true, correct, and complete, and will be relied upon by Palm Beach County relating to its conveyance of the Property.

FURTHER AFFIANT SAYETH NAUGHT.

 _____, Affiant
Print Affiant Name: Randy Nobles

The foregoing instrument was acknowledged before me by means of [] physical presence or [] online notarization, on September 22, 2020, by Randy Nobles, as Chief Executive Officer of Habitat for Humanity of South Palm Beach County, Inc., who is personally known to me, or who has produced _____ as identification and who did/did not take an oath.

 MARTA KNOWLES
NOTARY PUBLIC
STATE OF FLORIDA
Comm# GG095243
Expires 4/18/2021

(NOTARY SEAL ABOVE)

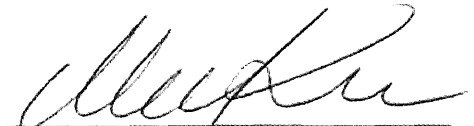
Signature:  _____
Notary Name: MARTA KNOWLES
Notary Public - State of Florida

EXHIBIT "A"

PROPERTY

1094 Highview Road, Lake Worth, Florida:

Lot 167, RIDGE GROVE-ADDITION NO. 1, according to the Plat thereof on file in the office of the Clerk of the Circuit Court in and for Palm Beach County, Florida, recorded in Plat Book 22, page 43; said lands situate, lying and being in Palm Beach County, Florida.

XXX Peak Road, Lake Worth, Florida:

Lot (s) 263, RIDGE GROVE- ADDITION NO. 1, according to the Plat thereof on file in the office of the Clerk of the Circuit Court in and for Palm Beach County, Florida, recorded in Plat Book 22, Page 43. Said lands situate, lying and being in Palm Beach County, Florida.

XXX West Ocean Avenue, Boynton Beach, Florida:

LOT 1 AND LOT 2 LESS THE WEST 24.97 FEET, BLOCK 11, LAKE BOYNTON ESTATES, PLAT NO.1, ACCORDING TO THE PLAT THEREOF ON FILE IN THE OFFICE OF THE CLERK OF THE CIRCUIT COURT, IN AND FOR PALM BEACH COUNTY, FLORIDA, RECORDED IN PLAT BOOK 3, PAGE 32.

