

II. FISCAL IMPACT ANALYSIS

A. Five Year Summary of Fiscal Impact:

Fiscal Years	2011	2012	2013	2014	2015
Capital Expenditures	_____	_____	_____	_____	_____
Operating Costs	_____	_____	_____	_____	_____
External Revenues	_____	_____	_____	_____	_____
Program Income (County)	_____	_____	_____	_____	_____
In-Kind Match (County)	_____	_____	_____	_____	_____
NET FISCAL IMPACT	<u>\$-0-</u> <i>see below</i>	<u>\$-0-</u>	<u>\$-0-</u>	<u>\$-0-</u>	<u>\$-0-</u>
# ADDITIONAL FTE POSITIONS (Cumulative)	_____	_____	_____	_____	_____
Is Item Included in Current Budget:	Yes _____	No _____			
Budget Account No:	Fund _____	Dept _____	Unit _____	Object _____	
	Program _____				

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

*Conveyance of this property will eliminate the County's ongoing maintenance and liability.

C. Departmental Fiscal Review: _____

III. REVIEW COMMENTS

A. OFMB Fiscal and/or Contract Development Comments:

Fiscal impact cannot be determined as maintenance and liability cost is on an as needed basis.

OFMB
11/17/11
11/16/11

Contract Development and Control
11-18-11 B/Wheeler
11/28/11

B. Legal Sufficiency:

Assistant County Attorney
11/23/11

C. Other Department Review:

Department Director

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

Background and Justification cont.:

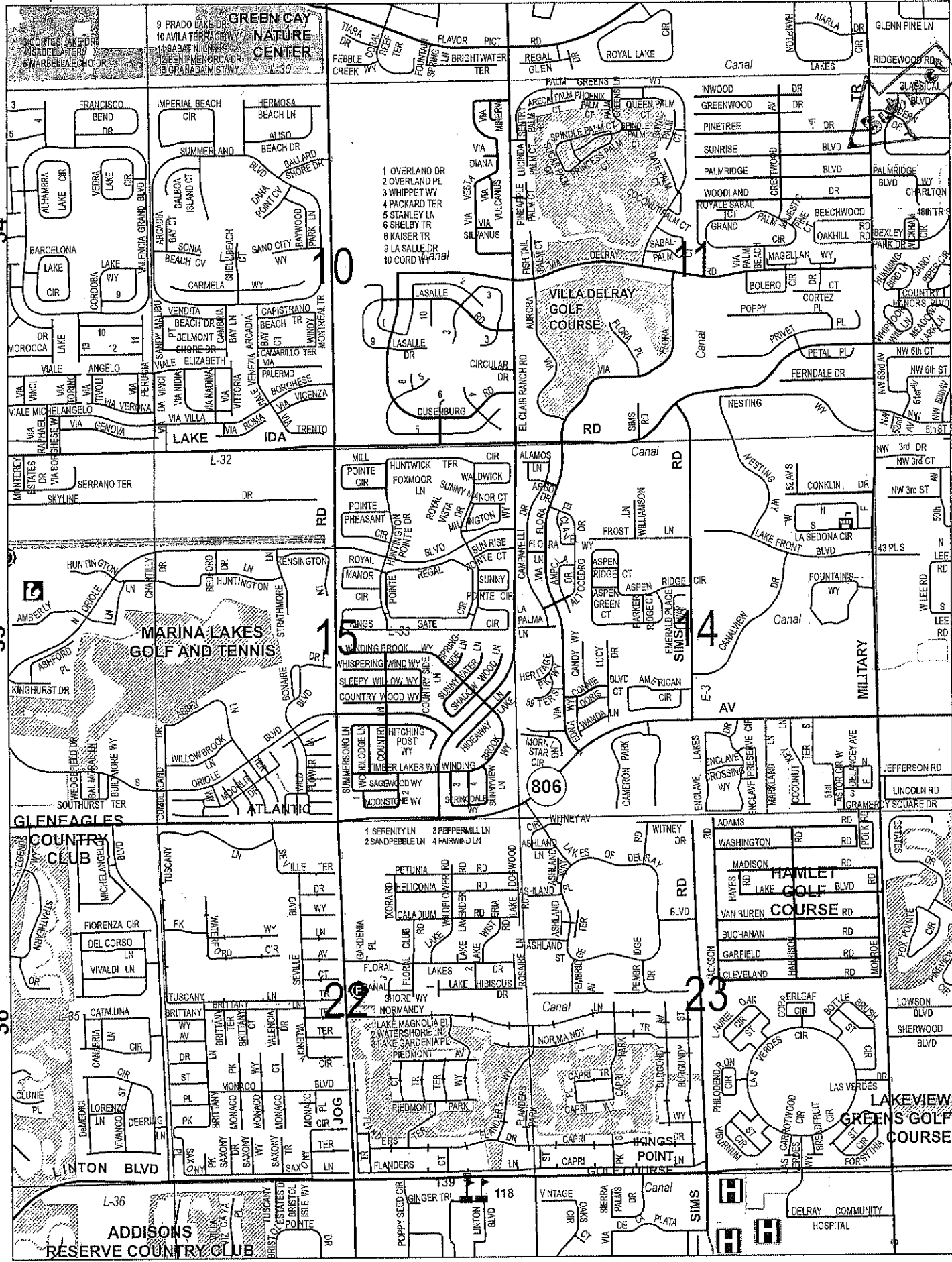
The Boynton Beach parcel is a 0.10 acre vacant lot located on the southwest corner of Highland Road and Overlook Road. The property was acquired via tax deed on May 8, 1973, and has a 2011 assessed value of \$6,000. Staff did not obtain an appraisal of this property as the assessed value is below the \$25,000 threshold. The property was offered for sale in 1998, and only one offer was received in the amount of \$1,050. As a result, the sale was never finalized.

On September 20, 2011, Habitat for Humanity of South Palm Beach County Community Housing and Land Trust, Inc. changed its name to HFHSPBC CLT, INC. Both properties are being conveyed to Habitat for use as affordable housing, deed restricted and conditioned for that use in perpetuity. If the properties are later conveyed in violation of the deed restrictions the property will revert back to the County. This conveyance does not require review by the Property Review Committee.

HFHSPBC CLT, INC., a Florida Non Profit Corporation 501(c) (3) provided a Beneficial Interest Affidavit identifying it as a nonprofit where no individual person or entity is considered to have a beneficial interest in HFHSPBC CLT, INC.

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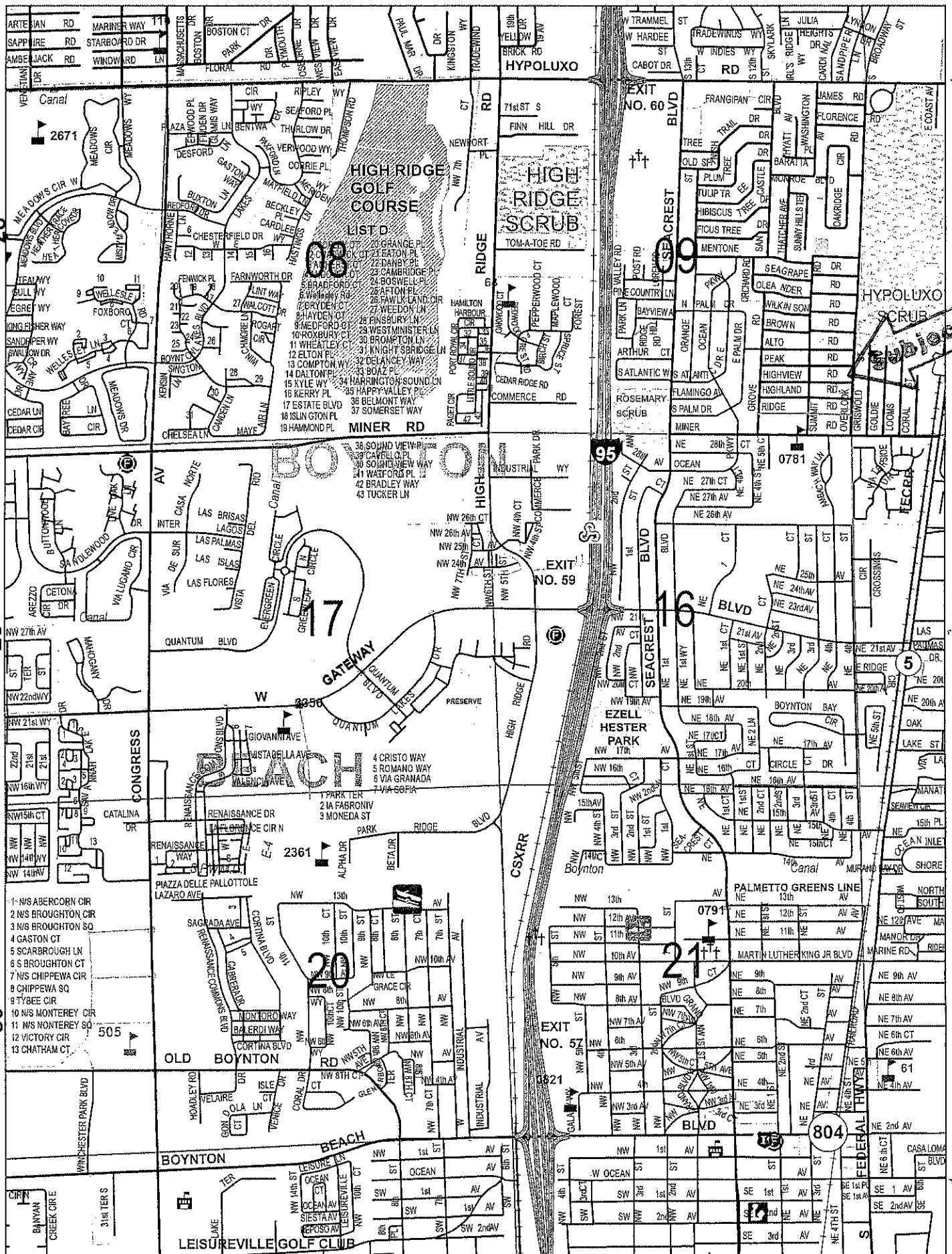
H

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5081 Sunrise Boulevard
Delray Beach

LOCATION MAP





Highland Road & Overlook Road
Boynton Beach

LOCATION MAP



RESOLUTION NO. 20__

RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF PALM BEACH COUNTY, FLORIDA, AUTHORIZING THE CONVEYANCE OF CERTAIN REAL PROPERTY TO HFHSPBC CLT, INC. (F/K/A HABITAT FOR HUMANITY OF SOUTH PALM BEACH COUNTY COMMUNITY HOUSING AND LAND TRUST, 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, HFHSPBC CLT, Inc., a Florida not-for-profit corporation f/k/a Habitat for Humanity of South Palm Beach County Community Housing and Land Trust, Inc. ("Habitat"), has made application to the Board of County Commissioners of Palm Beach County requesting that Palm Beach County convey two parcels of surplus real property consisting of 0.23 acres and 0.10 acres to Habitat for use by Habitat for construction of affordable housing; and

WHEREAS, the Board of County Commissioners of Palm Beach County hereby finds that Habitat, a non-profit organization, is organized for the purpose of promoting community interest and welfare, 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 mineral 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 two County Deeds attached hereto 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 affordable housing.

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 Karen T. Marcus
- Commissioner Paulette Burdick
- Commissioner Shelley Vana
- Commissioner Steven L. Abrams
- Commissioner Burt Aaronson
- Commissioner Jess R. Santamaria
- Commissioner Priscilla A. Taylor

The Chair thereupon declared the resolution duly passed and adopted this ____ day of _____, 20____.


PALM BEACH COUNTY, a political
subdivision of the State of Florida
BOARD OF COUNTY COMMISSIONERS

SHARON R. BOCK
CLERK & COMPTROLLER

By: _____
Deputy Clerk

APPROVED AS TO FORM AND
LEGAL SUFFICIENCY

APPROVED AS TO TERMS
AND CONDITIONS

By: 
Assistant County Attorney

By: 
Department Director

PREPARED BY AND RETURN TO:
RICHARD C. BOGATIN, PROPERTY SPECIALIST
PALM BEACH COUNTY
PROPERTY & REAL ESTATE MANAGEMENT DIVISION
2633 Vista Parkway
West Palm Beach, FL 33411-5605

PCN: 00-42-46-11-02-000-0760

Closing Date: _____

Purchase Price: \$0

COUNTY DEED

This COUNTY DEED, made _____, by PALM BEACH COUNTY, a political subdivision of the State of Florida, whose legal mailing address is 301 North Olive Avenue, West Palm Beach, Florida, 33401-4791, "County", and HFHSPBC CLT, INC., a Florida not-for-profit corporation f/k/a Habitat for Humanity of South Palm Beach County Community Housing and Land Trust, Inc., whose legal mailing address is 181 SE 5th Avenue, Delray Beach, Florida 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:

DELRAY GARDEN EST REPL OF PL 1 LT 76. THE ABOVE BEING THE REAL PROPERTY DESCRIBED UNDER TAX CERTIFICATE NUMBER 5736 IN THE TAX DEED RECORDED IN OFFICIAL RECORD BOOK 16079, PAGE 0948, PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA (the "Property")

subject to the following:

1. The Property may only be used for affordable housing, which shall mean homebuyers earning between 50%-120% of Area Median Income which shall be adjusted annually by the United States Department of Housing and Urban Development. In the event the Property is conveyed by Grantee or subsequent owners, such grantors shall impose said deed restriction in the deed conveying the Property, which deed shall be recorded in the public records of Palm Beach County, Florida.
2. 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 portion of the Property. In the event the Grantee, its successors and assigns having or hereafter acquiring any right, title or interest in or to all or any portion of the Property, does not use the Property for affordable housing or violates the terms described herein, the Property conveyed herein shall revert to the County.

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 Property and an undivided one-half ($\frac{1}{2}$) interest in all petroleum that is or may be in, on, or under said Property. 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.

IN WITNESS WHEREOF, County has caused these presents to be executed in its name by its Board of County Commissioners acting by the Chair or Vice Chair 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: _____
, Chair

**APPROVED AS TO FORM
AND LEGAL SUFFICIENCY**

(OFFICIAL SEAL)

By: 
Assistant County Attorney



South Palm Beach County, Inc.

Habitat
for Humanity®

RECEIVED

JUN 01 2011

Board Officers

- Peter Blacklock, President
Ruden McClosky
- Douglas Parker
McGulick Pool Installation
- L. Diana Hileman, Secretary
Rutherford Mulhall, P.A
- Jonathon Goodman, Treasurer
McGladrey & Pullen, LLP
- Steve Echols, Past President
Theatrics of Lake Worth

Ross C. Hering, Director,
Property and Real Estate Management,
2633 Vista Parkway
West Palm Beach, FL 33411-5605

Dear Mr. Hering:

Habitat for Humanity of South Palm Beach County is please to learn of the two surplus land opportunities that are available for the Affiliate in the South Palm Beach County Service area.

Board of Directors

- Lou Boccardo
GL Homes
- Dan Castrillon
The Scirocco Group
- Rev. Clarence Ellington
St. Paul A.M.E. Church
- Bill Fagin
B&T Asset Management
- Rick Howard
Sklar Furnishings
- Jeff Kelly
CB Richard Ellis
- Michael Luciano
Mercedes-Benz of Delray
- Chip Misch
Quail Ridge Country Club
- Mike Owen
Coldwell Banker Realty
- Stephen Putnik
Northern Trust
- Louis Spagnuolo
WCS Lending LLC
- Robin Williams
Palmetto Park Title Company
- Bill Wood
Consumer Credit Management
Services

00424611020000760 Unincorporated Delray Beach

00434509080000550 Unincorporated Boynton Beach

Each of these properties will be placed in the Habitat for Humanity Community Housing Land Trust. This land trust will provide a 99 year lease to the prospective homeowner and the homes will then be left affordable in perpetuity. Attached are the Articles of Incorporation and the Bylaws of the land trust. The land donation will be done through the Land Trust and the homes will be built by Habitat for Humanity of South Palm Beach

Habitat for Humanity homeowners are required to spend 500 hours of volunteer service working on other Habitat homes. This allows them opportunity to learn how the house is put together. It reinforces the knowledge of home maintenance and repair. Lastly, part of the hours are spent in development classes that includes financial planning, wills and trusts, healthy lifestyles, and budgeting.

Thank you for your assistance in this matter.

Michael Campbell
Executive Director

Tax ID: 65-0307017

www.habitatsouthpalmbeach.org

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REGISTRATION AND FINANCIAL
INFORMATION MAY BE OBTAINED
FROM THE DIVISION OF CONSUMER
SERVICES BY CALLING TOLL-FREE
WITHIN THE STATE OF FLORIDA 1-
800-435-7352. REGISTRATION DOES
NOT IMPLY INDORSEMENT,
APPROVAL, OR RECOMMENDATION
BY THE STATE.

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, Michael Campbell, hereinafter referred to as "Affiant", who being by me first duly sworn, under oath, deposes and states as follows:

1. Affiant is the President (position - i.e. president) of HFHSPBC CLT. Inc f/k/a HABITAT FOR HUMANITY OF SOUTH PALM BEACH COUNTY COMMUNITY HOUSING AND LAND TRUST, INC a Florida not-for-profit corporation, (the "Donee") which entity is the Donee of the real property legally described on the attached Exhibit "A" (the "Property").

2. Affiant's address is: 181 SE 5th Avenue, Delray Beach, Florida 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 Donee 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 sale of the property.

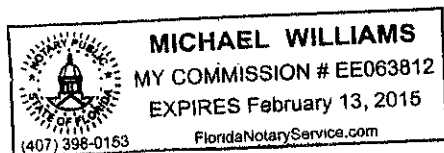
FURTHER AFFIANT SAYETH NAUGHT.

Michael Campbell, Affiant
(Print Affiant Name)

Handwritten signature of Michael Campbell

The foregoing instrument was sworn to, subscribed and acknowledged before me this 28 day of September, 2011, by Mike Campbell [X] who is personally known to me or [] who has produced as identification and who did take an oath.

Handwritten signature of Michael Williams
Notary Public



Michael Williams
(Print Notary Name)

NOTARY PUBLIC
State of Florida at Large

My Commission Expires: 2/13/15

EXHIBIT "A"

PROPERTY

DELRAY GARDEN EST REPL OF PL 1 LT 76. THE ABOVE BEING THE REAL PROPERTY DESCRIBED UNDER TAX CERTIFICATE NUMBER 5736 IN THE TAX DEED RECORDED IN OFFICIAL RECORD BOOK 16079, PAGE 0948, PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA

And:

Lot 55 – RIDGE GROVE, A SUB OF S½ OF SE¼ OF SE¼ IN PB 22 P 8 Sec. 9, Twp. 45, Rge. 43 . THE ABOVE BEING THE REAL PROPERTY DESCRIBED UNDER TAX CERTIFICATE NUMBER 1540 IN THE FINAL JUDGMENT RECORDED IN OFFICIAL RECORD BOOK 2157, PAGE 1952, PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA

The Florida Senate

2011 Florida Statutes

<p><u>TITLE XI</u> COUNTY ORGANIZATION AND INTERGOVERNMENTAL RELATIONS</p>	<p><u>CHAPTER 125</u> COUNTY GOVERNMENT</p>	<p><u>VIEW ENTIRE CHAPTER</u></p>
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125.38 Sale of county property to United States, or state.— If the United States, or any department or agency thereof, the state or any political subdivision or agency thereof, or any municipality of this state, or corporation or other organization not for profit which may be organized for the purposes of promoting community interest and welfare, should desire any real or personal property that may be owned by any county of this state or by its board of county commissioners, for public or community interest and welfare, then the United States, or any department or agency thereof, state or such political subdivision, agency, municipality, corporation or organization may apply to the board of county commissioners for a conveyance or lease of such property. Such board, if satisfied that such property is required for such use and is not needed for county purposes, may thereupon convey or lease the same at private sale to the applicant for such price, whether nominal or otherwise, as such board may fix, regardless of the actual value of such property. The fact of such application being made, the purpose for which such property is to be used, and the price or rent therefor shall be set out in a resolution duly adopted by such board. In case of a lease, the term of such lease shall be recited in such resolution. No advertisement shall be required.

History.—s. 4, ch. 23829, 1947.

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The Florida Senate

2011 Florida Statutes

<p><u>TITLE XVIII</u> PUBLIC LANDS AND PROPERTY</p>	<p><u>CHAPTER 270</u> PUBLIC LANDS</p>	<p><u>VIEW ENTIRE CHAPTER</u></p>
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270.11 Contracts for sale of public lands to reserve certain mineral rights; prohibition on exercise of right of entry in certain cases.—

(1) Unless the applicable agency chooses not to reserve such interest and except as otherwise provided by law, in all contracts and deeds for the sale of land executed by the Board of Trustees of the Internal Improvement Trust Fund or by any local government, water management district, or other agency of the state, there shall be reserved for such local government, water management district, other agency of the state, or the board of trustees and its successors an undivided three-fourths interest in, and title in and to an undivided three-fourths 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 interest in all the petroleum that is or may be in, on, or under said land with the privilege to mine and develop the same.

(2)(a) The Board of Trustees of the Internal Improvement Trust Fund may, in its discretion, sell or release any reserved interest or any portion thereof in or as to any particular parcel of land, and the State Board of Education may sell or release any such interest or any portion thereof which was reserved for said board pursuant to this section prior to September 1, 1967. Such sale or release shall be made on application of the owner of the title to the particular parcel of land with statement of reason justifying such sale or release.

(b) The right of entry in respect to any interest in phosphate, minerals, and metals or any interest in petroleum heretofore or hereafter reserved in favor of the Board of Trustees of the Internal Improvement Trust Fund or the State Board of Education is hereby released as to any parcel of property that is, or ever has been, a contiguous tract of less than 20 acres in the aggregate under the same ownership.


(3) A local government, water management district, or agency of the state may, at its discretion, sell or release reserved interest in any parcel of land, except that such sale or release shall be made upon petition of the purchaser for such interest and with a statement of reasons justifying such sale or release.

(4) Any state agency, except a water management district, which receives royalties for parcels shall remit any such moneys into the General Revenue Fund, unless otherwise provided by law.

History.—ss. 1, 2, ch. 6159, 1911; RGS 1226; CGL 1771; s. 1095, ch. 19355, 1939; CGL 1940 Supp. 892(414); s. 1, ch. 26849, 1951; s. 1, ch. 59-220; s. 2, ch. 61-119; ss. 27, 35, ch. 69-106; s. 76, ch. 71-355; s. 1, ch. 86-205; s. 1, ch. 86-257; s. 9, ch. 2001-256.

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Detail by Entity Name
Florida Non Profit Corporation
 HFHSPBC CLT, INC.

Filing Information

Document Number N10000003747
 FEI/EIN Number 272803038
 Date Filed 04/14/2010
 State FL
 Status ACTIVE
 Last Event AMENDMENT AND NAME CHANGE
 Event Date Filed 09/20/2011
 Event Effective Date NONE

Principal Address

181 SE 5TH AVENUE
 DELRAY BEACH FL 33483

Mailing Address

181 SE 5TH AVENUE
 DELRAY BEACH FL 33483

Registered Agent Name & Address

CAMPBELL, MICHAEL
 181 SE 5TH AVENUE
 DELRAY BEACH FL 33483 US

Officer/Director Detail

Name & Address

Title D
 BLACKLOCK, PETER
 222 LAKEVIEW AVENUE, SUITE 700
 WEST PALM BEACH FL 33401

Title D
 CAMPBELL, MICHAEL
 181 SE 5TH AVENUE
 DELRAY BEACH FL 33483

Title D
 OWEN, MIKE
 2301 GLADES ROAD
 BOCA RATON FL 33431

Title D
 HILEMAN, DIANA
 2000 N. MILITARY TRL
 BOCA RATON FL 33431

Annual Reports

Report Year Filed Date
 2011 05/02/2011

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Detail by Entity Name
Florida Non Profit Corporation

Handwritten notes:
 OLD Name checked 9/23/11
 Replace w/ new name

HABITAT FOR HUMANITY OF SOUTH PALM BEACH COUNTY COMMUNITY HOUSING AND LAND TRUST, INC.

Filing Information

Document Number N10000003747
FEI/EIN Number 272803038
Date Filed 04/14/2010
State FL
Status ACTIVE

Principal Address

181 SE 5TH AVENUE
 DELRAY BEACH FL 33483

Mailing Address

181 SE 5TH AVENUE
 DELRAY BEACH FL 33483

Registered Agent Name & Address

CAMPBELL, MICHAEL
 181 SE 5TH AVENUE
 DELRAY BEACH FL 33483

Officer/Director Detail

Name & Address

Title D
 BLACKLOCK, PETER
 222 LAKEVIEW AVENUE, SUITE 700
 WEST PALM BEACH FL 33401

Title D
 CAMPBELL, MICHAEL
 181 SE 5TH AVENUE
 DELRAY BEACH FL 33483

Title D
 OWEN, MIKE
 2301 GLADES ROAD
 BOCA RATON FL 33431

Annual Reports

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