



**II. FISCAL IMPACT ANALYSIS**

**A. Five Year Summary of Fiscal Impact:**

Fiscal Years	2014	2015	2016	2017	2018
Capital Expenditures	_____	_____	_____	_____	_____
Operating Costs	_____	_____	_____	_____	_____
External Revenues	_____	_____	_____	_____	_____
Program Income (County)	_____	_____	_____	_____	_____
In-Kind Match (County)	_____	_____	_____	_____	_____
<b>NET FISCAL IMPACT</b>	* <u>\$-0-</u>	<u>\$-0-</u>	<u>\$-0-</u>	<u>\$-0-</u>	<u>\$-0-</u>
<b># ADDITIONAL FTE POSITIONS (Cumulative)</b>	_____	_____	_____	_____	_____
<b>Is Item Included in Current Budget:</b>	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.  
 \*Approx \$1,044 in clearing and grounds maintenance has been spent over the past 24 months

**C. Departmental Fiscal Review:** \_\_\_\_\_ *11/2/13*

**III. REVIEW COMMENTS**

**A. OFMB Fiscal and/or Contract Development Comments:**

*Susan Neary* 1/24/13  
 OFMB *KN* *1/26* *1/26*

*Joe J. Jacobson* 12/4/13  
 Contract Development and Control  
 12-4-13 *BID/CLM*

**B. Legal Sufficiency:**

*AC Jal* 12/5/13  
 Assistant County Attorney

**C. Other Department Review:**

\_\_\_\_\_  
 Department Director

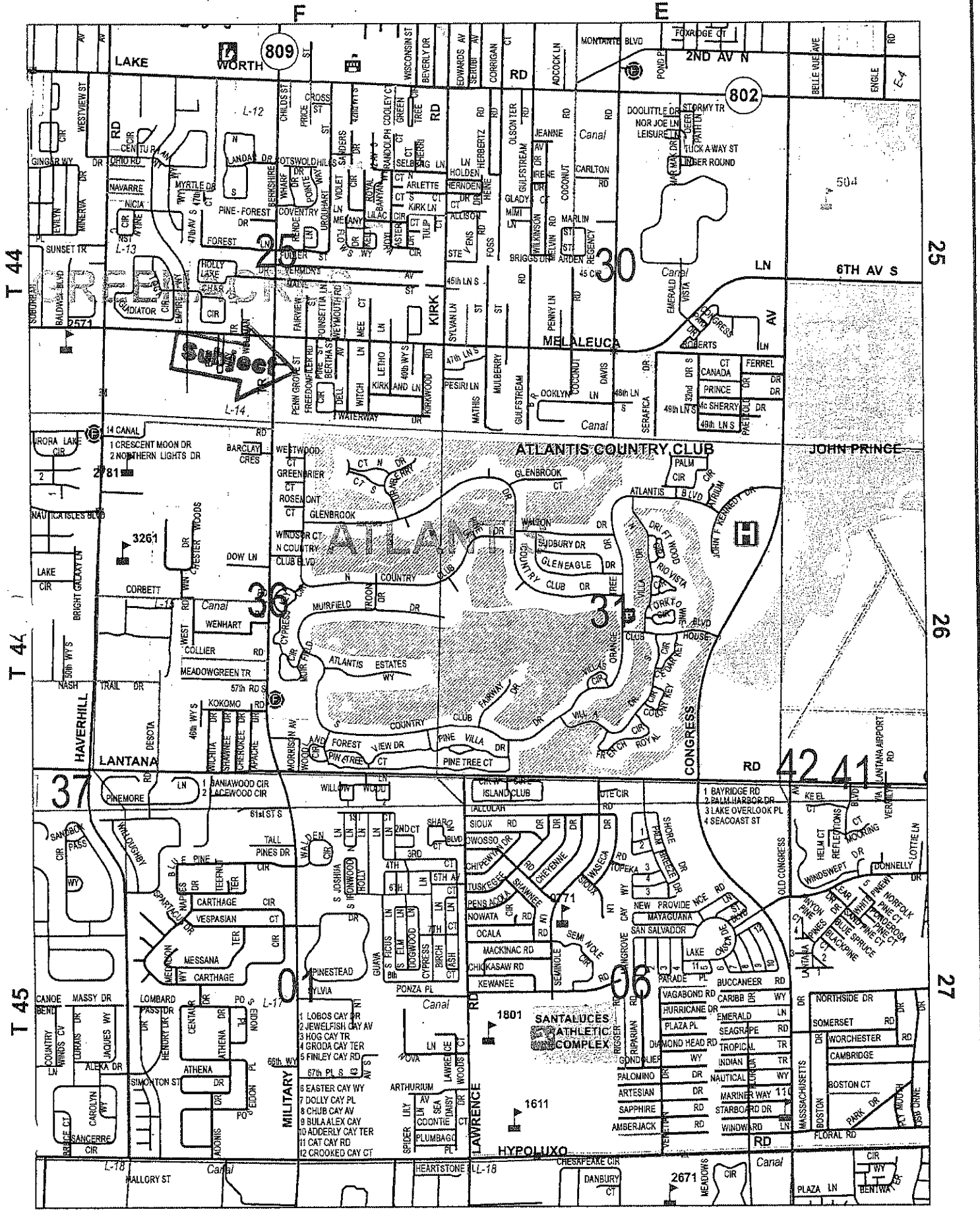
**This summary is not to be used as a basis for payment.**

**Background and Justification cont.:** The Jupiter parcels are located north of Indiantown Road and east of I-95 in unincorporated Jupiter. One parcel is located on the south side of Palm Garden Street and the other parcel is located at 6830 Mitchell Street. The Jupiter parcels were acquired by tax deed in 1971. Each parcel contains 0.17 acres and has an assessed value of \$21,846. In August of 2012, For Sale signs were installed and to date have received very little response.

Staff did not obtain an appraisal of these three (3) properties as each is valued below the \$25,000 threshold. Since the value of the three (3) properties is less than \$250,000, a review by the Property Review Committee is not required.

On November 1, 2013, Habitat for Humanity of Palm Beach County, Inc. requested the properties be conveyed to them for use as affordable housing. The County Deeds include restrictions limiting use of these properties to affordable housing, and include reverters in the event the properties are used for any other purpose.

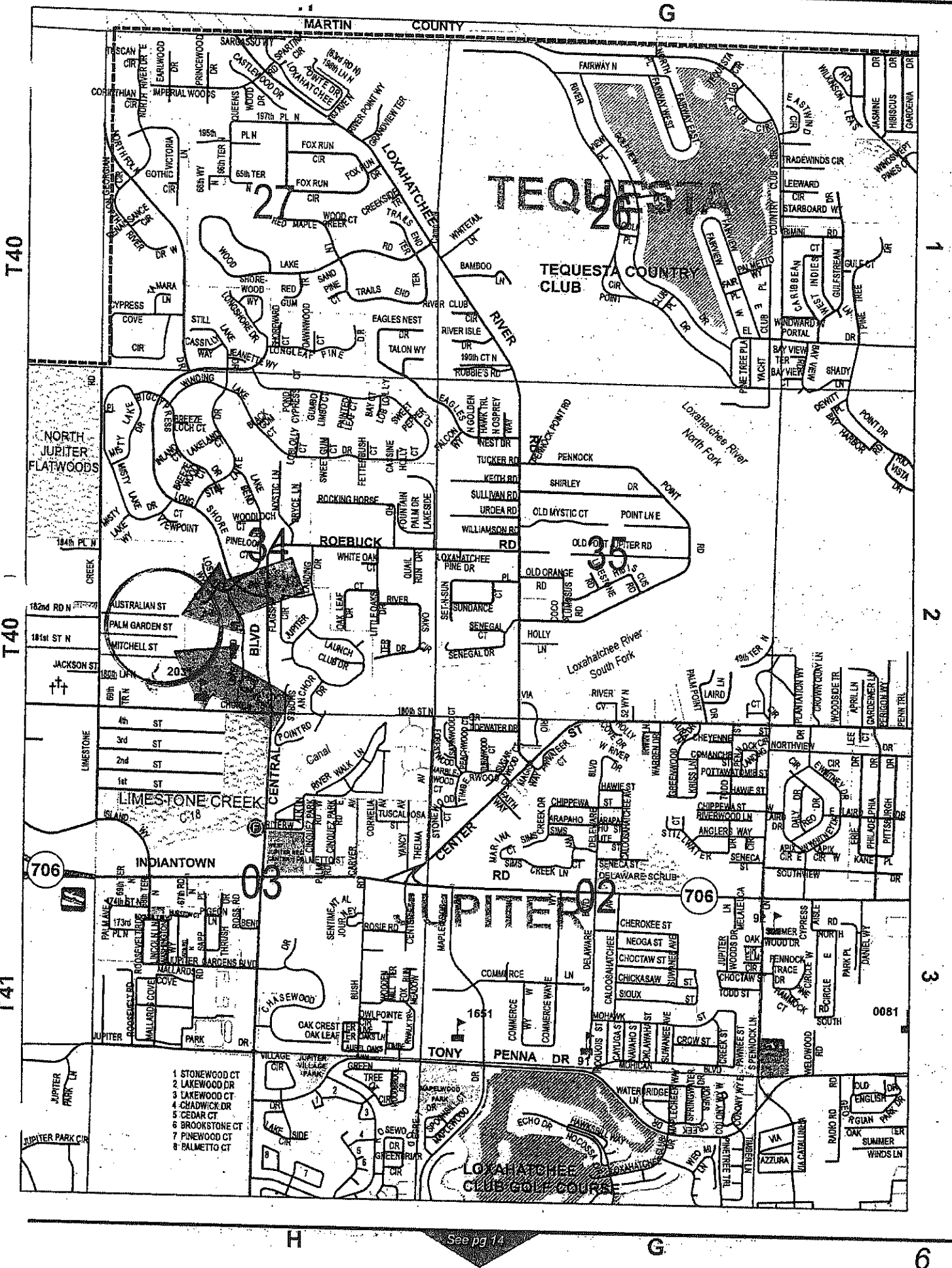
Habitat for Humanity of Palm Beach County, Inc., a Florida not-for-profit corporation 501(c)(3), provided a Beneficial Interest Affidavit identifying it as a non-profit where no individual person or entity is considered to have a beneficial interest in Habitat for Humanity of Palm Beach County, Inc.



Lake Worth - Penn Grove Street

LOCATION MAP





Jupiter - Palm Garden Street and Mitchell Street.

# 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 HABITAT FOR HUMANITY OF 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 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 parcels of surplus real property, one parcel consisting of 0.23 acres and two parcels consisting of 0.17 acres each, 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 three County Deeds attached hereto and incorporated herein by reference, the real property legally described in such Deed, 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 Priscilla A. Taylor, Mayor
- Commissioner Paulette Burdick, Vice Mayor
- Commissioner Steven L. Abrams
- Commissioner Hal R. Valeche
- Commissioner Shelley Vana
- Commissioner Mary Lou Berger
- Commissioner Jess R. Santamaria

The ~~Mayor~~ 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: 00-42-40-34-02-000-2180

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

Purchase Price: \_\_\_\_\_

## 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 HABITAT FOR HUMANITY OF PALM BEACH COUNTY, INC., a Florida non-profit corporation, whose legal mailing address is 6758 North Military Trail, West Palm Beach, Florida 33407, "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 218

FIRST ADDITION TO PALM GARDENS SUBDIV OF NW¼ OF SW¼, NE¼ OF SW¼ OF SW¼, SW¼ OF SW¼ OF SW¼ & NW¼ OF SW¼ OF SW¼ UNRECORDED PLAT AS ON ASSESSOR'S MAP 16, SEC. 34, TWP. 40, RGE. 42.

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 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.

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: \_\_\_\_\_  
Priscilla A. Taylor, Mayor

**APPROVED AS TO FORM  
AND LEGAL SUFFICIENCY**

(OFFICIAL SEAL)

By: \_\_\_\_\_  
Assistant County Attorney

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: 00-42-40-34-02-000-2660

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

Purchase Price: \_\_\_\_\_

## 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 HABITAT FOR HUMANITY OF PALM BEACH COUNTY, INC., a Florida non-profit corporation, whose legal mailing address is 6758 North Military Trail, West Palm Beach, Florida 33407, "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 266

FIRST ADDITION TO PALM GARDENS SUBDIV OF NW¼ OF SW¼, NE¼ OF SW¼ OF SW¼, SW¼ OF SW¼ OF SW¼ & NW¼ OF SW¼ OF SW¼ UNRECORDED PLAT AS ON ASSESSOR'S MAP NO 16, SEC. 34, TWP. 40, RGE. 42.

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 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.

**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: \_\_\_\_\_  
Priscilla A. Taylor, Mayor

**APPROVED AS TO FORM  
AND LEGAL SUFFICIENCY**

(OFFICIAL SEAL)

By: \_\_\_\_\_  
Assistant County Attorney

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: 00-42-44-25-15-000-0070

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

Purchase Price: \_\_\_\_\_

## 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 **HABITAT FOR HUMANITY OF PALM BEACH COUNTY, INC.**, a Florida non-profit corporation, whose legal mailing address is 6758 North Military Trail, West Palm Beach, Florida 33407, "Grantee".

### WITNESSETH:

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PENN-GROVE LT 7, ACCORDING TO THE PLAT THEREOF RECORDED IN PLAT BOOK 23, PAGE 214 OF THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA.

THE ABOVE BEING THE REAL PROPERTY DESCRIBED UNDER TAX CERTIFICATE NUMBER 4717 IN THE TAX DEED RECORDED IN OFFICIAL RECORD BOOK 25241, PAGE 792, PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA.

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.

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**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: \_\_\_\_\_  
Priscilla A. Taylor, Mayor

**APPROVED AS TO FORM  
AND LEGAL SUFFICIENCY**

(OFFICIAL SEAL)

By: \_\_\_\_\_  
Assistant County Attorney

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: 00-42-40-34-02-000-2180

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

Purchase Price: \_\_\_\_\_

## COUNTY DEED

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LOT 218

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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.
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**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: \_\_\_\_\_  
Priscilla A. Taylor, Mayor

**APPROVED AS TO FORM**  
**AND LEGAL SUFFICIENCY**

(OFFICIAL SEAL)

By:   
Assistant County Attorney



November 1, 2013

Mr. Ross C. Hering, Director  
Property and Real Estate Management Division  
Facilities Development & Operations Department  
2633 Vista Parkway  
West Palm Beach, FL 33411-5605

**Subject: Conveyance of two (2) County-owned tax deed properties located in unincorporated Jupiter for no charge.**

Dear Mr. Hering:

In reference to your letter dated October 3, 2013, subject as above, Habitat for Humanity of Palm Beach County, Inc., agrees to accept the two properties identified as follows:

Parcel 1 – Palm Garden Street, Property Control Number 00-42-40-34-02-000-2180

Parcel 2 – 6830 Mitchell Street, Property Control Number 00-42-40-34-02-000-2660

Habitat for Humanity of Palm Beach County, Inc., also agrees to accept a third parcel which was verbally offered to it and is identified as follows:

Parcel 3 – 1103 Penn Grove Street, Property Control Number 00-42-44-25-15-000-0070

The name/entity to appear on the County Deeds for each parcel is as follows:

**Habitat for Humanity of Palm Beach County, Inc.**

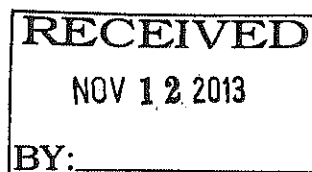
On behalf of Habitat for Humanity of Palm Beach County, Inc., I wish to express our sincere appreciation for this very generous donation of land which will be developed for very low- and low-income affordable housing.

Any questions you may have can be directed to the undersigned at (561) 253-2080.

Very Respectfully,

A handwritten signature in black ink that reads "Bernard J. Godek". The signature is fluid and cursive, written over a horizontal line.

Bernard J. Godek, Executive Director  
Habitat for Humanity of Palm Beach County, Inc.





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, Bernard J. Godek of Habitat for Humanity of PBC, Inc., hereinafter referred to as "Affiant", who being by me first duly sworn, under oath, deposes and states as follows:

1. Affiant is the Executive Director(position - i.e. president) of **HABITAT FOR HUMANITY OF PALM BEACH COUNTY 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: 6758 North Military Trail, Suite 301, West Palm Beach Fl 33407

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.

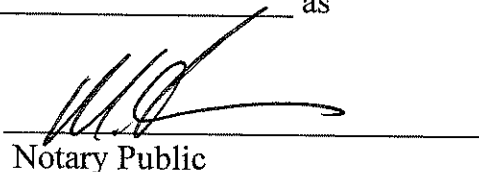
5. Under penalty of perjury, Affiant declares that Affiant has examined this Affidavit and to the best of Affiant's knowledge and belief it is true, correct, and complete, and will be relied upon by Palm Beach County relating to its sale of the property.

FURTHER AFFIANT SAYETH NAUGHT

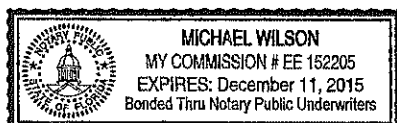
Bernard J. Godek, Affiant  
(Print Affiant Name)



The foregoing instrument was sworn to, subscribed and acknowledged before me this 14 day of November, 2013, by Bernard J. Godek [ X ] who is personally known to me or [  ] who has produced \_\_\_\_\_ as identification and who did take an oath.

  
Notary Public

MICHAEL R. WILSON  
(Print Notary Name)



NOTARY PUBLIC  
State of Florida at Large

My Commission Expires: 12/11/15

**EXHIBIT "A"**

**PROPERTY**

LOT 266 (Mitchell Street)  
FIRST ADDITION TO PALM GARDENS SUBDIV OF NW $\frac{1}{4}$  OF  
SW $\frac{1}{4}$ , NE $\frac{1}{4}$  OF SW $\frac{1}{4}$  OF SW $\frac{1}{4}$ , SW $\frac{1}{4}$  OF SW $\frac{1}{4}$  OF SW $\frac{1}{4}$  & NW $\frac{1}{4}$   
OF SW $\frac{1}{4}$  OF SW $\frac{1}{4}$  UNRECORDED PLAT AS ON ASSESSOR'S  
MAP NO 16, SEC. 34, TWP. 40, RGE. 42.

And:

LOT 218 (Palm Garden Street)  
FIRST ADDITION TO PALM GARDENS SUBDIV OF NW $\frac{1}{4}$  OF  
SW $\frac{1}{4}$ , NE $\frac{1}{4}$  OF SW $\frac{1}{4}$  OF SW $\frac{1}{4}$ , SW $\frac{1}{4}$  OF SW $\frac{1}{4}$  OF SW $\frac{1}{4}$  & NW $\frac{1}{4}$   
OF SW $\frac{1}{4}$  OF SW $\frac{1}{4}$  UNRECORDED PLAT AS ON ASSESSOR'S  
MAP 16, SEC. 34, TWP. 40, RGE. 42.

And:

PENN-GROVE LT 7. (Penn Grove Street)

THE ABOVE BEING THE REAL PROPERTY DESCRIBED  
UNDER TAX CERTIFICATE NUMBER 4717 IN THE TAX DEED  
RECORDED IN OFFICIAL RECORD BOOK 25241, PAGE 792,  
PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA.

