Lee County Board Of County Commissioners Agenda Item Summary

1. REQUESTED MOTION:

ACTION: Declare county-owned property identified as Lot 9, Block 48, Unit 12, Lehigh Acres as surplus and direct staff to either:

(1) donate property to Habitat for Humanity of Lee County, Inc., a Florida not-for-profit corporation for its Scattered Sites Affordable Housing Program, by approving and signing the attached Resolution of Surplus Real Property To A Not-for-Profit and County Deed with reverter clause, or;

Blue Sheet No. 20030711

(2) authorize Division of County Lands to sell the property according to Lee County Ordinance 02-34, with no minimum bid required and to handle and accept all documentation necessary to complete the transaction, by approving and signing the attached Resolution for Sale of Surplus Property.

WHY ACTION IS NECESSARY: Board of County Commissioners must declare property as surplus lands prior to being sold or conveyed.

WHAT ACTION ACCOMPLISHES: Declares property to be surplus and establishes method of disposing of property.

2. DEPARTMENTAL CATEGORY COMMISSION DISTRICT #5	<u>(</u> : 06	AGA	}	3. MEETING DATE: 08-26-2003
4. AGENDA:	(Special	• /		6. REQUESTOR OF INFORMATION:
CONSENT	XX	STATUTE	125.35, 125.38	A. COMMISSIONER
XX ADMINISTRATIVE		ORDINANCE		B. DEPARTMENT Independent
APPEALS		ADMIN. CODE		C. DIVISION County Lands MAG
PUBLIC	X	OTHER	BS 920668	BY: Karen L.W. Forsyth
WALK ON		-		- my
TIME REQUIRED:				

7. BACKGROUND:

Property Details:

Owner: Lee County, by virtue of Quit Claim Deed in lieu of foreclosure

Address: 2306 Wellington Avenue, Lehigh Acres

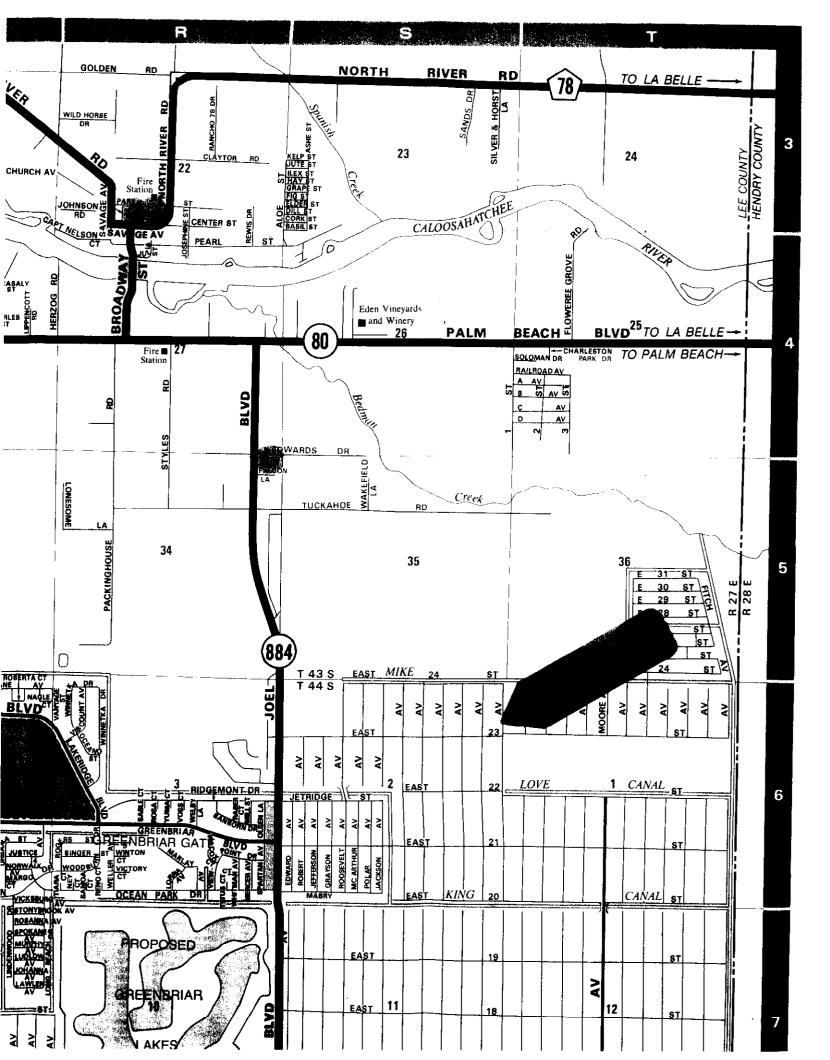
STRAP No. 01-44-27-12-00048 0090

Market Analysis, Estimated Value: \$3,000 to \$4,500

Details: In February 1992, Lee County accepted a Deed in lieu of foreclosure of a \$2,691.35 Special Assessment lien for demolishing an unsafe structure. The property has an estimated ninety-foot deep well, with an inoperative pump. Property is to be transferred in "as in" condition, with no warranties or representations made or given regarding depth of well, the quality and/or quantity of water. If property is conveyed to Habitat for Humanity of Lee County, Inc., there will be a reverter clause in the deed, stating that if the property is not used for affordable housing within five years, it will revert back to Lee County. All County departments were contacted to determine if the property was needed and have determined this parcel is not required for any current or future county projects. Habitat for Humanity of Lee County has made a formal request for the lot.

Attachments: Site Location, Resolution to a Not-for-Profit, Resolution for Sale of Surplus Property, County Deed, Letter from Habitat 8. MANAGEMENT RECOMMENDATIONS:

9. RECOMMENDED APPROVAL: G Department Purchasing Human Other County **Budget Services** County Manager Director Resources or Attorney **Contracts** 7114103 RECEIVED BY 10. COMMISSION ACTION: **APPROVED** DENIED COUNTY ADMIN DEFERRED OTHER S:\POOL\SURP8617\BS\2306 WellingtonBS20030711.doc sab7/15/03 PUPY #2868 PO7/2 /03 7



RESOLUTION OF SURPLUS REAL PROPERTY TO A NOT-FOR-PROFIT

A RESOLUTION OF LEE COUNTY RELATING TO THE DONATION OF CERTAIN LEE COUNTY SURPLUS LANDS TO HABITAT FOR HUMANITY OF LEE COUNTY, INC.

RECITATIONS

WHEREAS, The Board of County Commissioners is the governing body in and for Lee County, a political subdivision of the State of Florida; and.

WHEREAS, The Board of County Commissioners has certain powers and authority relative to the disposition of real property belonging to the County; and,

WHEREAS, pursuant to Section 125.38, Florida Statutes, the County has the authority to convey real property by private sale to any corporation or organization not-for-profit for nominal consideration if certain findings are made by the Board of County Commissioners; and,

WHEREAS, Habitat for Humanity of Lee County, Inc., is a corporation or other organization not-for-profit, which is organized for the purposes of promoting community interest and welfare as contemplated by Section 125.38, Florida Statutes; and,

WHEREAS, Habitat for Humanity of Lee County, Inc. has formally made application to The Board of County Commissioners for the donation of certain Lee County real property (Exhibit "A") for use as said organization not-for-profit deems appropriate; and,

WHEREAS, The Board has carefully reviewed the subject parcel and finds that the real property is not needed for any County purpose, and further finds that the use by Habitat for Humanity of Lee County, Inc., serves a public purpose and is in the public interest; and,

WHEREAS, The Board of County Commissioners also finds that it serves a public purpose to convey the subject property to Habitat for Humanity of Lee County, Inc., a Florida Non-Profit Corporation, for the nominal consideration of Ten Dollars (\$10.00).

NOW THEREFORE. BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS THAT:

- 1. The above recitations are true and accurate and are hereby adopted and incorporated herein as if set out at length, and said real property is hereby declared surplus land.
- 2. Lee County recognizes and accepts the Habitat for Humanity of Lee County, Inc. application to receive said Lee County surplus real property in fee simple (Exhibit "B").
- 3. Lee County recognizes and accepts the Habitat for Humanity of Lee County, Inc. proposal to use the County surplus property for its stated purposes, and approves the conveyance with a five-year right of reverter in favor of the County to ensure the use of the subject property for the stated purpose of affordable housing.
- 4. In order that the proposed transaction is more efficiently consummated, the Board specifically authorizes and directs relevant County staff to develop and finalize all necessary documents for the contemplated transaction, and specifically authorizes the Chairman of the Board of County Commissioners to execute any and all such necessary documents for the said transaction on behalf of the Board of County Commissioners.
- 5. This Resolution shall become effective immediately upon its adoption.

THE FORE adoption. The m vote was as follo	notion was seconded by	was offered b Commissione	by Commissioner, who moved its er, and, being put to a vote, the
	Robert Janes Douglas St. Cerny Ray Judah Andrew Coy John Albion		
DULY PASSED	AND ADOPTED this _	day of _	, 2003.
ATTEST: CHARLIE GREE	N, CLERK		BOARD OF COUNTY COMMISSIONERS OF LEE COUNTY, FLORIDA
Ву:		By:	
Deputy Clerk		C	Chairman
			APPROVED AS TO FORM:
			Ву:
			Office of County Attorney

EXHIBIT "A"

Lot 9, Block 48, Unit 12, LEHIGH ACRES, as recorded in Deed Book 254, Page 100, Public Records of Lee County, Florida.

Strap # 01-44-27-12-00048.0090

This Instrument Prepared by: COUNTY LANDS DIVISION Post Office Box 398 Fort Myers, Florida 33902-0398

STRAP No. 01-44-27-12-00048.0090

THIS SPACE FOR RECORDING

COUNTY DEED – WITH RIGHT OF REVERTER (Statutory)

SUBDIVISION OF THE STATE OF FLOR	of, 20, by LEE COUNTY, FLORIDA, A POLITICAL IDA, whose address is Post Office Box 398, Fort Myers, Florida MANITY OF LEE COUNTY, INC., a Florida non-profit corporation, North Fort Myers, FL 33903, Grantee.
	and in consideration of the sum of Ten (\$10.00) Dollars to it in hand paid lowledged, has granted, bargained and sold to the Grantee, its heirs and lying and being in Lee County, Florida:
SEE AT	TTACHED EXHIBIT "A"
No mineral rights are conveyed by the in title.	nis deed, said rights having been previously reserved by a predecessor
	of the County and its Board of County Commissioners in the property e or represent any state of facts concerning the title.
	s not used for the construction of affordable housing within five en title to this property will revert back to Lee County.
	ITY has caused these presents to be executed in its name by its Board or Vice Chair of said Board, the day and year above.
ATTEST: CHARLIE GREEN, CLERK	LEE COUNTY, FLORIDA, BY ITS BOARD OF COUNTY COMMISSIONERS
Ву:	Ву:
Deputy Clerk	Chairman
	APPROVED AS TO LEGAL FORM:
	Office of County Attorney

EXHIBIT "A"

Lot 9, Block 48, Unit 12, LEHIGH ACRES, as recorded in Deed Book 254, Page 100, Public Records of Lee County, Florida.

Strap # 01-44-27-12-00048.0090

Resolution	No.

RESOLUTION FOR SALE OF SURPLUS PROPERTY

WHEREAS, The Board of County Commissioners of Lee County, Florida, has been petitioned to sell a parcel of County-owned property, more specifically described as follows:

Lot 48, Block 9, Unit 12, LEHIGH ACRES, as recorded in Deed Book 254, Page 100, Public Records of Lee County, Florida. The parcel is identified by County Property Appraiser as STRAP # 01-44-27-12-00048.0090.

WHEREAS, The Board of County Commissioners of Lee County, Florida, has carefully reviewed this parcel owned by Lee County, and has determined that the property is not needed for any County purpose.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF LEE COUNTY FLORIDA, that the Board is willing to sell this parcel of land, and authorizes that the necessary procedures be taken in accordance with Lee County Ordinance 02-34 to accomplish this sale, subject to the successful buyer/ bidder paying or reimbursing the County for all costs incurred to close the sale.

THE FOREGOING RESOLUTION was offered by Cor	mmissioner, wh
moved its adoption. The motion was seconded by	y Commissioner, an
upon being put to a vote was as follows:	
Robert Janes	
Douglas St. Cerny	
Ray Judah	
Andrew Coy	
John Albion	<u> </u>
DULY PASSED AND ADOPTED this day of ATTEST: CHARLIE GREEN, CLERK	LEE COUNTY, FLORIDA, BY ITS BOARD OF COUNTY COMMISSIONERS
By:Deputy Clerk	Chairman
	APPROVED AS TO FORM:
	Office of County Attorney

S:\POOL\SURP8617\resolution-sale-Wellington.wpd



Hawing for God's people in need "A Hand-Up, Not A Hand-Out"

July 25, 2003

Mr. Michael J. O'Hare, SR/WA Property Acquisition Agent Lee County Division of County Lands P.O. Box 398 Ft. Myers, Fl 33901

Re: 2306 Wellington Ave STRAP 01-44-27-12-00048,0090

Dear Mr. O'Hare:

Habitat for Humanity of Lee County Inc. requests the donation of the above referenced property and will accept the transfer subject to the following:

- Acceptance of the property "as is" in acknowledgement of an abandoned well; and
- 2. A 5 year reversion clause stating that the property will revert back to the County if affordable housing is not built on the property within five years.

Sincer¢ly,

Vern Archibald Presdient/CEO

р. 1



Housing for God's people in need "A Hand Up, Not A Hand-Out"

April 25, 2003

Mr. Michael O'Hare Property Acquisition Agent County Lands P.O. Box 398 Ft. Myers, Fl 33902

Re: Potential Surplus Lots

Dear Mr. O'Hare:

Please be advised that Habitat for Humanity of Lee County, Inc. would accept the donation of the following properties classified as surplus properties. Our intended use for these properties is for affordable housing. The name of the program is the Scattered Sites Affordable Housing Program.

2306 Wellington Avenue 01-44-27-12-00048.0090 302 Danley Drive 12-45-24-01-0000H.0030

Thank you for your consideration.

Sincerely,

Gladys Schndider **VP** Operations