

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 FOREGOING RESOLUTION was offered by Commissioner _____, who moved its adoption. The motion was seconded by Commissioner _____, and, being put to a vote, the vote was as follows:

Robert Janes	_____
Douglas St. Cerny	_____
Ray Judah	_____
Andrew Coy	_____
John Albion	_____

DULY PASSED AND ADOPTED this _____ day of _____, 2003.

ATTEST:
CHARLIE GREEN, CLERK

**BOARD OF COUNTY COMMISSIONERS
OF LEE COUNTY, FLORIDA**

By: _____
Deputy Clerk

By: _____
Chairman

APPROVED AS TO FORM:

By: _____
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)**

THIS DEED, executed this ___ day of _____, 20___, by **LEE COUNTY, FLORIDA, A POLITICAL SUBDIVISION OF THE STATE OF FLORIDA**, whose address is Post Office Box 398, Fort Myers, Florida 33902-0398, COUNTY, to **HABITAT FOR HUMANITY OF LEE COUNTY, INC., a Florida non-profit corporation**, whose address is 1288 North Tamiami Trail, North Fort Myers, FL 33903, Grantee.

WITNESSETH: The COUNTY, for and in consideration of the sum of Ten (\$10.00) Dollars to it in hand paid by the Grantee, receipt whereof is hereby acknowledged, has granted, bargained and sold to the Grantee, its heirs and assigns forever, the following described land, lying and being in Lee County, Florida:

SEE ATTACHED EXHIBIT "A"

No mineral rights are conveyed by this deed, said rights having been previously reserved by a predecessor in title.

This grant conveys only the interest of the County and its Board of County Commissioners in the property herein described, and does not warrant the title or represent any state of facts concerning the title.

If the property conveyed herein is not used for the construction of affordable housing within five years from the date of this conveyance, then title to this property will revert back to Lee County.

IN WITNESS WHEREOF the 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 above.

ATTEST:
CHARLIE GREEN, CLERK

LEE COUNTY, FLORIDA, BY ITS
BOARD OF COUNTY COMMISSIONERS

By: _____
Deputy Clerk

By: _____
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 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 Commissioner _____, who moved its adoption. The motion was seconded by Commissioner _____, and upon being put to a vote was as follows:

- Robert Janes _____
- Douglas St. Cerny _____
- Ray Judah _____
- Andrew Coy _____
- John Albion _____

DULY PASSED AND ADOPTED this _____ day of _____, 2003.

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

HABITAT FOR HUMANITY

*Housing 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

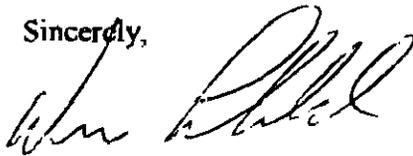
Re: 2306 Wellington Ave STRAP 01-44-27-12-00048.0090

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:

1. 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.

Sincerely,



Vern Archibald
President/CEO

**HABITAT
FOR
HUMANITY**

*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 Schneider
VP Operations