



Resilient Environment Department
URBAN PLANNING DIVISION
1 N. University Drive, Box 102 · Plantation, FL 33324 · T: 954-357-6666 F: 954-357-6521
Broward.org/Planning

DELEGATION REQUEST.....BROWARD COUNTY

To Person Wishing to Appear Before the Broward County Commission		
Please fill out this form and return to: Planning and Development Management Division, Governmental Center West 1 North University Drive, Room 102-A Plantation, FL 33324 You will be contacted promptly with an appearance date. If you have printed material you want the Commission to receive in regard to your appearance, please enclose it when you return this form. Do not wait until the day of your appearance to distribute it. Thank you for your cooperation.		
Plat Name		
Plat Number		
Plat Book & Page		
Name of Delegation or Group		Date of Request
Name of Person Representing Group		Phone Number
Address		
Subject You Wish to Discuss		
Explanatory Comments		
Have you ever contacted anyone in county government in regard to this subject? YES ☐ NO ☐	If so, who?	
	When?	
	What was the result?	
Approximate Time You Will Need	How Many Persons Will Appear with Your Group?	Are Materials Attached for the Commission's Review?
To be completed by the Administrator's Office only	Date Delegation Scheduled to Appear	Delegation Notified

SEE REVERSE SIDE FOR SUBMISSION REQUIREMENTS

Submission Requirements for Delegation Requests

OBTAIN BUILDING PERMITS PRIOR TO PLAT RECORDATION AFTER FINAL PLAT APPROVAL

1. For Municipal Plats - One original agreement executed by the city, the developer, and the mortgagee. For Unincorporated Plats - One original agreement executed by the developer and the mortgagee. Form agreements are available at the Planning and Development Management Division.

The following are additional submission requirements:

- OPINION OF TITLE/TITLE CERTIFICATE - rendered within the last thirty (30) days to ensure all necessary individuals or legal entities with a property interest, including mortgagee, execute the agreement. (A warranty deed may be accepted for requests for one (1) single family residence).
 - CORPORATE RESOLUTION/PARTNERSHIP AGREEMENT - granting authority to execute agreement, if applicable.
 - CORPORATE SEAL - if executing party is a corporation.
 - Please note: Request cannot be scheduled until the executed agreement is approved by the County Attorney.
2. Three (3) folded copies of a site plan drawn to scale, showing the following: Location of buildings, driveways with connection to dedicated rights-of-way, parking spaces and a legal description.
 3. A check payable to the Broward County Board of County Commissioners for the applicable application fees based upon the published fee schedule.

AGREEMENT IN LIEU OF IMPACT FEES

1. A fully executed original agreement.
 2. OPINION OF TITLE/TITLE CERTIFICATE rendered within the last thirty (30) days to ensure all necessary individuals or legal entities with a property interest, including mortgagee, execute the agreement.
 3. CORPORATE RESOLUTION/PARTNERSHIP AGREEMENT - granting authority to execute agreement, if applicable
 4. CORPORATE SEAL - if executing party is a corporation.
- Please note: Request cannot be scheduled until the executed agreement is approved by the County Attorney.
5. A check payable to the Broward County Board of County Commissioners for the applicable application fees based upon the published fee schedule.

OTHER REQUESTS

Please contact Planning and Development Management Division staff. Customer service hours are 7:30am to 4:00pm, Monday through Friday, except designated holidays. Email PDMDinfo@broward.org or call 954-357-6666, opt 2.

NOTE: REQUESTS WILL NOT BE ACCEPTED UNLESS ALL SUBMISSION REQUIREMENTS ARE INCLUDED.

- Requests will be placed on the County Commission Meeting Agenda in accordance with the published schedule available at the Planning and Development Management Division.
- Additional information/documentation may be required depending upon unique circumstances.
- Applicants will be required to pay applicable charges for recording documents, after the request is approved by the County Commission.

For Office Use Only

Time n/a	Application Date 03/01/2022	Acceptance Date 03/09/2022
Fee \$418.00	Comments Due 03/21/2022	CC Meeting Date TBD
☐ Site Plans/Drawings ☒ Agreements ☒ Other: Title Insurance, DRC, Amended DRC, etc.		
Adjacent City or Cities none		
Title of Request Subordination Agreement		
Received By Kaina [Signature]		

March 1, 2022

Josie Sesodia, AICP, Director
Broward County Planning and Development Management Division
1 North University Drive, Box 102-A
Plantation, FL 33324

Re: Dixie Court I

Dear Josie:

On behalf of Dixie Court Associates, Ltd., a Florida limited partnership (the "Owner"), I am writing to request Broward County's consent to subordinate two existing Declarations of Restrictive Covenants: the first is dated July 21, 2006 and recorded October 12, 2006 in the Public Records Office of Broward County (the "Records Office") at Official Record Book 42928, page 140 (the "First DRC") and the second is dated February 6, 2008 and recorded February 22, 2008 in the Records Office at Official Record Book 45121, page 529 (the "Second DRC" and, together with the First DRC, the "DRCs") in connection with the refinancing of the first mortgage loan on the 122-unit property known as Dixie Court I Apartments in Broward County, Florida (the "Development").

Background

The Housing Authority of the City of Fort Lauderdale (the "Authority") ground leased the property on which the Development is situated to the Owner for purposes of constructing the Development. A memorandum of ground lease memorializing the ground lease was recorded on December 10, 2007 in the Records Office at Official Record Book 44887, page 1873. The Development was primarily funded through the proceeds of low-income housing tax credits plus (i) a conventional first leasehold mortgage loan from PNC Bank, N.A. ("PNC"); and (ii) a subordinate SAIL leasehold mortgage loan from Florida Housing Finance Corporation. The financial closing for the Development occurred on December 3, 2007.

Broward County agreed to waive certain impact fees in connection with the Development in exchange for the Authority's agreement to record the DRCs in favor of Broward County.

Current Situation

The Owner is in the process of refinancing the senior permanent loan from PNC using a Section 223(f) refinance mortgage insured through the Federal Housing Administration ("FHA"), an agency of the U.S. Department of Housing and Urban Development ("HUD").

To provide the loan to the Owner, HUD requires that the Owner sign an Owner's Certification and Acknowledgement of Program Obligation for Broadly Affordable, Affordable and Green/Energy Efficient Multifamily Housing Mortgage Insurance Premiums (MIPs) and the Acceptance of Housing Choice Vouchers (Form HUD-92013-D) (the "Owner's Certification and Acknowledgment"). The Owner's Certification and Acknowledgment incorporates into HUD's underwriting for the loan the affordability requirements of the low-income housing tax credit program administered by Florida Housing Finance Corporation and which applies to the units at the Development.

Owner is seeking Broward County's agreement to subordinate the DRCs to the new senior mortgage loan pursuant to an amendment to the DRCs. As such we are enclosing the following documentation for Broward County's consideration:

- A completed copy of the Broward County Delegation Request form;
- A copy of the plat on which the Development is situated;
- A title commitment for the Development refinancing;
- A copy of the recorded DRCs in favor of Broward County;
- An original Amendment to the DRCs in the form that HUD requires, executed by the Authority and the Owner, and to be executed by Broward County and recorded at the closing of the refinancing;
- An opinion of title for the property on which the Development is situated;
- Authorizing resolutions of the general partner of the Owner approving the subordination; and
- A draft of the Owner's Certification and Acknowledgment that will be signed at the closing of the refinancing.

Please let me know if you have any question or require any additional documentation. Thank you.

Sincerely,

DIXIE COURT ASSOCIATES, LTD.

By: HEF-Dixie Court I, Inc., Its General Partner



Tam A. English, President