

1 RESOLUTION NO. 2021-

2 A RESOLUTION OF THE BOARD OF COUNTY  
3 COMMISSIONERS OF BROWARD COUNTY, FLORIDA,  
4 AUTHORIZING THE CONVEYANCE OF CERTAIN COUNTY-  
5 OWNED REAL PROPERTY LOCATED IN THE CITY OF  
6 POMPANO BEACH ("PROPERTY") TO THE POMPANO  
7 CHRISTIAN CLERGY COUNCIL, INC., PURSUANT TO  
8 SECTION 125.38, FLORIDA STATUTES; DETERMINING THAT  
9 THE PROPERTY IS NOT NEEDED FOR COUNTY PURPOSES;  
10 DETERMINING THAT THE USE STATED HEREIN PROMOTES  
11 THE PUBLIC OR COMMUNITY INTEREST AND WELFARE;  
12 AUTHORIZING THE EXECUTION AND RECORDATION OF A  
13 QUITCLAIM DEED FOR THE PROPERTY; AND PROVIDING FOR  
14 SEVERABILITY AND AN EFFECTIVE DATE.

15 WHEREAS, Broward County ("County") owns certain real property located in the  
16 City of Pompano Beach as more particularly described in the legal description within the  
17 quitclaim deed attached hereto and made a part of this Resolution as Attachment 1  
18 ("Property");

19 WHEREAS, Section 125.38, Florida Statutes, states that if a "not for profit which  
20 may be organized for the purposes of promoting community interest and welfare, should  
21 desire any real or personal property that may be owned by any county . . . then the . . .  
22 organization may apply to the board of county commissioners for a conveyance or lease  
23 of such property" and "[s]uch board, if satisfied that such property is required for such  
24 use and is not needed for county purposes, may thereupon convey or lease the same at  
private sale to the applicant";

25 WHEREAS, the Pompano Christian Clergy Council, Inc. ("PCCC"), a  
26 not-for-profit corporation, has made an application to purchase the Property for the  
27 purpose of constructing and developing a 121-unit multi-family rental project that will  
28 consist of 19 units rented to tenants with an income of 30% of Area Median Income

1 (“AMI”); 30 units rented to tenants with an income of 60% AMI; 57 units rented to  
2 tenants with an income of 70% AMI; and 15 market-rate units (“Stated Purpose”); and

3 WHEREAS, the Stated Purpose will increase the availability of affordable  
4 housing in Broward County, NOW, THEREFORE,

5  
6 BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF  
7 BROWARD COUNTY, FLORIDA:

8  
9 Section 1. The recitals set forth in the preamble to this Resolution are true,  
10 accurate, and deemed incorporated by reference herein as though set forth in full  
11 hereunder.

12  
13 Section 2. The Broward County Board of County Commissioners (“Board”)  
14 finds that the Stated Purpose promotes the public or community interest and welfare.

15  
16 Section 3. The Property is not needed for County purposes and is required for  
17 Stated Purpose by PCCC.

18  
19 Section 4. Pursuant to Section 125.38, Florida Statutes, the Board authorizes  
20 the conveyance of the Property to PCCC for the sum of Ten Dollars (\$10.00).

21  
22 Section 5. The Board authorizes the Mayor or Vice-Mayor of the Board to  
23 execute the quitclaim deed in the form attached hereto as Attachment 1, and the County  
24 Administrator to attest to the execution.

1 Section 6. The Board authorizes the recordation of the quitclaim deed as  
2 executed by the Mayor or Vice-Mayor of the Board and attested to by the County  
3 Administrator.

4 Section 7. Severability.

5 If any portion of this Resolution is determined by any court to be invalid, the  
6 invalid portion will be stricken, and such striking will not affect the validity of the  
7 remainder of this Resolution. If any court determines that this Resolution, in whole or in  
8 part, cannot be legally applied to any individual, group, entity, property, or circumstance,  
9 such determination will not affect the applicability of this Resolution to any other  
10 individual, group, entity, property, or circumstance.

11

12 Section 8. Effective Date.

13 This Resolution is effective upon adoption.

14

15 ADOPTED this day of , 2021.

16

17 Approved as to form and legal sufficiency:  
18 Andrew J. Meyers, County Attorney

19

20 By /s/ Annika E. Ashton 04/16/21  
Annika E. Ashton (date)  
21 Deputy County Attorney

22 AEA/mdw  
23 Sonata-Pompano Reso  
04/16/2021  
#563237

24

Return recorded copy to:  
Real Property Section  
115 South Andrews Avenue, Room 501  
Fort Lauderdale, FL 33301

Prepared by:  
Annika E. Ashton, Esq.  
Office of the County Attorney  
Broward County, Florida  
115 South Andrews Avenue, Room 423  
Fort Lauderdale, FL 33301

Folio: 18235-11-00700

### **QUITCLAIM DEED**

THIS QUITCLAIM DEED is made this \_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_, from Broward County, a political subdivision of the State of Florida (“Grantor”), whose address is 115 South Andrews Avenue, Fort Lauderdale, Florida 33301, to the Pompano Christian Clergy Council, Inc., a Florida not-for-profit corporation (“Grantee”), whose address is 2300 NW 6<sup>th</sup> Street, Pompano Beach, Florida 33069.

### **W I T N E S S E T H:**

That Grantor, for and in consideration of the sum of Ten Dollars (\$10.00), and other good and valuable consideration paid by Grantee, the receipt of which is hereby acknowledged, does hereby remise, release, and quitclaim unto Grantee forever, all rights, title, interest, and claim, if any, that Grantor has in and to the following described real property located and situated in the County of Broward and State of Florida, to wit:

See Exhibit A attached hereto and incorporated herein by reference (“Property”).

#### **SUBJECT TO:**

1. All matters of record including, but not limited to, any matter shown on the plat, public purpose utility and government easements, and rights-of-way.
2. All unpaid taxes for the year 2021, and subsequent years.
3. Income Restriction. For a period of thirty (30) years after the date of this quitclaim deed, the Property shall be used either (a) independently or (b) as part of a larger overall assemblage of land, for residential purposes specifically for occupancy by households earning not more than 80% of the Area Median Income for Broward County, Florida, as determined by the United States Department of Housing and Urban Development, as adjusted for family size (the “Income Restriction”). If used as part of a larger land assemblage, the Property itself need not include residential structures on it,

Attachment 1

but may be part of an overall development that includes residential structures, parking, and amenities, which shall be subject to the Income Restriction.

4. **THIS CONVEYANCE IS SUBJECT TO THE FOLLOWING REVERTER CLAUSE:**

In the event Grantee fails to comply with the provisions of Section 3 of this Quitclaim Deed, Grantor, through its County Administrator, may prepare and record an affidavit reciting that it has exercised due diligence and reviewed the Official Records of Broward County and reciting such additional facts that evidence that the Property is not being used compliant with the requirements of Section 3 of this Quitclaim Deed. Upon recording of said affidavit in the Official Records of Broward County, title shall automatically revert to Grantor as a matter of law and pursuant to this reverter clause. Grantor and Grantee acknowledge that the preparation and recordation of the foregoing affidavit shall be conclusive evidence upon which any party may rely that the condition of the reverter has occurred and that title reverts to Grantor.

The terms "Grantor" and "Grantee" as used herein shall refer to the respective parties, and the heirs, personal representatives, successors, and assigns of such parties.

[SIGNATURE PAGE FOLLOWS]

**IN WITNESS WHEREOF**, Grantor 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.

GRANTOR

ATTEST:

BROWARD COUNTY, by and through  
its Board of County Commissioners

By: \_\_\_\_\_  
Mayor

\_\_\_\_\_  
Broward County Administrator, as  
ex officio Clerk of the Broward County  
Board of County Commissioners

\_\_\_\_ day of \_\_\_\_\_, 20\_\_

(Official Seal)

Approved as to form by  
Andrew J. Meyers  
Broward County Attorney  
Governmental Center, Suite 423  
115 South Andrews Avenue  
Fort Lauderdale, Florida 33301  
Telephone: (954) 357-7600  
Telecopier: (954) 357-7641

By: \_\_\_\_\_  
Annika E. Ashton (Date)  
Deputy County Attorney

REF: Approved BCC \_\_\_\_\_ Item No: \_\_\_\_\_  
Return to BC Real Property Section

**EXHIBIT A**

**LEGAL DESCRIPTION OF PROPERTY**

FIRST ADD TO SUMPTERS COL ADD TO POMPANO 10-67 B LOT 13 E1/2