

CITY COUNCIL RESOLUTION NO. 2009-005

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LAKE CITY, FLORIDA, RELATING TO REAL PROPERTY OWNED BY AND WITHIN THE CITY THAT IS APPROPRIATE FOR USE AS AFFORDABLE HOUSING, AND ITS DISPOSITION FOR AFFORDABLE HOUSING PURSUANT TO AND IN ACCORDANCE WITH THE PROVISIONS OF SECTION 166.0451, FLORIDA STATUTES.

WHEREAS, following a public hearing pursuant to and in accordance with Section 166.0451, Florida Statutes, the City Council of the City of Lake City, Florida, (herein "Council") finds that the City owns fee simple title to the following described parcels of real property:

PARCEL ONE

Lot 2 in Block F in the Northern Division of the City of Lake City, Florida, being the same tract or parcel of land conveyed to Lee Lang and Flossie O. Lang, his wife, by deed dated May 10, 1929, and recorded in Deed Book 20, Page 258, public records of Columbia County, Florida.

Parcel One located at 627 NE Washington Street.

AND

PARCEL TWO

Begin 130 feet North from Southwest corner of Block 89 in the Northern Division of the City of Lake City, Florida, and run North 80 feet; thence East 105 feet; thence South 80 feet; thence West 105 feet to the POINT OF BEGINNING.

Parcel Two located at 204 NE Escambia Street;

each of which is vacant and unimproved and is appropriate for use as affordable housing; and

WHEREAS, the Council finds that there exists a need for affordable housing within the City; and

WHEREAS, the Greater Lake City Community Development Corporation, Inc., is

a 501C-3 Florida not for profit corporation (herein "GLCCDC") engaged in developing affordable housing; and

WHEREAS, GLCCDC has requested Council to donate both Parcels One and Two to it for use in the construction of affordable housing pursuant to and in accordance with the provisions of Section 166.0451, Florida Statutes; and

WHEREAS, the Council finds that it is in the public interest and the welfare of the community that Parcels One and Two be donated to GLCCDC for the construction of permanent affordable housing.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF LAKE CITY, FLORIDA, AS FOLLOWS:

Section 1. That all of the above recitals are true and accurate and each is incorporated herein and made a part of this resolution.

Section 2. The term "affordable" has the same meaning as in Section 420.0004(3), Florida Statutes.

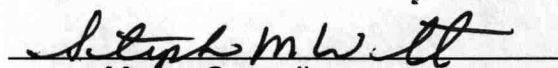
Section 3. The City, as permitted by Section 166.0451, Florida Statutes, is hereby authorized to donate by proper deed Parcels One and Two to GLCCDC to be used exclusively for the construction of affordable housing.

Section 4. The City Attorney is instructed and authorized to prepare a proper deed conveying all of the City's right, title, and interest in and to Parcels One and Two to GLCCDC (the "Deed") for the construction of permanent affordable housing. The Deed shall recite that the property is to be used exclusively for the construction of a

permanent affordable house on each Parcels One and Two to be completed within three (3) years from the date of the Deed. The construction of each affordable house shall comply with all of the City's building codes and zoning and land use rules and regulations. If the construction of an affordable house on either or both of Parcels One and Two is not completed and a certificate of occupancy issued within three (3) years from the date of the Deed, title to the property shall revert to the City.

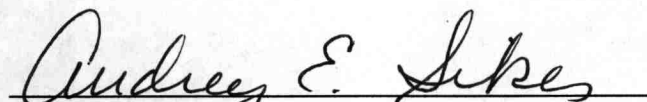
Section 5. The Mayor is authorized to execute the Deed for and on behalf of the City and deliver it to GLCCDC.

PASSED AND ADOPTED at a meeting of the City Council this 5th day of January, 2009.



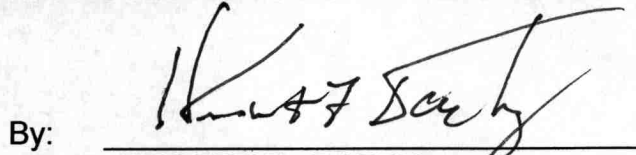
Mayor-Councilman

ATTEST:



City Clerk

APPROVED AS TO FORM AND LEGALITY:

By: 

HERBERT F. DARBY
City Attorney

HFD/lss
C-07-872
1/29/09
1/30/09 (Revised)
2/3/09 (Revised)

This instrument prepared by
HERBERT F. DARBY
DARBY, PEELE, BOWDOIN & PAYNE
Attorneys At Law
285 NE Hernando Avenue
Lake City, Florida 32055

Inst:200912003033 Date:2/25/2009 Time:1:36 PM
Doc Stamp-Deed:0.70
DC, P. DeWitt Cason, Columbia County Page 1 of 4 B:1168 P:171

DEED

THIS DEED executed this 20th day of February, 2009, by the CITY OF LAKE CITY, FLORIDA, a municipal corporation organized under the laws of the State of Florida, whose mailing address is 205 North Marion Avenue, Lake City, Florida 32055, (herein Grantor), to GREATER LAKE CITY COMMUNITY DEVELOPMENT CORPORATION, INC., a Florida not-for-profit corporation, whose post office address is 363 NW Bascom Norris Drive, Lake City, Florida 32055 (herein Grantee):

WHEREAS, following a public hearing pursuant to and in accordance with Section 166.0451, Florida Statutes, the City Council of the City of Lake City, Florida, (herein "Council") found and determined that Grantor owns fee simple title to the following described parcels of real property, each of which is vacant and unimproved and appropriate for use as affordable housing; and

WHEREAS, the Council found and determined that there exists a need for affordable housing within the City of Lake City; and

WHEREAS, Grantee is a Florida not for profit corporation engaged in developing affordable housing and has qualified for tax exempt status under Section 501(c)(3) of the Internal Revenue Code; and

WHEREAS, by City Council Resolution No. 2009-005 (herein the "Resolution") Grantor authorized Parcel One and Parcel Two as hereafter described to be donated to Grantee for the construction of permanent affordable housing pursuant to and in accordance with the terms, conditions and requirements of the Resolution; and

WHEREAS, this deed is given to and accepted by Grantee subject to the terms, conditions, requirements, and limitations of the Resolution.

WITNESSETH:

That Grantor, for and in consideration of the sum of TEN AND NO/100 (\$10.00) DOLLARS, in hand paid by Grantee, the receipt whereof is hereby acknowledged, does hereby remise, release and quit-claim unto Grantee forever (subject to the right of reverter contained herein), all the right, title, interest, claim and demand which the said Grantor has in and to the following described lot, piece or parcel of land, situate, lying and being in the County of Columbia, State of Florida, to wit:

PARCEL ONE

Lot 2 in Block F in the Northern Division of the City of Lake City, Florida, being the same tract or parcel of land conveyed to Lee Lang and Flossie O. Lang, his wife, by deed dated May 10, 1929, and recorded in Deed Book 20, Page 258, public records of Columbia County, Florida.

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AND

PARCEL TWO

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Parcel Two located at 204 NE Escambia Street

This deed is executed, delivered and accepted by Grantee pursuant to and in accordance with the terms, conditions, requirements and limitations of City Council Resolution No. 2009-005, adopted by the City of Lake City, Florida and is further subject to the following limitations and restrictions:

1. The herein described property shall be used exclusively for the construction of permanent affordable housing on each Parcels One and Two to be completed within three (3) calendar years from the date of this deed.
2. The construction of each affordable house shall comply with all of the City's building codes and zoning and land use ordinances, rules and regulations.
3. If construction of an affordable house on either or both of Parcels One and Two is not completed and a certificate of occupancy issued within three (3) years from the date of this deed, FEE SIMPLE TITLE TO THE PROPERTY SHALL REVERT TO GRANTOR.
4. PROVIDED FURTHER that any units to be constructed on the property identified herein shall not be sold at a price that exceeds the threshold for housing that is affordable for low-income or moderate income persons or to a buyer who is not eligible due to his or her income under Part 4, Chapter 420, Florida Statutes.
5. The units constructed on the property identified herein may be rented to extremely low-income, very low-income, low income, or moderate income persons as defined by Part 4 of Chapter 420, Florida Statutes.

TO HAVE AND TO HOLD the same together with all and singular the appurtenances thereunto belonging or in anywise appertaining, and all the estate, right, title, interest, lien, equity and claim whatsoever of Grantor, either in law or equity, to the

only proper use, benefit and behoof of Grantee forever; subject to the right of reverter as herein stated.

IN WITNESS WHEREOF, Grantor has signed and sealed these presents the day and year first above written.

Signed, sealed and delivered in the presence of:

CITY OF LAKE CITY, FLORIDA

Michele S Greene
Witness
Michele L Greene
(Print/type name)

By: Stephen M Witt
STEPHEN M. WITT
Mayor

Ann M Raulerson
Witness
Ann M Raulerson
(Print/type name)

ATTEST: Audrey E Sikes
AUDREY E. SIKES
City Clerk

STATE OF FLORIDA

COUNTY OF COLUMBIA

The foregoing instrument was acknowledged before me this 20th day of February, 2009, by STEPHEN M. WITT and AUDREY E. SIKES, as Mayor and City Clerk respectively, of the CITY OF LAKE CITY, FLORIDA, for and on behalf of the City, who are personally known to me.



MICHELE GREENE
Notary Public, State of Florida
My Comm. Expires Aug. 29, 2010
Comm. No. DD 590237

Michele Greene
Notary Public, State of Florida
Michele Greene
(Print/type name)

(NOTARIAL SEAL)

My Commission Expires: Aug 29, 2010

APPROVED AS TO FORM AND LEGALITY

By: Herbert F Darby
HERBERT F. DARBY
City Attorney