

RESOLUTION NO. 2007- 314

A RESOLUTION BY THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA, AUTHORIZING THE CHAIRMAN OF THE BOARD TO EXECUTE AN AFFIDAVIT AUTHORIZING THE TRANSFER OF SIX LOTS WITH SPECIFIC DEED RESTRICTIONS DESIGNATED FOR AFFORDABLE HOUSING. THE ORIGINAL DEED RESTRICTION WILL REMAIN IN PLACE FOR THE NEW OWNER WHICH IS AN APPROVED BUILDING CONTRACTOR IN THE AFFORDABLE HOUSING PROGRAM.

RECITALS

WHEREAS, the Board of County Commissioners conveyed the ownership of three hundred and eighty-eight (388) lots for the specific use in the affordable homeownership program to the St. Johns County Community Redevelopment Agency who subsequently sold various lots to approved building contractors in the Affordable Housing Program. The lots were conveyed to each contractor with specific restrictions that each lot must be sold to an approved SHIP Program homebuyer as outlined in Section (34) of each Mortgage Deed; and

WHEREAS, "The Housing League, Inc." has been unable to comply with the SHIP affordable home requirements outlined in the original Mortgage Deed and has contracted through a purchase and sale agreement the sale of the six (6) lots to "Pennyworth Homes, Inc. " with the specific stipulation that the deed restriction remain in place and included in the Special Warranty Deed acknowledging the acceptance of the SHIP affordable home building requirements by the (buyer) "Pennyworth Homes, Inc."; and

WHEREAS, upon approval of this Resolution and the completion of the sale of the six (6) lots to "Pennyworth Homes, Inc." the affidavit attached hereto as Exhibit "A", incorporated by reference and made a part hereof, will be signed by the Chairman of the Board and recorded in the public records of St. Johns County.

NOW THEREFORE, BE IT RESOLVED by the Board of County Commissioners of St. Johns County, Florida, as follows:

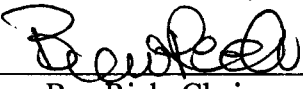
Section 1. The above Recitals are incorporated by reference into the body of this Resolution and such Recitals are adopted as findings of fact.

Section 2. The Board of County Commissioners hereby authorizes the Chairman of the Board to execute the attached affidavit approving the transfer of the six lots from the "The Housing League, Inc." (Seller), to "Pennyworth Homes, Inc." (Buyer),

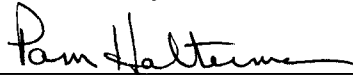
in order to insure that the primary purpose established in the sale of the six (6) lots is to improve the community and to make available to approved SHIP homebuyers within the West Augustine area.

PASSED AND ADOPTED by the Board of County Commissioners of St. Johns County, Florida, this 30th day of October, 2007.

**BOARD OF COUNTY COMMISSIONERS
OF ST. JOHNS COUNTY, FLORIDA**

By: 
Ben Rich, Chairman

ATTEST: Cheryl Strickland, Clerk

By: 
Deputy Clerk

RENDITION DATE 11/2/07

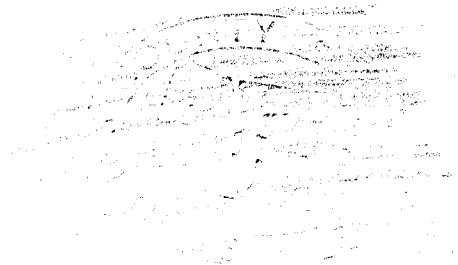


Exhibit "A" to Resolution

Prepared by and Record and Return to:
Sheffield & Boatright Title Services, LLC
6101 Gazebo Park Place North, Suite 101
Jacksonville, FL 32257
Phone: 904-733-7900

File Number:2007-918

AFFIDAVIT

BEFORE ME, the undersigned authority, personally appeared **Ben Rich, Chairman of and on behalf of Board of County Commissioners, acting as St. Johns County Community ReDevelopment Agency**, who, being duly sworn according to law, deposes and says as follows (as used in this Affidavit, the terms "Affiant" and "Affiants" shall include all parties executing this Affidavit):

1. That Affiants acknowledge and have approved the purchase/sale of the properties as described on the attached contracts attached hereto, between the **Seller " The Housing League, Inc."** and the **Purchaser "Pennyworth Homes, Inc."**, scheduled for closing on **October 1, 2007**. the following described properties:

Lot 1 and the West One-Half (1/2) of Lot 2, Block 97, AFRO-AMERICAN SUBDIVISION of the Dancy Tract UNIT NO. 2, according to plat thereof recorded in Map Book 4, page 28 of the public records of St. Johns County, Florida.

Lots 1, 2 and 3 (EXCEPTING THEREFROM the Southerly 50 feet of said lots), Block 81, AFRO-AMERICAN SUBDIVISION of the Dancy Tract UNIT NO. 2, according to plat thereof recorded in Map Book 4, page 28 of the public records of St. Johns County, Florida.

Lot 3, Block 100B, AFRO-AMERICAN SUBDIVISION of the Dancy Tract UNIT NO. 3, according to plat thereof recorded in Map Book 4, page 8 of the public records of St. Johns County, Florida.

Lot 14, Block 116, AFRO-AMERICAN SUBDIVISION of the Dancy Tract UNIT NO. 3, according to plat thereof recorded in Map Book 4, page 8 of the public records of St. Johns County, Florida.

Lot 15, Block 116, AFRO-AMERICAN SUBDIVISION of the Dancy Tract UNIT NO. 3, according to plat thereof recorded in Map Book 4, page 8 of the public records of St. Johns County, Florida.

Lot 28, Block 105, AFRO-AMERICAN SUBDIVISION of the Dancy Tract UNIT NO. 2, according to plat thereof recorded in Map Book 4, page 28 of the public records of St. Johns County, Florida.

2. That Affiants acknowledge and approve the following deed restriction which has been accepted by the Purchaser and which shall appear on the Special Warranty Deed conveying the properties from the Seller to the Purchaser, dated October 1, 2007:

"**Provided**, however that any resale of the property described herein shall be only to a person or persons who qualify for the St. Johns County SHIP Program guidelines and who agree to reside on the property for a period of no fewer than five (5) consecutive years. In the event any conveyance of the Property violates this condition, the ownership of the property shall revert to the St. Johns County Community Redevelopment Agency, referred to in County Deed dated May 21, 2004, O.R. Book 2208, Page 566.

Affiant makes this Affidavit for the purpose of inducing Sheffield & Boatright Title Services, LLC to issue its Policy or Policies of Title Insurance with First American Title Insurance Company as the underwriter in connection with the above referenced transaction(s).

BOARD OF COUNTY COMMISSIONERS
ST. JOHNS COUNTY, FLORIDA, acting as
ST. JOHNS COUNTY COMMUNITY
REDEVELOPMENT AGENCY

BY: _____
Ben Rich, Chairman

ATTEST: Cheryl Strickland, Clerk

BY: _____
Deputy Clerk

State of Florida
County of St. Johns

SWORN TO, SUBSCRIBED AND ACKNOWLEDGED before me on the ____ day of _____, 2007, by Ben Rich, Chariman of the Board of the Board of County Commissioners of St. Johns County, Florida, who is/are personally known to me or who has/have produced a valid driver's license as identification.

NOTARY PUBLIC

Notary Print Name
My Commission Expires: _____