

This document was prepared by
and should be returned to:
Indian River County Attorney's Office
1801 27th Street
Vero Beach, FL 32960
772-226-1425

LIEN

THIS LIEN, filed the 3rd day of March, 2015, by INDIAN RIVER COUNTY, a political subdivision of the State of Florida, pursuant to the authority of the Code of Indian River County, Section 403.08, Property Maintenance Code, for costs incurred by Indian River County, Florida, to remove a nuisance structure from property located within Indian River County, and described as follows:

The North half of Lot 27, according to Plat of Cannon Subdivision, recorded in Plat Book 2, Page 77, Public Records of Indian River County, Florida.

Parcel No. 32-39-27-00001-0000-00027.0

The name of the record owner of the above-described property is:

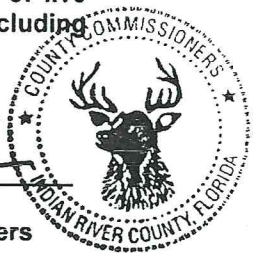
Alfred Davis and Miriam Davis, husband and wife, as joint tenants with rights of survivorship

THIS LIEN is filed against the real property to secure the payment of Four Thousand Four Hundred Fifty and 72/100 Dollars (\$4,450.72), for the cost of demolition and removal of the nuisance structure.

THIS LIEN shall, from the date of filing, accrue interest at the rate of five and three-quarters percent (5.75%) per annum, until the total amount, including interest, has been paid.

INDIAN RIVER COUNTY, FLORIDA

By: 
Wesley S. Davis, Chairman
Board of County Commissioners

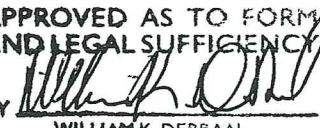


ATTEST: Jeffrey R. Smith, Clerk of
Circuit Court and Comptroller

By: 
Deputy Clerk

BCC approved: March 3, 2015

STATE OF FLORIDA
COUNTY OF INDIAN RIVER


APPROVED AS TO FORM
AND LEGAL SUFFICIENCY
BY: 
WILLIAM K. DEBRAAL
DEPUTY COUNTY ATTORNEY

The foregoing instrument was acknowledged before me this 3rd day of March, 2015, by Wesley S. Davis, Chairman of the Board of County Commissioners of Indian River County, Florida, who is personally known to me.



SEAL:

NOTARY PUBLIC:

Signature: 
Printed name: Misty L. Pursel
Commission No.: FF 65450
Commission Expiration: January 11, 2018



CERTIFICATE OF BUILDING OFFICIAL

This is to certify that the Building Official has determined that there is an unsafe structure on property owned by Alfred & Miriam Davis, located at 4333 31st Ave, Indian River County, Florida, and more particularly described as:

Parcel Number: 32-39-27-00001-0000-00027.0

Legal Description: The North half of Lot 27, according to Plat of Cannon Subdivision, recorded in Plat Book 2, Page 77, Public Records of Indian River County, Florida.

The owner of the property has been served according to law with a Notice of Unsafe Building and Intent to Record Demolition Lien Resolution. The Board of County Commissioners of Indian River County has the authority to, and will be requested to authorize demolition of the unsafe structure, with the costs of demolition and removal of debris to be assessed against the real estate property described above.

Date: November 14, 2013

Scott P. McAdam, CBO, MCP
Building Official
Indian River County
1801 27th Street
Vero Beach, Fl 32960
(772) 226-1268

STATE OF FLORIDA, COUNTY OF INDIAN RIVER

The foregoing instrument was acknowledged before me this 14th day of November, 2013, by Scott P. McAdam, Building Official for Indian River County, who is personally known to me.

NOTARY PUBLIC



COUNTY ATTORNEY'S OFFICE
INDIAN RIVER COUNTY
1801 27th Street
Vero Beach, Florida 32960

RELEASE OF LIEN AND CERTIFICATE OF BUILDING OFFICIAL

FOR AND IN CONSIDERATION of certain sums paid, the receipt of which is hereby acknowledged, **INDIAN RIVER COUNTY**, whose address is 1801 27th Street, Vero Beach, Florida 32960, hereby releases **Alfred Davis and Miriam Davis, husband and wife, as joint tenants with rights of survivorship** and the below described property from that certain Lien for removal of nuisance structures recorded in Book 2827, Page 2084 as well as that certain Certificate of Building Official, recorded in Book 2719, Page 1016, of the Public Records of Indian River County, Florida:

The North half of Lot 27, according to the Plat of Cannon Subdivision, recorded in Plat Book 2, Page 77, Public Records of Indian River County, Florida

Parcel No. 32-39-72-00001-0000-00027.0

EXECUTED by the Chairman of the Board of County Commissioners of Indian River County, Florida, this ____ day of _____, 2024.

BOARD OF COUNTY COMMISSIONERS
OF INDIAN RIVER COUNTY, FLORIDA

By _____
Susan Adams, Chairman

BCC approved: _____

ATTEST: Ryan L. Butler, Clerk of
Court and Comptroller

By _____
Deputy Clerk

STATE OF FLORIDA
COUNTY OF INDIAN RIVER


The foregoing instrument was acknowledged before me, by means of physical presence or online notarization, this ____ day of _____, 2024 by **Susan Adams, Chairman of the Board of County Commissioners of Indian River County, Florida** who is personally known or produced identification in the form of _____.

NOTARY SEAL:

NOTARY PUBLIC

Printed name:
Commission No.:
Commission expiration:

Approved for form and legal sufficiency:



William K. DeBraul
County Attorney

INDIAN RIVER COUNTY, FLORIDA

MEMORANDUM

TO: Jason E. Brown
County Administrator

THROUGH: Philip J. Matson, AICP
Community Development Director

FROM: John Stoll
Chief, Long-Range Planning

DATE: June 8, 2022

SUBJECT: Consideration of the Disposition of County Owned Surplus Properties for Affordable Housing

It is requested that the data herein presented be given formal consideration by the Board of County Commissioners at its regular meeting of June 21, 2022

BACKGROUND

In 2006, the legislature passed HB 1363 relating to affordable housing. According to that bill, each county shall, by July 1, 2007, and every 3 years thereafter, prepare an inventory list of all real property within its jurisdiction to which the county holds fee simple title that is appropriate for use as affordable housing. The inventory list must include:

- Address of each parcel
- Legal description of each parcel (property tax I.D. number)
- Indication if the property is vacant or improved
- Indication if the property is appropriate for affordable housing

As per Section 125.379 (1), F.S., the governing body of the county must review the inventory list at a public hearing and may revise the list at the conclusion of the public hearing. The Board shall then adopt a resolution that includes an inventory list of county-owned surplus properties that are appropriate for affordable housing.

According to Florida Statutes, the properties on the list that are identified as surplus county owned properties and are appropriate for use as affordable housing may be:

- Sold to generate funds for the provision of affordable housing
- Sold with a restriction that requires the development of the property as permanent affordable housing, or
- Donated to non-profit housing organizations for the construction of permanent affordable housing

Consistent with 125.379(1), F.S., the county, in 2007, 2010, 2013, 2016, 2019 prepared an inventory of all county owned properties, identified which properties were appropriate for affordable housing, and held a public hearing to review the inventory list. At each of those past public hearings, the BCC agreed with staff's list of county owned properties that were not designated for a specific use and that were deemed appropriate for disposition for affordable housing purposes.

The Board must now consider the attached list of proposed surplus properties, determine that the properties are appropriate for affordable housing purposes, and direct staff to dispose of the properties for affordable housing purposes.

ANALYSIS

Staff contacted local non-profit affordable housing organizations (Habitat for Humanity, The Housing League, Inc, and the Coalition for Attainable Homes), and inquired whether they would be interested in any of the three (3) properties identified on the 2022 County owned surplus land list. Habitat for Humanity expressed interest in the following address:

1. 840 8th Ct. SW

The Coalition for Attainable Homes expressed interest in the following addresses:

1. 4333 31st Ave
2. 4887 34th Ave

Staff will need to work with these organizations on some of the details regarding the surplus properties (code enforcement fines, legal access, etc.), and separate development agreements for each organization. Staff will return to the Board with final details once all of these issues have been resolved.

Alternatives

With respect to the three (3) identified surplus properties, the BCC may identify a use for the properties and retain them or declare them surplus properties for affordable housing use. Because each of the properties is located in a residential area and is not needed for right-of-way, drainage, utilities, emergency services, parks/recreation, or conservation purposes, those three (3) properties are not conducive for any standard public use. Staff supports the BCC surplus the properties for affordable housing.

If the Board decides to surplus the subject properties, then there are four (4) options available:

1. Sell the properties and contribute the proceeds to the county's affordable housing trust fund (SHIP Trust Fund), or
2. Sell the properties with a deed restriction that requires that the properties be developed as permanent affordable housing, or
3. Donate the properties to non-profit housing organizations to construct affordable housing units with deed restrictions to ensure that the properties are maintained as permanent affordable housing, or
4. A combination of any of options 1, 2, or 3.

RECOMMENDATION

Staff recommends that the Board of County Commissioners:

1. Review the attached list, make any appropriate changes, and approve the attached resolution accepting the list of County owned surplus properties that are appropriate for the provision of affordable housing, and
2. Direct Staff to work with Habitat for Humanity and the Coalition for Attainable Homes in order to finalize details for the donation of the surplus properties for the development of affordable housing.

Attachments

1. Section 125.379 Florida Statute
2. List Map and Aerial
3. Draft Resolution

RESOLUTION NO. 2022-_____

A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF INDIAN RIVER COUNTY, FLORIDA APPROVING THE LIST OF COUNTY OWNED PROPERTIES APPROPRIATE FOR THE PROVISION OF AFFORDABLE HOUSING AND PROVIDING FOR THE DISPOSITION OF THOSE PROPERTIES

WHEREAS, Section 125.379, Florida Statutes, states that by July 1, 2007, and every 3 years thereafter, each county shall prepare an inventory list of all real property within its jurisdiction to which the County holds fee simple title that is appropriate for use as affordable housing; and

WHEREAS, in 2007, 2010, 2013, 2016, and 2019 the County prepared a list of surplus properties and disposed of such properties for affordable housing purposes in accordance with Section 125.379, Florida Statutes; and

WHEREAS, county staff has compiled a 2022 list of the 541 properties currently owned by the County and has identified the designated use for each of those properties; and

WHEREAS, county staff has determined that only three (3) of the properties on the list are available for surplus and are appropriate for the provision of affordable housing.

NOW THEREFORE, BE IT RESOLVED by the Board of County Commissioners of Indian River County, Florida that:

Section 1.

The above recitals are ratified in their entirety.

Section 2.

The Board of County Commissioners hereby adopts the attached list of county owned surplus properties which are appropriate for the provision of affordable housing.

RESOLUTION NO. 2022-_____

The foregoing resolution was offered by Commissioner _____, and seconded by Commissioner _____, and being put to a vote, the vote was as follows:

Peter D. O'Bryan, Chairman	_____
Joe Earman, Vice Chairman	_____
Joseph E. Flescher, Commissioner	_____
Susan Adams, Commissioner	_____
Laura Moss, Commissioner	_____

The Chairman thereupon declared the resolution duly passed and adopted this 21st day of June 2022.

BOARD OF COUNTY COMMISSIONERS
OF INDIAN RIVER COUNTY

BY: _____
Peter D. O'Bryan, Chairman

ATTEST BY: _____
Jeffrey Smith, Clerk of Circuit Court and Comptroller

APPROVED AS TO FORM AND LEGAL SUFFICIENCY

BY: _____
William K. DeBaal, Deputy County Attorney

APPROVED AS TO PLANNING MATTERS

Philip J. Matson, AICP, Community Development Director

Appendix A 2022 List of the Indian River County Surplus Properties

#	Map ID#	Parcel ID	Site Address	Current Use	Impact Fee Credit	Amount of Code Enforcement Lien(s)	Zoning	Comments	Recommendation for Disposition of the County Surplus Lands
1	248	3233922000070020000003.0	4887 34th Avenue	Vacant Lot / No Access	\$7,560.00 (Home Demolitioned)	\$0.00	RM-10	Escheatment Tax Deed - No Access	Should be donated for affordable housing
2	273	3233927000010000000027.0	4333 31st Avenue	Vacant Lot	\$7,560.00 (Home Demolitioned)	\$25,700	RM-10	Escheatment Tax Deed - Buildable	Should be donated for affordable housing
3	472	333924000005000000020.0	840 8th CT SW	Vacant Lot	\$7,560.00 (Home Demolitioned)	\$0.00	RS-6	Escheatment Tax Deed - Buildable	Should be sold and proceeds deposited in the SHIP trust fund