

ORDINANCE 21-__

AN ORDINANCE OF THE CITY OF PORT ST. LUCIE, FLORIDA, AUTHORIZING THE CONVEYANCE OF RESIDENTIAL REAL PROPERTY DESCRIBED AS LOT 9, BLOCK 2211, PORT ST. LUCIE SECTION THIRTY-THREE, ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 15, PAGES 1, 1A THROUGH 1V, OF THE PUBLIC RECORDS OF ST. LUCIE COUNTY, FLORIDA, TO THE RECIPIENTS OF THE GOLD STAR FAMILY, VETERAN'S HOME PROGRAM; PROVIDING FOR CONFLICT; PROVIDING FOR SEVERABILITY; PROVIDING AN EFFECTIVE DATE.

WHEREAS, on August 25, 2008, the City of Port St. Lucie ("City") acquired residential real property described as Lot 9, Block 2211, Port St. Lucie Section Thirty-Three, according to the plat thereof, as recorded in Plat Book 15, Pages 1, 1A through 1V of the Public Records of St. Lucie County, Florida (the "Property"), for the Becker Road Expansion Project; and but it was determined that Property was not needed for that project; and

WHEREAS, the City determined that the Property was not needed for the Becker Road Expansion Project and dedicated the Property to the City's Neighborhood Services Department for an Affordable Housing project; and

WHEREAS, the City intends to partner with G.L. Signature Homes, LLC ("GL Homes"), to construct a home on the Property; and

WHEREAS, subsequent to GL Homes constructing the home on the Property and turning the home over to the City, the City desires to convey the newly constructed home and the Property to qualified recipients of the Gold Star Family, Veteran's Home Program; and

WHEREAS, following construction of the home on the Property, an appraisal will be obtained to determine the value of the Property, including the newly constructed home, and that value will be used to calculate the repayment provision to be included in the restrictions set forth below; and

WHEREAS, the City shall convey the Property with the following restrictions:

- (a) Property Use. The Property shall be used by the Owner solely as their primary residence. The Property may not be used for any non-residential purposes whatsoever including, but not limited to, use as a rental property;
- (b) Homestead Exemption. Owner shall ensure that the Homestead Exemption for the Property is maintained at all times;
- (c) Insurance and Maintenance of Property. Owner shall ensure that the Property is insured and maintained and so that the exterior of the home located on the Property

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is in good repair, including, but not limited to, painting, landscaping and lawn maintenance, as necessary. Owner shall maintain the Property and the home built thereon in accordance with the applicable laws, regulations and ordinances of the City;

- (d) Mortgage or Sale of Property. City must approve, in writing, of any sale or mortgaging of the Property occurring prior to the end of the twenty-five (25) year affordability period. Approval may be granted if the Owner will use the funds obtained from a refinancing to provide for home improvements or needed home repairs; and
- (e) Repayment. In the case of an unapproved sale or mortgaging of the Property prior to the end of the twenty-five (25) year affordability period, a prorated amount equal to the appraised value of \$XXX,XXX Dollars 00/100 (\$XXX,XXX), with 0% interest thereon, shall be immediately due and payable to the City of Port St. Lucie NSP Revenue Fund or, if the fund is no longer available, to the Community Development Block Grant (CDBG) program income fund of the City of Port St. Lucie, 121 SW Port St. Lucie Blvd., Port St. Lucie, Florida 34984. The amount owed shall be reduced by four percent (4%) on the anniversary date of the conveyance of Property and every year thereafter as long as the Property is in compliance with these restrictions or other legally enforceable retention contracts or mechanisms incorporating the income-eligibility and affordability restrictions committed to herein for the duration of the twenty-five (25) year period.

NOW, THEREFORE, THE CITY OF PORT ST. LUCIE HEREBY ORDAINS:

Section 1. Ratification of Recitals. The foregoing recitals are hereby ratified and confirmed as true and correct and are hereby made a part of this Ordinance.

Section 2. Authorization. The City Council hereby authorizes the conveyance of the Property, contingent on GL Homes constructing the home on the Property and turning the home over to the City, to qualified recipients of the Gold Star Family, Veteran's Homes Program. The City Council further authorizes the Mayor or her designee, or the City Manager or his designee, to execute any and all documents necessary to accomplish the conveyance and the purposes set forth in this Ordinance, contingent on the conditions specified herein.

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Section 3. Conflict. If any ordinances, or parts of ordinances, are in conflict herewith this Ordinance shall control to the extent of the conflicting provisions.

Section 4. Execution. The City Manager, or his/her designee, is hereby authorized to execute any and all documents necessary to complete the conveyance of the home, located at 4626 SW Inagua Street, to these qualified applicants

Section 5. Severability. The provisions of this Ordinance are intended to be severable. If any provision of this Ordinance is determined to be void or is declared illegal, invalid, or unconstitutional by a Court of competent jurisdiction, the remainder of this Ordinance shall remain in full force and effect.

Section 6. Effective Date. This Ordinance shall become effective upon GL Homes constructing the home on the Property and turning the home over to the City.

PASSED AND ADOPTED by the City Council of the City of Port St. Lucie, Florida, this ____ day of _____, 2021.

CITY COUNCIL
CITY OF PORT ST. LUCIE

By: _____
Shannon M. Martin, Mayor

ATTEST:

Sally Walsh, City Clerk

APPROVED AS TO FORM:

By: _____
James D. Stokes, City Attorney