

RESOLUTION

NUMBER 2026-_____

A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF CHARLOTTE COUNTY, FLORIDA APPROVING AMENDMENT #3 TO THE LAND USE RESTRICTION AGREEMENT RELATED TO THE CONVEYANCE OF COUNTY SURPLUS PROPERTY AND AWARD OF CHARLOTTE HOME PROGRAM SUBSIDIES TO PEACE RIVER COMMUNITY HOUSING PARTNERS, INC.

RECITALS

WHEREAS, Charlotte County ("the County") is authorized by Chapter 125, Florida Statutes to dispose of real property belonging to the County whenever the Board of County Commissioners of Charlotte County (hereinafter the "Board") determines that it is in the best interest of the County to do so; and

WHEREAS, on July 28, 2020, the Board approved the recommendation of the Charlotte County Affordable Housing Advisory Committee and the Charlotte County Human Services Department for disposition of surplus property, to Peace River Community Housing Partners, Inc. ("PORCH"), a not-for-profit corporation; and

WHEREAS, on September 8, 2020, the Board approved Resolution 2020-127 authorizing the Real Estate Services Manager or his designee or the County Attorney or his designee to execute a County deed conveying the property, subject to a Land Use Restriction Agreement ("LURA"), and to execute necessary documents to complete the conveyance to PORCH; and

WHEREAS, on the same date, the County deed and original LURA was signed; and

WHEREAS, on September 12, 2023, the Board adopted Resolution 2023-159 authorizing Amendment #1 to the LURA, thereby affording PORCH an additional eighteen (18) months or until March 9, 2025, to obtain a Certificate of Occupancy; and

WHEREAS, on March 25, 2025, the County adopted Resolution 2025-075 authorizing Amendment #2 to the LURA, affording the Developer an additional eighteen (18) months, or until March 9, 2025, to obtain a Certificate of Occupancy due to development delays directly attributable to COVID-19 and Hurricane Ian; and

WHEREAS, since the execution of Amendment #2 to the LURA, land use considerations relating to planning, engineering, and funding of the sewer expansion have further delayed development of the property; and

WHEREAS, PORCH has requested another extension to the LURA, permitting additional time to complete development; and

WHEREAS, granting the extension serves a public purpose and is in the best interest of County citizens.

NOW, THEREFORE, BE IT RESOLVED by the Board of County Commissioners, of Charlotte County, Florida:

1. The Board approves LURA Amendment #3 which extends the deadline for Developer performance until December 31, 2026.
2. The Board authorizes the Board Chair to execute LURA Amendment #3.
3. This Resolution shall take effect upon approval by the Board.

[SIGNATURE PAGE FOLLOWS]

PASSED AND DULY ADOPTED this 28th day of July, 2026.

**BOARD OF COUNTY COMMISSIONERS
OF CHARLOTTE COUNTY, FLORIDA**

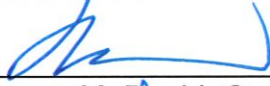
By: _____
Joseph M. Tiseo, Chairman

ATTEST:

Roger D. Eaton, Clerk of the Circuit
Court and Ex-officio Clerk of the
Board of County Commissioners

By: _____
Deputy Clerk

**APPROVED AS TO FORM
AND LEGAL SUFFICIENCY:**

By:  _____
Thomas M. David, County Attorney
LR26-0599 