

R E S O L U T I O N  
NUMBER 2023-\_\_\_\_\_

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A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF  
CHARLOTTE COUNTY, FLORIDA TO APPROVE CERTAIN  
AMENDMENTS TO LAND USE RESTRICTION AGREEMENTS  
RELATED TO CONVEYANCES OF SURPLUS COUNTY PROPERTY TO  
LEE COUNTY HOUSING DEVELOPMENT CORPORATION;  
PROVIDING AN EFFECTIVE DATE.

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 September 8, 2020, the Board approved the recommendation of the Charlotte County Affordable Housing Advisory Committee and the Charlotte County Human Services Department for disposition of certain surplus property, attached hereto as **Exhibit A**, to Lee County Housing Development Corporation, a Florida not for profit corporation (“Nonprofit”); and

**WHEREAS**, on September 8, 2020, the Board approved Resolution 2020-128 authorizing the Real Estate Services Manager or his designee or the County Attorney or her designee to execute the County deeds to convey the Properties, subject to Land Use Restriction Agreements, and to execute the necessary documents to complete the conveyances to Nonprofit; and

**WHEREAS**, since the execution of deeds and Land Use Restriction Agreements, there have been development delays, directly attributable to the COVID-19 pandemic

and Hurricane Ian, resulting in labor shortages, supply chain issues, and diversion of resources for hurricane recovery projects, necessitating an extension to the time allotted for development; and

**WHEREAS**, allowing the Nonprofit additional time to develop the conveyed properties serves a public purpose and is in the best interest of the citizens of the County.

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

1. The Board of County Commissioners authorizes the Board Chair to execute Amendments to Land Use Restriction Agreements, concerning the properties outlined in **Exhibit A**, affording Lee County Housing Development Corporation. additional time to commence development and obtain the requisite Certificate of Occupancy for each parcel.
2. This Resolution shall take effect upon approval by the Board of County Commissioners.

**PASSED AND DULY ADOPTED** this 28<sup>th</sup> day of March, 2023.

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

By: \_\_\_\_\_  
William G. Truex, 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:   
Janette S. Knowlton, County Attorney  
LR23-0257 

## Exhibit A

### **17078 Byron Avenue, Port Charlotte, FL 33954**

Lot 7, Block 1114, Port Charlotte Subdivision, Section 22, a Subdivision according to the plat thereof, recorded in Plat Book 5, Pages 13A-13C, of the Public Records of Charlotte County, Florida, and identified by the Property Appraiser's Records as Parcel ID: 402101354016.

### **227 Garland Street, Port Charlotte, FL 33954**

Lot 1, Block 887, Port Charlotte Subdivision, Section 19, a Subdivision according to the plat thereof, recorded in Plat Book 5, Pages 9A-9C, of the Public Records of Charlotte County, Florida, and identified by the Property Appraiser's Records as Parcel ID: 402204179021.

### **20294 Kenilworth Boulevard, Port Charlotte, FL 33954**

Lot 16, Block 896, Port Charlotte Subdivision, Section 19, a Subdivision according to the plat thereof, recorded in Plat Book 5, Pages 9A-9C, of the Public Records of Charlotte County, Florida, and identified by the Property Appraiser's Records as Parcel ID: 402204257010.

### **606 Rutland Circle, Port Charlotte, FL 33954**

Lot 21, Block 948, Port Charlotte Subdivision Section 17, a Subdivision according to the plat thereof, recorded in Plat Book 5, Page 6A, of the Public Records of Charlotte County, Florida, and identified by the Property Appraiser's Records as Parcel ID: 402205452003.