

RESOLUTION NO. 12-137

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF FORT LAUDERDALE, FLORIDA, MAKING CERTAIN FINDINGS; DESIGNATING REAL ESTATE PARCELS TO BE DEVELOPED FOR AFFORDABLE HOUSING AS A BROWNFIELD AREA PURSUANT TO SECTION 376.80(2)(b), FLORIDA STATUTES, FOR REHABILITATION AND REDEVELOPMENT FOR THE PURPOSES OF SECTIONS 376.77 – 376.86, FLORIDA STATUTES; PROVIDING AN EFFECTIVE DATE.

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WHEREAS, the State of Florida has provided, in Ch. 97-277, Laws of Florida, which is codified at Chapter 376.77 – 376.85, Florida Statutes, for the designation by resolution, including at the request of the person who owns or controls one or more real estate parcels, of a "brownfields area" comprised of such real estate parcels, to provide for their environmental remediation and redevelopment and to promote economic development and revitalization generally; and

WHEREAS, Northwest Properties II, LTD., owns and leases separate parcels of land as depicted on Exhibit A with legal descriptions as set forth on Exhibit B (hereafter referred to as the "Northwest Gardens II Site") and is developing them to provide affordable housing; and

WHEREAS, Northwest Properties III, LTD., owns and leases separate parcels of land as depicted on Exhibit C with legal descriptions as set forth on Exhibit D (hereafter referred to as the "Northwest Gardens III Site") and is developing them to provide affordable housing; and

WHEREAS, Northwest Properties IV, LTD., owns and leases separate parcels of land as depicted on Exhibit E with legal descriptions as set forth on Exhibit F (hereafter referred to as the "Northwest Gardens IV Site") and is developing them to provide affordable housing; and

WHEREAS, Dr. Kennedy Homes, LTD., owns and leases separate parcels of land as depicted on Exhibit G with legal descriptions as set forth on Exhibit H (hereafter referred to as the "Kennedy Homes Site") and is developing them to provide affordable housing; and

WHEREAS, Northwest Properties II, LTD., Northwest Properties III, LTD., Northwest Properties IV, LTD., and Dr. Kennedy Homes, LTD., (hereinafter referred to collectively as "Owners"), have requested that the City Commission of the City of Fort Lauderdale, Florida designate the Northwest Properties II Site, Northwest Gardens III Site,

Northwest Properties IV Site, and Kennedy Homes Site (hereinafter referred to collectively as "Brownfield Sites") as "brownfield areas" pursuant to Section 376.80(2)(b), Florida Statutes; and

WHEREAS, pursuant to Resolution No. 12-35 adopted on February 21, 2012 the City designated a brownfield area named the "Job Acceleration Zone" also known as "JAZ"; and

WHEREAS, the City has reviewed the relevant criteria that apply in designating a "brownfield area", as specified in Chapter 376.80(2)(b), Florida Statutes, and has determined and finds that the Brownfield Sites qualify for designation as "brownfield areas" and inclusion in the JAZ because the following requirements have been satisfied:

1. Owners, own and/or control the real estate parcels proposed for designation and have agreed to rehabilitate and redevelop them;
2. The rehabilitation and redevelopment of the Northwest Gardens Sites will result in economic productivity in the area;
3. The redevelopment of the Northwest Gardens Sites is consistent with the City's comprehensive plan and is a permissible use under the City's Zoning and Land Development Code;
4. Proper notice of the proposed rehabilitation of the Northwest Gardens Sites has been provided to neighbors and nearby residents, and Owners have provided those receiving notice the opportunity to provide comments and suggestions regarding the rehabilitation; and
5. Owners have provided reasonable assurance that they have sufficient financial resources to implement and complete a rehabilitation agreement and redevelopment plan; and

WHEREAS, the City desires to notify the Florida Department of Environmental Protection of its resolution designating the Brownfield Sites as "brownfield areas" to further its rehabilitation and redevelopment for purposes of Chapter 376.77 – 376.85, Florida Statutes; and

WHEREAS, the applicable procedures set forth in Chapter 376.80 and 166.041, Florida Statutes, have been followed, and proper notice has been provided in accordance with Chapter 376.80(1) and 166.041(3)(c)2, Florida Statutes;

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COMMISSION OF THE CITY OF FORT LAUDERDALE, FLORIDA:

SECTION 1. That the City Commission of the City of Fort Lauderdale, Florida, finds the above recitals to be true and correct in their entirety.

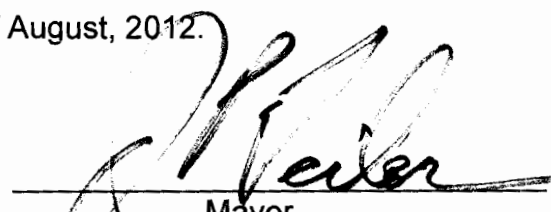
SECTION 2. That the City Commission finds that Northwest Properties, II, LTD, Northwest Properties III, LTD., Northwest Properties IV, LTD., and Dr. Kennedy Homes, LTD. and the aforementioned sites satisfy the criteria set forth in Chapter 376.80(2)(b), Florida Statutes.

SECTION 3. That the City Commission designates the area depicted on Exhibit A with legal descriptions as set forth on Exhibit B, the area depicted on Exhibit C with legal descriptions as set forth on Exhibit D, the area depicted on Exhibit E with legal descriptions as set forth on Exhibit F, and the area depicted on Exhibit G with legal descriptions as set forth on Exhibit H, attached hereto and incorporated herein by reference, as "brownfield areas" for purposes of Chapter 376.77 – 376.85, Florida Statutes.

SECTION 4. That the City Clerk is hereby directed to provide a copy of this resolution to the Florida Department of Environmental Protection.

SECTION 5. That this Resolution shall be in full force and effect upon final passage.

ADOPTED this the 21st day of August, 2012.

  
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Mayor  
JOHN P. "JACK" SEILER

ATTEST:


  
\_\_\_\_\_  
City Clerk  
JONDA K. JOSEPH



Exhibit A

Northwest Gardens II Brownfield Area





## Exhibit B

### LEGAL DESCRIPTION

A PORTION OF LOT 25, BLOCK "A" OF "CITRUS PARK FARMS" ACCORDING TO THE PLAT THEREOF AS RECORDED IN PLAT BOOK 1, PAGE 138 OF THE PUBLIC RECORDS OF DADE COUNTY, FLORIDA, AND A PORTION OF THE NORTHEAST 1/4 OF SECTION 4, TOWNSHIP 50 SOUTH, RANGE 42 EAST, BROWARD COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCE AT THE SOUTHEAST CORNER OF BLOCK 1 OF "SECTION A OF LAUDERDALE HOME SITES" ACCORDING TO THE PLAT THEREOF AS RECORDED IN PLAT BOOK 3, PAGE 44 OF THE PUBLIC RECORDS OF BROWARD COUNTY, FLORIDA; THENCE SOUTH 88°31'02" EAST 15.00 FEET TO THE INTERSECTION WITH THE EAST LINE OF THE 15.00 FOOT RIGHT-OF-WAY OF NORTHWEST 13TH TERRACE; THENCE NORTH 00°57'34" EAST ON SAID EAST LINE 350.02 FEET; THENCE SOUTH 88°31'02" EAST 159.00 FEET; THENCE NORTH 00°57'34" EAST 250.01 FEET TO THE SOUTH RIGHT-OF-WAY LINE OF N.W. 8TH STREET DEDICATED BY PLAT BOOK 1, PAGE 138, DADE COUNTY, FLORIDA AND THAT PORTION DESCRIBED IN OFFICIAL RECORDS BOOK 4002, PAGE 26, OF SAID PUBLIC RECORDS; THENCE SOUTH 88°31'02" EAST ON THE NORTH LINE OF LOT 25, BLOCK A AND ON SAID SOUTH RIGHT-OF-WAY LINE 94.94 FEET TO THE POINT OF BEGINNING; THENCE CONTINUE SOUTH 88°31'02" ALONG SAID SOUTH RIGHT-OF-WAY LINE 263.07 FEET TO THE INTERSECTION WITH THE WEST RIGHT-OF-WAY LINE OF N.W. 12TH AVENUE AS SHOWN ON THE PLAT OF "CITRUS PARK FARMS", PLAT BOOK 1, PAGE 138 OF THE PUBLIC RECORDS OF DADE COUNTY, FLORIDA; THENCE SOUTH 00°55'14" WEST ON SAID WEST RIGHT-OF-WAY LINE 620.03 FEET TO THE INTERSECTION WITH THE SOUTH LINE OF SAID LOT 25; THENCE NORTH 88°31'02" WEST ON SAID SOUTH LINE 135.42 FEET; THENCE NORTH 00°55'14" EAST 531.12 FEET; THENCE NORTH 89°04'46" WEST 127.64 FEET; THENCE NORTH 00°55'14" EAST 90.17 FEET TO THE POINT OF BEGINNING.

TOGETHER WITH: LOTS 1, 2, 3, 46, 47 AND 48, BLOCK 331 OF "PROGRESSO" ACCORDING TO THE PLAT THEREOF AS RECORDED IN PLAT BOOK 2 AT PAGE 18 OF THE PUBLIC RECORDS OF DADE COUNTY, FLORIDA.

TOGETHER WITH: LOTS 1 THROUGH 5 INCLUSIVE, BLOCK 274 OF "PROGRESSO" ACCORDING TO THE PLAT THEREOF AS RECORDED IN PLAT BOOK 2 AT PAGE 18 OF THE PUBLIC RECORDS OF DADE COUNTY, FLORIDA.

TOGETHER WITH: LOTS 10 THROUGH 22 INCLUSIVE, AND LOTS 27 THROUGH 36 INCLUSIVE, ALL IN BLOCK 274 OF "PROGRESSO" ACCORDING TO THE PLAT THEREOF AS RECORDED IN PLAT BOOK 2 AT PAGE 18 OF THE PUBLIC RECORDS OF DADE COUNTY, FLORIDA.

TOGETHER WITH: LOTS 31 THROUGH 42 INCLUSIVE, BLOCK 275 OF "PROGRESSO" ACCORDING TO THE PLAT THEREOF AS RECORDED IN PLAT BOOK 2 AT PAGE 18 OF THE PUBLIC RECORDS OF DADE COUNTY, FLORIDA.

ALL OF THE ABOVE PARCELS OF LAND LYING AND BEING IN THE CITY OF FORT LAUDERDALE, BROWARD COUNTY, FLORIDA, AND CONTAIN 250,612 SQUARE FEET (5.753 ACRES) MORE OR LESS



## Exhibit C

## Northwest Gardens Phase III Brownfield Area





Exhibit D

**LEGAL DESCRIPTION**

LOTS 7 THROUGH 12 (INCLUSIVE), LOTS 17 THROUGH 42 (INCLUSIVE), BLOCK 24; LOTS 1 THROUGH 48 (INCLUSIVE), BLOCK 25; LOTS 1 THROUGH 48 (INCLUSIVE), BLOCK 26; LOTS 7 THROUGH 13 (INCLUSIVE), LOTS 31 THROUGH 48 (INCLUSIVE), BLOCK 27, "AMENDED PLAT OF LINCOLN PARK, THIRD ADDITION", ACCORDING TO THE PLAT THEREOF RECORDED IN PLAT BOOK 7, PAGE 4, OF THE PUBLIC RECORDS OF BROWARD COUNTY, FLORIDA.

TOGETHER WITH:

PARCELS "B" AND "C", OF "SUNNYLAND HOMES NO. 1", ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK PLAT 49, PAGE 49, OF THE PUBLIC RECORDS OF BROWARD COUNTY, FLORIDA.

SAID LANDS SITUATE, LYING AND BEING IN THE CITY OF FORT LAUDERDALE, BROWARD COUNTY, FLORIDA CONTAINING IN TOTAL, 468,995 SQUARE FEET (10.7667 ACRES).

Exhibit E

NORTHWEST GARDENS IV – AERIAL & SITE LAYOUT





## Exhibit F

### LEGAL DESCRIPTION

A PORTION OF LOT 25, BLOCK "A" OF "CITRUS PARK FARMS" ACCORDING TO THE PLAT THEREOF AS RECORDED IN PLAT BOOK 1, PAGE 138 OF THE PUBLIC RECORDS OF DADE COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCE AT THE SOUTHEAST CORNER OF BLOCK 1 OF "SECTION A OF LAUDERDALE HOMESITES" ACCORDING TO THE PLAT THEREOF AS RECORDED IN PLAT BOOK 3, PAGE 44 OF THE PUBLIC RECORDS OF BROWARD COUNTY, FLORIDA; THENCE SOUTH 88°31'02" EAST 15.00 FEET TO THE INTERSECTION WITH THE EAST LINE OF THE 15.00 FOOT RIGHT-OF-WAY OF NORTHWEST 13TH TERRACE; THENCE NORTH 00°57'34" EAST ON SAID EAST LINE 120.01 FEET TO THE POINT OF BEGINNING; THENCE CONTINUE NORTH 00°57'34" EAST ON SAID EAST LINE 230.01 FEET; THENCE SOUTH 88°31'02" EAST 25.00 FEET; THENCE NORTH 00°57'34" EAST 50.00 FEET; THENCE NORTH 88°31'02" WEST 25.00 FEET; THENCE NORTH 00°57'34" EAST 100.00 FEET; THENCE SOUTH 88°31'02" EAST 159.00 FEET; THENCE NORTH 00°57'34" EAST 50.00 FEET; THENCE NORTH 88°31'02" WEST 159.00 FEET; THENCE NORTH 00°57'34" EAST 50.00 FEET TO THE SOUTH RIGHT-OF-WAY LINE OF N.W. 8TH STREET DEDICATED BY PLAT BOOK 1, PAGE 138, DADE COUNTY, FLORIDA AND THAT PORTION DESCRIBED IN OFFICIAL RECORDS BOOK 4002, PAGE 26, OF SAID PUBLIC RECORDS; THENCE SOUTH 88°31'02" EAST ON THE NORTH LINE OF LOT 25, BLOCK A AND ON SAID SOUTH RIGHT-OF-WAY LINE 253.94 FEET; THENCE SOUTH 00°55'14" WEST 90.17 FEET; THENCE SOUTH 89°04'46" EAST 127.64 FEET; THENCE SOUTH 00°55'14" WEST 531.12 FEET TO THE INTERSECTION WITH THE SOUTH LINE OF SAID LOT 25; THENCE NORTH 88°31'02" WEST ON SAID SOUTH LINE 232.00 FEET; THENCE NORTH 00°57'34" EAST 140.01 FEET; THENCE NORTH 88°31'02" WEST 150.01 FEET TO THE POINT OF BEGINNING.

SAID LANDS SITUATE, LYING AND BEING IN THE CITY OF FORT LAUDERDALE, BROWARD COUNTY, FLORIDA CONTAINING 195,086 SQUARE FEET (4.478 ACRES) MORE OR LESS.

TOGETHER WITH:

ALL OF BLOCK 3, "SECTION A OF LAUDERDALE HOMESITES" ACCORDING TO THE PLAT THEREOF AS RECORDED IN PLAT BOOK 3, PAGE 44 OF SAID PUBLIC RECORDS.

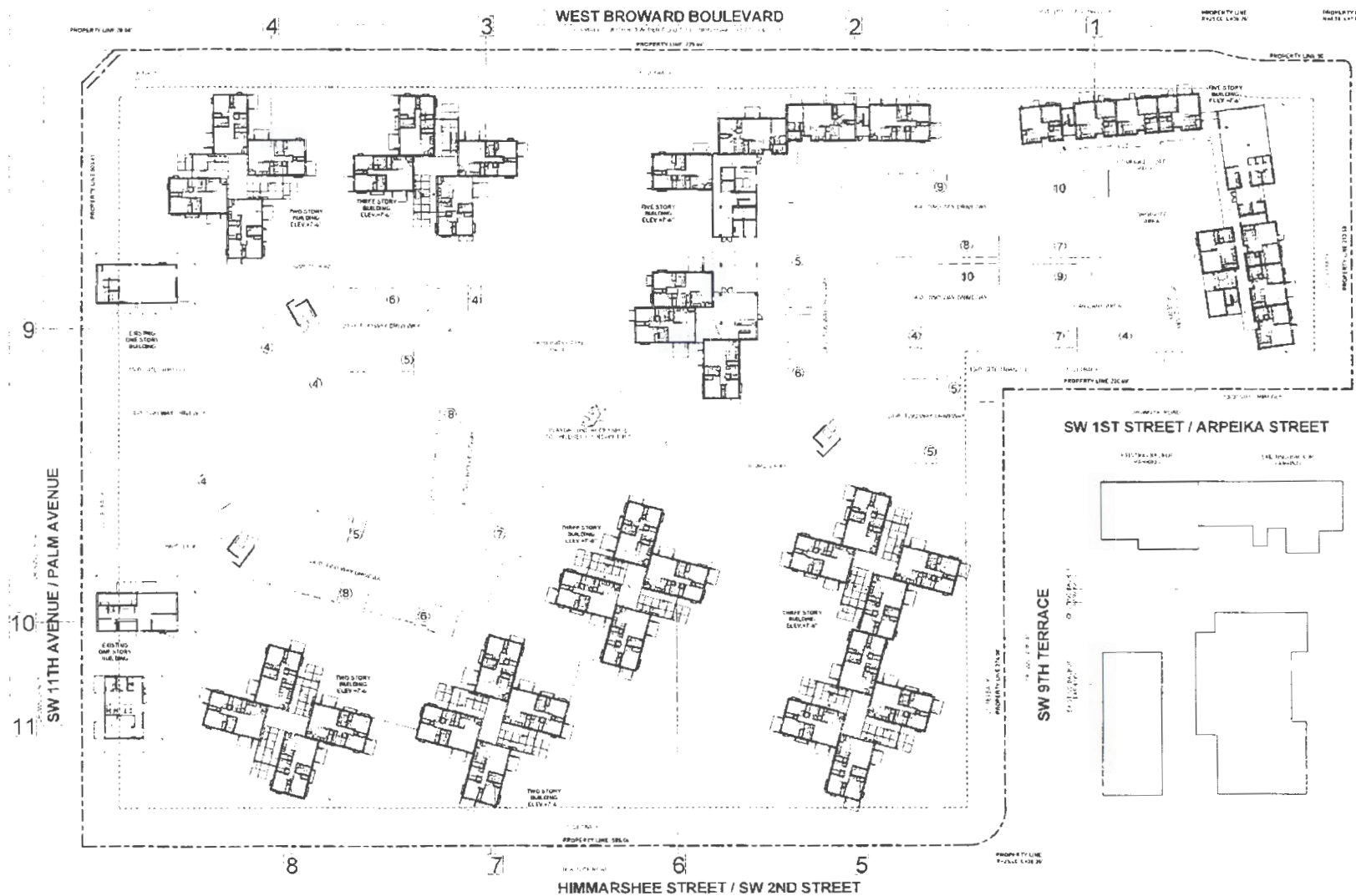
SAID LANDS SITUATE, LYING AND BEING IN THE CITY OF FORT LAUDERDALE, BROWARD COUNTY, FLORIDA CONTAINING 45,776 SQUARE FEET (1.0509 ACRES) MORE OR LESS.

ALSO TOGETHER WITH:

TRACT "A", "TUSKEGEE NOVA" ACCORDING TO THE PLAT THEREOF AS RECORDED IN PLAT BOOK 85, PAGE 42 OF SAID PUBLIC RECORDS.

SAID LANDS SITUATE, LYING AND BEING IN THE CITY OF FORT LAUDERDALE, BROWARD COUNTY, FLORIDA CONTAINING 163,870 SQUARE FEET (3.7619 ACRES) MORE OR LESS.

ALL OF SAID LANDS SITUATE, LYING AND BEING IN THE CITY OF FORT LAUDERDALE, BROWARD COUNTY, FLORIDA CONTAINING IN TOTAL, 404,732 SQUARE FEET (9.2914 ACRES), MORE OR LESS.



DR. KENNEDY HOMES

THE CARLISLE  
DEVELOPMENT GROUP  
HOUSING AUTHORITY OF  
THE CITY OF FORT LAUDERDALE

GLAVOVIC STUDIO INC.  
ARCHITECTURE & URBAN DESIGN

PROJECT MANAGER  
HSG GROUP, INC.

STRESAU, SMITH & STRESAU, P.A.  
ARCHITECTS

FRANKE ENGINEERS INC.

FRANKE ENGINEERS INC.

FRANKE ENGINEERS INC.

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Exhibit G



Exhibit H

**LEGAL DESCRIPTION OF  
PREMISES**

A LEASEHOLD ESTATE IN AND TO THE FOLLOWING DESCRIBED LANDS:

Parcel A of Dr. Kennedy Homes, according to the Plat thereof recorded in Plat Book 179, page 115, of the Public Records of Broward County, Florida.