



# Agenda Item Cover Sheet

Agenda Item N<sup>o</sup>. A-9

Meeting Date October 17, 2012

- Consent Section     
  Regular Section     
  Public Hearing

**Subject:**

Partial Release of Mortgage for Bayou Pass Phase III Subdivision Development Project funded from the Community Development Block Grant (CDBG) Funds.

Department Name: Affordable Housing Services

Contact Person: Felicia Crosby-Rucker      Contact Phone: 813-274-6671

**Sign-Off Approvals:**

**Bonnie Wise**      10/05/2012  
Assistant County Administrator      Date

**Paula Harvey**      10/04/2012  
Department Director      Date

**Tom Fesler**      10/05/2012  
Management and Budget – Approved as to Financial Impact Accuracy      Date

**Nancy Y. Takemori**      10/04/2012  
County Attorney – Approved as to Legal Sufficiency      Date

**Staff's Recommended Board Motion:**

Approve the Partial Release of Mortgage for nine (9) properties located in Florida Home Partnership, Inc.'s (FHP) Bayou Pass Phase III Subdivision funded with Community Development Block Grant (CDBG) Funds. This partial release is a result of FHP's repayment of \$181,125 for lots sold to eligible homebuyers in accordance with the terms of the Mortgage and Note.

The \$181,125 will increase program income revenues in the FY 11 Community Development Block Grant (CDBG) Funds.

**Financial Impact Statement:**

The \$181,125 will increase program income revenues in the FY 11 Community Development Block Grant (CDBG) Funds. AHR31152

**Background:**

Hillsborough County's Affordable Housing Services entered into an Agreement with the Florida Home Partnership, Inc (FHP), to provide a \$3,220,000 loan for land acquisition and development of the Bayou Pass Phase III Subdivision Project, a single family home development. The loan was provided through the County's Community Development Block grant (CDBG) Funds which were received from the United States Department of Housing and Urban Development.

The original Agreement (BOCC Document #07-820) reflected the allocation of \$3,220,000 which was approved by the Board of County Commissioners (BOCC) on June 6, 2007.

A Mortgage dated July 11, 2007 was recorded on July 13, 2007 in the Official Records Book 17937, Pages 1911-1922 of the Public Records of Hillsborough County, Florida. FHP has repaid \$181,125 of the allocation which meets the Agreement's pre-requisites for partial release of mortgage approval. The legal descriptions and folio numbers for the nine (9) properties set for lien release are detailed in the attached back-up schedule.

List Attachments:

Partial Release of Mortgage

**HILLSBOROUGH COUNTY  
AFFORDABLE HOUSING SERVICES**

Prepared by:  
Nancy Y. Takemori  
Assistant County Attorney  
P.O. Box 1110  
Tampa, FL 33601-1110

Return to:  
Hillsborough County Affordable Housing Services  
Contracts Unit  
1208 Tech Boulevard, Suite 300  
Tampa, Florida 33619

Folio No. See Exhibit "A"  
Case No. See Exhibit "A"

**PARTIAL RELEASE OF MORTGAGE**

**THIS PARTIAL RELEASE OF MORTGAGE** is made this 17th day of October 2012, between Florida Home Partnership, Inc., whose principal address is 201 14<sup>th</sup> Ave. SE, Suite H, Ruskin, Florida 33575, hereinafter called "Mortgagor", and Hillsborough County, Florida, a political subdivision of the State of Florida, whose principal address is 601 East Kennedy Boulevard, Tampa, Florida 33602, hereinafter called "Mortgagee".

**WITNESSETH:**

**WHEREAS**, the Mortgagor by a mortgage dated July 11, 2007, and recorded on July 13, 2007 in Official Records Book 17937, Pages 1911-1922 of the Official Records of Hillsborough County, Florida, hereinafter called the "Mortgage", for the consideration therein mentioned and to secure the payment of money therein specified, did mortgage certain real estate unto the Mortgagee; and

**WHEREAS**, the Mortgagee, at the request of the Mortgagor, has agreed to give up and surrender that part of said real estate which is hereinafter described and retain the residue thereof as security.

**NOW THEREFORE**, in pursuance of said agreement, and in consideration of the sum of ten dollars (\$10.00), the Mortgagee does hereby release and quit-claim unto the Mortgagor and its assigns, all that part of said real estate situated in the County of Hillsborough and State of Florida, more particularly described as follows:

**SEE THE ATTACHED LEGAL DESCRIPTION FOR 2 LOTS IN BAYOU PASS VILLAGE PHASE THREE**

**TO HAVE AND TO HOLD** the same, with the appurtenances, unto the Mortgagor, his heirs and assigns forever, freed, exonerated and discharged of and from the lien of said Mortgage, and every part thereof; provided always, nevertheless, that nothing contained herein  
Bayou Pass Village Phase III  
CDBG Partial Release

shall in anywise impair, alter or diminish the effect, lien or encumbrance of the aforesaid Mortgage on the remaining part of said mortgaged premises not hereby released there from, or any of the rights and remedies of the holder thereof.

**IN WITNESS WHEREOF**, the parties hereto have executed this Partial Release of Mortgage on the day and year first written above.

ATTEST:  
PAT FRANK  
CLERK OF THE CIRCUIT COURT

HILLSBOROUGH COUNTY, FLORIDA,  
a political subdivision of the State of Florida

BY: \_\_\_\_\_  
Deputy Clerk

BY: \_\_\_\_\_  
Chairman, Board of County  
Commissioners

Approved as to Form and Legal Sufficiency

BY: \_\_\_\_\_  
Nancy Y. Takemori,  
Assistant County Attorney

\*\*\*\*\*

**Signed, sealed and delivered  
in the presence of:**

\_\_\_\_\_  
Witness Signature

\_\_\_\_\_  
Name printed or typed

\_\_\_\_\_  
Witness Signature

\_\_\_\_\_  
Name typed or printed

\_\_\_\_\_  
Mortgagor

**STATE OF FLORIDA  
COUNTY OF HILLSBOROUGH**

The foregoing instrument was acknowledged before me this \_\_\_ day of \_\_\_\_\_, 20\_\_\_,  
by \_\_\_\_\_, who is personally known to me or who has produced  
\_\_\_\_\_ as identification.

Witness my hand and official seal the date aforesaid,

\_\_\_\_\_  
Notary Public, State of Florida at Large

\_\_\_\_\_  
Notary: Print or Type Name  
My Commission Expires:

**Exhibit “A”**  
**Legal Descriptions:**  
**for**

1. Folio No. 056774.1724  
 Case No. FMHA-566
- ERIKA CRYSTAL HERRERA  
 1218 Humble Haven Street  
 Ruskin, Florida 33570

Lot 20, Block 4, BAYOU PASS VILLAGE PHASE THREE, according to the map or plat thereof as recorded in Plat Book 117, Page 199-205 of the Public Records of Hillsborough County, Florida.

2. Folio No. 056774.1798  
 Case No. N/A
- JULIO C. OCASIO  
 RAQUEL ECHEVARRIA-ARMAN  
 1921 Peaceful Palm Street  
 Ruskin, Florida 33570

Lot 17, Block 5, BAYOU PASS VILLAGE PHASE THREE, according to the map or plat thereof as recorded in Plat Book 117, Page 199-205 of the Public Records of Hillsborough County, Florida.

3. Folio No. 056774.1642  
 Case No. FMHA-563
- ARSENIO RAMOS VELAZQUEZ  
 SILVIA GONZALEZ-VELAZQUEZ  
 1206 Shared Passion Street  
 Ruskin, Florida 33570

Lot 19, Block 3, BAYOU PASS VILLAGE PHASE THREE, according to the map or plat thereof as recorded in Plat Book 117, Page 199-205 of the Public Records of Hillsborough County, Florida.

4. Folio No. 056774.1648  
 Case No. N/A
- ARTURO RANGEL  
 MA LUISA GALLARDO AGUAYO  
 1215 Humble Haven Street  
 Ruskin, Florida 33570

Lot 22, Block 3, BAYOU PASS VILLAGE PHASE THREE, according to the map or plat thereof as recorded in Plat Book 117, Page 199-205 of the Public Records of Hillsborough County, Florida.

5. Folio No. 056774.1544  
Case No. N/A
- BELINDA IBARRA  
1802 Peaceful Palm Street  
Ruskin, Florida 33570

Lot 22, Block 1, BAYOU PASS VILLAGE PHASE THREE, according to the map or plat thereof as recorded in Plat Book 117, Page 199-205 of the Public Records of Hillsborough County, Florida.

6. Folio No. 056774.1542  
Case No. N/A
- HECTOR LUIS AYUSO  
ASHLA DANIELLE BURKE  
1804 Peaceful Palm Street  
Ruskin, Florida 33570

Lot 21, Block 1, BAYOU PASS VILLAGE PHASE THREE, according to the map or plat thereof as recorded in Plat Book 117, Page 199-205 of the Public Records of Hillsborough County, Florida.

7. Folio No. 056774.1760  
Case No. N/A
- ARTURO BRAVO JR.  
2024 Peaceful Palm Street  
Ruskin, Florida 33570

Lot 38, Block 4, BAYOU PASS VILLAGE PHASE THREE, according to the map or plat thereof as recorded in Plat Book 117, Page 199-205 of the Public Records of Hillsborough County, Florida.

8. Folio No. 056774.1654  
Case No. N/A
- DANIEL FIGUEROA GUILLEN  
1209 Humble Haven Street  
Ruskin, Florida 33570

Lot 25, Block 3, BAYOU PASS VILLAGE PHASE THREE, according to the map or plat thereof as recorded in Plat Book 117, Page 199-205 of the Public Records of Hillsborough County, Florida.

9. Folio No. 056774.1734  
Case No. N/A
- RACHEL LAVERNE O'STEEN  
1922 Peaceful Palm Street  
Ruskin, Florida 33570

Lot 25, Block 4, BAYOU PASS VILLAGE PHASE THREE, according to the map or plat thereof as recorded in Plat Book 117, Page 199-205 of the Public Records of Hillsborough County, Florida.

End Exhibit "A"