

EXECUTIVE SUMMARY

Satisfaction of Agreement For Lien and Reversion

In 1999, The School Board of Broward County, Florida (SBBC) received funding under the state funded School Infrastructure Thrift Program (SIT Program), a program established by the Department of Education to provide incentive and reward school Districts for savings realized through functional, frugal construction and for savings realized through the operation of charter schools in non-school district facilities. A portion of the funding received by SBBC, in the amount of \$419,050.00 was later advanced to The Charter Schools of Excellence (CSE), a charter school operating under a Charter School Agreement granted by SBBC, to purchase the real property located at 115 SE 13th Street in the City of Fort Lauderdale. Thereafter, the CSE purchased the real property.

As part of this advancement, both SBBC and CSE agreed to enter into a separate agreement (Agreement for Lien and Reversion), that would place a lien on any property, improvements, furnishings and equipment CSE acquired using SIT Program funding and such property, improvements, furnishings and equipment would automatically revert back to SBBC upon termination or non-renewal of the Charter School Agreement. Per the agreement the lien amount would be equivalent to \$419,050.00, the dollar amount granted to CSE under the SIT Program.

In January 2018, CSE contacted School District staff to inquire about the lien, to advise of its intent to request release of the lien, and to discuss the necessary steps the School District would implement to enable the release of lien. After several meetings between the Office of the General Counsel and District staff, it was decided that in exchange for full payment of the \$419,050.00 by CSE to SBBC, SBBC would release the lien. Thereafter, on January 17, 2018, District staff received a letter from the CSE which formally requested the release of the lien via the Satisfaction of Agreement for Lien and Reversion.

If approved by SBBC, the Satisfaction of Agreement for Lien and Reversion would release the lien placed on the real property located at 115 SE 13th Street, Fort Lauderdale, FL 33316 and declare the said agreement fully satisfied upon receipt of the \$419,050.00 by the School District.