

RESOLUTION NO. R2015-15

A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF NORTH MIAMI BEACH, FLORIDA, AUTHORIZING THE CITY MANAGER TO ENTER INTO AN AGREEMENT TO SETTLE, SATISFY AND EXECUTE LIEN RELEASES IN MITIGATION OF CODE ENFORCEMENT LIENS FOR CODE VIOLATION FINES AGAINST THE PROPERTY LOCATED AT 341 N.E. 168th STREET, NORTH MIAMI BEACH, FLORIDA, IN THE AMOUNT OF \$4,000.00.

WHEREAS, a request to mitigate, satisfy and settle code violation fines and liens recorded against the property at 341 N.E. 168th Street, North Miami Beach, was submitted by owner Jennie Dennett (“Owner”) to the City of North Miami Beach (“City”); and

WHEREAS, the code violation fines and liens on this residential property total \$358,200.00, comprising recorded liens in the amount of \$200,200.00 and accrued fines in the amount of \$158,000.00 for various non-serious code violations, as shown in the attached code violations summary; and

WHEREAS, Code Complaint No. 050505-20, issued May 5, 2005, for litter or debris remaining on the premises, was brought into compliance on April 27, 2006; and

WHEREAS, Code Complaint No. 050505-21, issued May 5, 2005, for the presence of a derelict vehicle remaining on the premises, was brought into compliance on April 26, 2006; and

WHEREAS, Code Complaint No. 061115-32, issued on November 15, 2006 for failure to remove weeds and re-sod bare areas of the lawn, was brought into compliance on July 7, 2011; and

WHEREAS, the Owner brought the violations into compliance as soon as possible, but was delayed by personal and financial hardship; and

WHEREAS, the Owner has offered the City \$4,000.00, almost eight per cent of the approximate \$55,000 actual value of the 400 square foot single family home to satisfy the penalties arising from the non-serious code violations; and

WHEREAS, the Owner will pay the City the sum of \$4,000 within thirty (30) days of the adoption of this Resolution and agree and acknowledge that failure to render payment in a timely manner will cause the original amount of \$358,200.00 in liens and fines to remain against the property and result in the voiding of the Resolution; and

WHEREAS, the City of North Miami Beach believes it to be in the best interests of the residents and citizens of the City of North Miami Beach to accept \$4,000.00 to settle and satisfy the fines and liens resulting from the code violations, and upon the Owner's compliance with the terms and conditions herein, will deem satisfied and settled all fines, liens, fees, charges and penalties arising from Code Complaint Numbers 050505-20; 050505-21, and 061115-32, and will execute and record lien releases with the County Recorder.

NOW, THEREFORE,

BE IT RESOLVED by the City Council of the City of North Miami Beach, Florida:

Section 1. The foregoing recitals are true and correct and are incorporated fully herein.

Section 2. The Mayor and Council of the City of North Miami Beach, Florida, hereby accept \$4,000.00 to settle and satisfy the subject code enforcement fines and liens, payable in full within thirty (30) days of the adoption of this Resolution, and upon receipt of \$4,000.00, to cause releases of all liens resulting from the above-described Code Complaints to be executed and recorded in the Public Records of Miami-Dade County, Florida.

Section 3. The Mayor and Council of the City of North Miami Beach, Florida, hereby authorize and direct the City Manager, or her designee, to execute lien releases in accordance with the above terms and conditions.

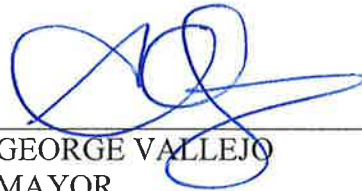
Section 4. This Resolution shall take effect immediately upon its passage and adoption.

APPROVED AND ADOPTED by the City of North Miami Beach City Council at the regular meeting assembled this 17th day of February, 2015.

ATTEST:

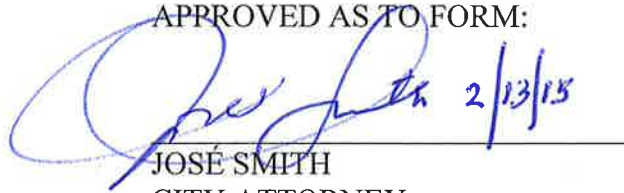


PAMELA L. LATIMORE
CITY CLERK
(CITY SEAL)



GEORGE VALLEJO
MAYOR

APPROVED AS TO FORM:



JOSE SMITH
CITY ATTORNEY

Sponsored by: Mayor and Council