

**RESOLUTION NO. R2019-82**

**A RESOLUTION OF THE MAYOR AND CITY COMMISSION 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. 1681 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, (the “property”) was submitted by the property owner, Jennie Dennett (“Owner”), to the City of North Miami Beach (the “City”); and

**WHEREAS**, the code violation fines and liens on the property total \$358,200.00, which is comprised of recorded liens in the amount of \$200,200.00 and accrued fines in the amount of \$158,000.00 for various minor code violations; and

**WHEREAS**, Code Case No. 055047, issued May 5, 2005, for litter or debris remaining on the premises, was brought into compliance on April 27, 2006; and

**WHEREAS**, Code Case No. 055045, 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 Case No. 079579, issued on November 15, 2006 for failure to remove weeds and re-sod bare areas of the lawn, was brought into compliance on July 21, 2011; and

**WHEREAS**, Resolution No. R2015-15 was approved by the City Commission on February 17, 2015 to settle and satisfy the liens and fines on the property in the amount of \$4,000 (“the settlement amount”); and

**WHEREAS**, Section 2 of Resolution No. R2015-15 required the Owner to pay the settlement amount within thirty (30) days of the adoption of the resolution; and

**WHEREAS**, the Owner failed to pay the settlement amount and; therefore, Resolution No. R2015-15 was voided; and

**WHEREAS**, the Owner has agreed to pay the City the sum of \$4,000 within thirty (30) days of the adoption of this Resolution and acknowledges 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 this 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

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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 Case Numbers 055047, 055045, and 079579, and will execute and record lien releases with the County Recorder.

**NOW, THEREFORE, BE IT RESOLVED BY THE CITY COMMISSION 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 City Commission 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 City Commission of the City of North Miami Beach, Florida, hereby authorize and direct the City Manager or 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 Commission at the regular meeting assembled this 26<sup>th</sup> day of September, 2019.

ATTEST:

\_\_\_\_\_  
ANDRISE BERNARD  
CITY CLERK

(CITY SEAL)

\_\_\_\_\_  
ANTHONY DEFILLIPO  
MAYOR

APPROVED AS TO FORM &  
LANGUAGE & FOR EXECUTION

  
\_\_\_\_\_  
SARAH JOHNSTON  
CITY ATTORNEY

SPONSORED BY: Mayor and City Commission