

RESOLUTION NUMBER 23-29

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF EUSTIS, LAKE COUNTY FLORIDA, APPROVING AN AGREEMENT TO REDUCE CODE ENFORCEMENT LIEN FOR COLONIAL INN MOTEL, LLC AND CLOSE FORECLOSURE ACTION; AUTHORIZING THE CITY MANAGER TO EXECUTE THE AGREEMENT AND ALL OTHER DOCUMENTS ASSOCIATED THEREWITH; AND ESTABLISHING AN EFFECTIVE DATE.

WHEREAS, on or about March 2022, the parties entered into an Agreement to Cure Deficiencies and Abate Foreclosure Litigation (hereafter referred to as "Prior Agreement") as a result of code enforcement liens and foreclosure litigation related to property owned by Colonial Inn located at 1000 S. Bay Street, Eustis, Florida 32726;

WHEREAS, as a result of Colonial Inn's compliance with the Prior Agreement, the matter was referred to the City's Code Enforcement Board for review and recommendation to the City Commission of a reduced fine to resolve the outstanding matter;

WHEREAS, at the November 17, 2022 regular City Commission meeting, the City Commission considered and voted against Resolution No. 22-86 wherein the Code Enforcement Board recommended a lien reduction from \$176,250.00 to \$52,000.00;

WHEREAS, at the January 5, 2023 regular City Commission meeting the City Commission again discussed Colonial Inn's fine reduction request. The City Commission approved a lien reduction to \$104,000.00 with a one-year (1) payment period and authorized the City Attorney to prepare the necessary documents for same, including an Agreement for court ratification; and

WHEREAS, to avoid the expense and time of litigation and to ensure compliance with City codes, the Parties have agreed to attempt to resolve and settle the dispute on the terms and conditions set forth in the attached Agreement.

NOW, THEREFORE, BE IT RESOLVED by the City Commission of the City of Eustis, Florida, as follows:

Section 1. The Agreement to Reduce Code Enforcement Lien and Close Foreclosure Action between the City of Eustis and the Colonial Inn Motel, LLC, attached as Exhibit A, is hereby approved;

Section 2. The City Manager is hereby authorized to execute the Agreement as presented and all other documents associated therewith; and

Section 3. That said Agreement shall become effective immediately upon passage.

DONE AND RESOLVED this ____ day of March, 2023, in regular session of the City Commission of the City of Eustis, Florida.

**CITY COMMISSION OF THE
CITY OF EUSTIS, FLORIDA**

Michael L. Holland
Mayor/Commissioner

ATTEST:

Christine Halloran, City Clerk

CITY OF EUSTIS CERTIFICATION

**STATE OF FLORIDA
COUNTY OF LAKE**

The foregoing instrument was acknowledged before me, by means of physical presence, this ____ day of March, 2023, by Christine Halloran, City Clerk, who is personally known to me.

Notary Public - State of Florida
My Commission Expires:
Notary Serial No:

CITY ATTORNEY'S OFFICE

This document is approved as to form and legal content for the use and reliance of the City Commission of the City of Eustis, Florida.

City Attorney's Office Date

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Colonial Inn Motel

CERTIFICATE OF POSTING

The foregoing Resolution Number 22-29 is hereby approved, and I certify that I published the same by posting one copy hereof at City Hall, one copy hereof at the Eustis Memorial Library, and one copy hereof at the Eustis Parks and Recreation Office, all within the corporate limits of the City of Eustis, Lake County, Florida.

Christine Halloran, City Clerk