

RESOLUTION NUMBER 23-81

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF EUSTIS, LAKE COUNTY FLORIDA, APPROVING A RELEASE OF LIEN FOR PROPERTY LOCATED AT 432 NORTH EUSTIS STREET; AUTHORIZING THE CITY MANAGER TO EXECUTE THE RELEASE AND ANY OTHER DOCUMENTS ASSOCIATED THEREWITH; AND ESTABLISHING AN EFFECTIVE DATE.

WHEREAS, on or about June 2003, the City of Eustis had available funds from a Community Development Block Grant (“CDBG Grant”) for Commercial Building Rehabilitation to assist Eustis merchants with façade restorations and renovations; removal of architectural barriers to handicap access in private buildings; and corrections of code violations to comply with the 2001 Florida Building Code related to the health, safety and/or welfare of residents; and

WHEREAS, on or about June 2003, Gary Henson and Jo Henson (the “Hensons”) owned and operated Raintree Books, Inc., located at 432 North Eustis Street, Eustis, FL 32726; and

WHEREAS, on or about June 11, 2003, the Hensons entered into a CDBG Participating Parties Agreement with the City of Eustis to receive grant funds not to exceed \$44,000.00 for eligible building renovations and repairs on their property; and

WHEREAS, on July 8, 2003, the executed CDBG Participating Parties Agreement was recorded in O.R. Book 2354, Pages 534-538, in the Public Records of Lake County, Florida; and

WHEREAS, on June 10, 2004, in consideration of the receipt of \$43,776.00 in CDBG Grant funds, and to ensure the Hensons complied with the terms and conditions of the CDBG Participating Parties Agreement, a lien to the City was granted by Raintree Books, Inc. and the Hensons on the following described property located at 432 North Eustis Street, Eustis, Lake County, Florida:

EUSTIS, CLIFFORD PARK LOTS 2,3,4, BLK 9 ORB 1978 PG 1320

WHEREAS, on June 30, 2004, the parties Agreement for Lien was recorded in O.R. Book 2603, Pages 2385-2386, in the Public Records of Lake County, Florida. The Agreement for Lien stated that if the Hensons complied with the terms and conditions of the CDBG Participating Parties Agreement and the Policies and Procedures Relating to Building Rehabilitation Assistance to Commercial Buildings for a period of two years

after the date the building rehabilitation was completed the lien on the property would cease and be null and void; and

WHEREAS, on or about August 2023, the property was sold, and the City Attorney's office was contacted by the title company requesting a release of lien for title insurance issuance; and

WHEREAS, review of available City records by the City Manager did not yield a basis for denial of the requested lien release.

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

Section 1. The release of lien on this property is hereby approved.

Section 2. The City Manager is hereby authorized to execute the Release of Lien attached hereto as Exhibit "A" and any other documents associated therewith.

Section 3. This Resolution shall become effective immediately upon passage.

DONE AND RESOLVED this 7th day of September 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

