



City of Eustis

P.O. Drawer 68 • Eustis, Florida 32727-0068 • (352) 483-5430

TO: EUSTIS CITY COMMISSION

FROM: TOM CARRINO, CITY MANAGER

DATE: SEPTEMBER 7, 2023

RE: RESOLUTION NUMBER 23-81: RELEASE OF LIEN FOR PROPERTY
LOCATED AT 432 NORTH EUSTIS STREET, EUSTIS, FLORIDA

Introduction:

Resolution Number 23-81 approves a Release of Lien for property located at 432 N. Eustis Street, Eustis, FL 32726.

Background:

In 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 code violations corrections to comply with the 2001 Florida Building Code related to the health, safety and/or welfare of residents.

Gary Henson and Jo Henson (the "Hensons") owned and operated Raintree Books, Inc., located at 432 North Eustis Street, Eustis, FL 32726. The Hensons applied for the CDBG Grant since their business renovations met the qualification requirements.

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. The CDBG Participating Parties Agreement was recorded on July 8, 2003 in O.R. Book 2354, Pages 534-538, in the Public Records of Lake County, Florida. A copy of the recorded CDBG Participating Parties Agreement is enclosed.

In consideration of the receipt of \$43,776.00 in CBDG Grant funds, and to ensure the Hensons complied with the terms and conditions of the CDBG Participating Parties Agreement, on June 10, 2004, 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

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. A copy of the recorded Agreement for Lien is enclosed.

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

Recommendation:

Staff recommends approval of Resolution Number 23-81.

Prepared By:

Sasha O. Garcia, City Attorney

Reviewed By:

Tom Carrino, City Manager

Attachments:

Resolution Number 23-81 with Release of Lien attached as Exhibit A.

Recorded CDBG Participating Parties Agreement.

Recorded Agreement for Lien.