

RESOLUTION NUMBER 26-19

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF EUSTIS, FLORIDA, PROVIDING FOR COMMISSION DETERMINATION OF A CODE ENFORCEMENT LIEN ON PROPERTY LOCATED AT 1033 SOUTH GROVE STREET; AUTHORIZING IMPLEMENTING ACTIONS; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the City of Eustis, Florida established code enforcement fines against the following described property under Case Number 25-00911 against Hish Capital LLC, property owner, for failing to comply with City Ordinances:

EUSTIS, SALE'S ADD S 38 FT OF W 1/2 OF LOT 20 PB 2 PG 1 ORB 6184 PG 110,
and

WHEREAS, the City of Eustis, Florida, a Florida municipal Corporation, recorded a Code Enforcement Lien against the subject property on December 8, 2025, in Official Record Book 6644, Page 796, in the office of the Clerk of the Circuit Court, Lake County, State of Florida; and

WHEREAS, the property was in violation of City code for 52 days before being brought into compliance; and

WHEREAS, the daily fines accrued to \$2,600; and

WHEREAS, on January 5, 2026, the property owner submitted an application requesting that the fines be reduced \$1,000; and

WHEREAS, on January 12, 2026, the Code Enforcement Board approved the request and recommended that the City Commission reduce the fines to \$1,000 payable within 30 days; and

WHEREAS, Section 162.09(3), Florida Statutes, provides that code compliance liens run in favor of the local governing body, and the local governing body may agree to satisfy or release code compliance liens; and

WHEREAS, the Attorney General has stated that after such liens have been recorded the local governing body, such as the City Commission, is vested with the authority to compromise, reduce, or satisfy said liens; and

WHEREAS, the City Commission in considering this matter may elect to compromise (including setting terms and conditions for said compromise), reduce, or satisfy said lien; and

WHEREAS, the Attorney General has concluded the local governing body, such as the City Commission, may delegate its authority to execute satisfactions or releases of code

compliance liens so long as such delegation does not result in a complete divestiture of such liens to a private party; and

WHEREAS, the City Commission authorizes the City Manager to execute a release or satisfaction of lien, as may be appropriate and consistent with the City Commission's decision to compromise, reduce, or satisfy said lien.

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

Section 1. **Recitals.** The above recitals are hereby adopted as the findings of the City Commission.

Section 2. **Implementing Actions.** **Implementing Actions.** The City Manager, or his/her designee, is hereby authorized to take all administrative actions necessary to effectuate the provisions of this Resolution, including execution of satisfactions or releases of lien, acceptance of payment, and the granting of one payment extension not to exceed thirty (30) days from the effective date of this Resolution. Any such actions shall be consistent with and limited to the determination of the City Commission as set forth herein.

Section 3. **Lien at Issue.** The City Commission has considered the code enforcement lien for Case Number 25-00911 with a current outstanding amount of \$2,600.

Section 4. **Quasi-Judicial Determination.** The City Commission, having considered the recommendation of the Code Enforcement Board, and any evidence and testimony presented at hearing, hereby makes the following determination regarding the code enforcement lien in the amount of \$2,600 recorded against the subject property:

- The lien shall be reduced to \$1,000, consistent with the Board's recommendation, payable within thirty (30) days of the effective date of this Resolution, unless otherwise extended by the City Manager in accordance with Section 2; or
- The lien shall be reduced to \$ _____, payable within _____ days of the effective date of this Resolution, unless otherwise extended by the City Manager in accordance with Section 2; or
- The lien shall remain in the full amount of \$2,600, due and payable to the City; or
- No payment shall be due, and the lien shall be released.

Section 5. **Enforcement.** Failure to comply with the terms of the City Commission's determination shall result in the lien being immediately reinstated in its full original amount.

Section 6. **Effective Date.** This Resolution shall take effect immediately upon its adoption by the City Commission.

DONE AND RESOLVED this 19th day of February 2026, in regular session of the City Commission of the City of Eustis, Florida.

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

Emily A. Lee
Mayor/Commissioner

ATTEST:

Christine Halloran, City Clerk

CITY OF EUSTIS CERTIFICATION

**STATE OF FLORIDA
COUNTY OF LAKE**

The foregoing instrument was acknowledged before me this 19th day of February 2026, by Emily A. Lee, Mayor/Commissioner, and Christine Halloran, City Clerk, who are 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, but I have not performed an independent Title examination as to the accuracy of the Legal Description.

City Attorney's Office

Date

CERTIFICATE OF POSTING

The foregoing Resolution Number 26-19 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