

## RESOLUTION NUMBER 22-86

**A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF EUSTIS, FLORIDA; APPROVING A CODE ENFORCEMENT BOARD ACTION REDUCING ACCRUED CODE ENFORCEMENTS FINES, PROVIDING FOR DISMISSAL OF A FORECLOSURE ACTION AGAINST 1000 SOUTH BAY STREET AND RELEASE OF A LIEN UPON FULL PAYMENT OF THE REDUCED FINE.**

**WHEREAS**, the City of Eustis, Florida approved Resolution Number 21-39 on June 3, 2021, authorizing the City Attorney to foreclose on an outstanding code enforcement lien recorded against the following described property:

EUSTIS, BISHOP'S SUB LOTS 1, 2, N 24 FT OF LOT 3, LOTS 15, 16 BLK 3 PB 2 PG 4 ORB 2674 PG 1073, and

**WHEREAS**, On September 19, 2021, the City Attorney filed a complaint to foreclose the code the code enforcement lien; and

**WHEREAS**, the City of Eustis, Florida approved Resolution Number 22-19 on March 3, 2022, authorizing the City Manager to execute an agreement to cure deficiencies and abate the foreclosure litigation; and

**WHEREAS**, on August 16, 2022, Nayana Patel notified the City Attorney that Colonial Inn Motel, LLC had completed all repairs to include installation of an interconnected fire alarm system and surveillance cameras; and

**WHEREAS**, on October 10, 2022, the matter was referred back to the Code Enforcement Board for a recommendation on reducing the indebtedness owed, in accordance with Section 3 of the agreement; and

**WHEREAS**, the cited violations existed on the property for 705 days after the Board imposed the daily fines, resulting in a total fine of \$176,250; and

**WHEREAS**, after much discussion, the Board approved a motion to reduce the accrued fines to \$52,000, upon approval from the City Commission and payment being made within 30 days.

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

### SECTION 1

That the outstanding \$176,250 fine assessed for Case Number 19-01297, shall be reduced to \$52,000 if the payment is received within 30 days of this action.

**SECTION 2**

That the City Attorney is hereby authorized to execute a voluntary dismissal of the litigation and release the code enforcement lien against or attached to the following described property, if payment is received within 30 days of this action:

EUSTIS, BISHOP'S SUB LOTS 1, 2, N 24 FT OF LOT 3, LOTS 15, 16 BLK 3 PB  
2 PG 4 ORB 2674 PG 1073

**SECTION 3**

That this action shall become null and void if the reduced fine is not paid on or before December 17, 2022.

**DONE AND RESOLVED** this 17th day of November, 2022, 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 this 18<sup>th</sup> day of November, 2022, 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, 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 22-86 is hereby approved, and I certify that I published the same by posting one (1) copy hereof at City Hall, one (1) copy hereof at the Eustis Memorial Library, and one (1) 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