

RESOLUTION NUMBER 25-66

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF EUSTIS, FLORIDA; PROVIDING FOR A COMPROMISE, REDUCTION OR SATISFACTION OF AN OUTSTANDING CODE ENFORCEMENT LIEN AGAINST REAL PROPERTY LOCATED AT 806 EAST ORANGE AVENUE, EUSTIS, FLORIDA; AUTHORIZING THE CITY MANAGER TO PERFORM ALL NECESSARY ACTIONS CONSISTENT WITH THE CITY COMMISSION'S DETERMINATION IN THIS MATTER IN ORDER TO GIVE EFFECT TO THE PROVISIONS OF THIS RESOLUTION; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the City of Eustis, Florida established code enforcement fines against the following described property under Case Number 23-00583 against Christopher R. Loudon, property owner, for failing to comply with City Ordinances:

EUSTIS S 23 FT OF LOTS 5, 6, W 11 FT OF N 109 FT OF LOT 6, LOTS 7, 8--LESS BEG AT SE COR LOT 7, RUN N 19.39 FT, W TO PT 20.44 FT N OF SW COR LOT 8, S TO SW COR LOT 8, E TO POB BLK 68--PB 1 PG 79 ORB 5875 PG 1350, and

WHEREAS, the City of Eustis, Florida, a Florida municipal Corporation, recorded a Code Enforcement Lien against the subject property on February 1, 2024, in Official Record Book 6278, Page 1958, 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 501 days before being brought into compliance; and

WHEREAS, the daily fines accrued to \$25,050; and

WHEREAS, on June 2, 2025, the property owner submitted an application requesting that the fines be reduced to \$100; and

WHEREAS, on June 9, 2025, the Code Enforcement Board denied the request and recommended that the City Commission reduce the accrued fines to \$735, 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.** The City Manager, or his/her designee, is hereby authorized to take any actions necessary to implement the provisions of this Resolution.

Section 3. **Lien at Issue.** The City Commission has considered the code enforcement lien for Case Number 23-00583 with a current outstanding amount of \$25,050.00.

Section 4. **City Commission Decision.** The City Commission may compromise, reduce, or satisfy the lien at issue. After full hearing and discussion, the City Commission finds the below selected remedy to be the appropriate one for this matter:

- ☐ The outstanding code fine of \$25,050 assessed for Case No. 23-00583 is hereby reduced to \$735 if said payment is received by the City within 30 days from the effective date of this Resolution. Failure to comply results in this fine reduction being null and void, and the original lien amount being immediately reinstated in full.
- ☐ No payment shall be due, and the City shall promptly release the lien; or
- ☐ Full payment (\$25,050) remains due and payable to the City; or
- ☐ The lien shall be reduced to \$ _____, if said payment is received by the City within _____ days from the effective date of this Resolution. Failure to comply results in this compromise being null and void, and the original lien amount being immediately reinstated in full.

Section 5. **Effective Date.** This Resolution shall take effect immediately upon its adoption by the City Commission.

DONE AND RESOLVED this 7th day of August 2025, in regular session of the City Commission of the City of Eustis, Florida.

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

Willie L. Hawkins
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 7th day of August 2025, by Willie L. Hawkins, 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 25-66 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