

**CITY COUNCIL RESOLUTION NO. 2022-080**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LAKE CITY, FLORIDA, AUTHORIZING THE EXECUTION OF A RELEASE AND SATISFACTION OF LIEN; PROVIDING FOR THE RELEASE OF A CODE ENFORCEMENT LIEN RECORDED IN OFFICIAL RECORDS BOOK 1280, PAGE 2190, OF THE PUBLIC RECORDS OF COLUMBIA COUNTY, FLORIDA; AND PROVIDING FOR AN EFFECTIVE DATE.**

**WHEREAS**, the City of Lake City, Florida (hereinafter the “City”) is the holder of a City Code Enforcement Lien (hereinafter the “City Lien”) against property owned, controlled, or possessed by then Respondent Magnolia TC 3 REO, LLC (hereinafter the “Property Owner”), at the time of the entry of a Magistrate’s Order imposing a fine (Case No.: 14-52400968), said order having been recorded in the Official Records Book 1280, beginning at Page 2190, of the public records of Columbia County, Florida; and

**WHEREAS**, the City Council, on May 5, 2022, found that it is in the best interests of the City to release, terminate, and cancel City’s lien by recording a *Release and Satisfaction of Lien*, a copy of which is attached hereto and made a part of this resolution.

**NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF LAKE CITY, FLORIDA, AS FOLLOWS:**

**Section 1.** The above recitals are all true and accurate and are hereby incorporated herein and made a part of this resolution.

**Section 2.** The City hereby authorizes the Mayor to execute the *Release and Satisfaction of Lien* and directs that said instrument be recorded in the public records of Columbia County, Florida.

**Section 3.** Effective Date. This Resolution shall be effective immediately upon adoption.

**PASSED AND ADOPTED** at a meeting of the City Council this \_\_\_\_\_ day of August 2022.

**CITY OF LAKE CITY, FLORIDA**

By: \_\_\_\_\_  
Stephen M. Witt, Mayor

ATTEST

APPROVED AS TO FORM AND LEGALITY:

By: \_\_\_\_\_  
Audrey E. Sikes, City Clerk

By: \_\_\_\_\_  
Frederick L. Koberlein, Jr.,  
City Attorney

**CODE ENFORCEMENT SPECIAL MAGISTRATE  
CITY OF LAKE CITY, FLORIDA**

CITY OF LAKE CITY, FLORIDA,  
Petitioner,

Case No.: 14-52400968

vs.

MAGNOLIA TC 3 REO, LLC,  
Respondent.

\_\_\_\_\_ /

**RELEASE AND SATISFACTION OF LIEN**

The CITY OF LAKE CITY, FLORIDA (hereinafter the "City"), filed and recorded a lien on, or around, August 26, 2014, in Official Records Book 1280, Page 2190, Official Records of Columbia County, Florida, on the real property previously owned by Respondent, MAGNOLIA TC 3 REO, LLC, specifically located at 862 NW Georgia Avenue in Lake City, Florida.

The City of Lake City hereby releases said lien and all rights of lien or claims of whatsoever kind or character as therein claimed.

*[Remainder of this page left blank intentionally. Signature page to follow.]*

Signed this \_\_ day of August 2022.

**CITY OF LAKE CITY, FLORIDA**

BY: \_\_\_\_\_  
Stephen M. Witt, Mayor

ATTEST:

APPROVED AS TO FORM AND LEGALITY:

\_\_\_\_\_  
Audrey E. Sikes,  
City Clerk

BY: \_\_\_\_\_  
Frederick L. Koberlein Jr.,  
City Attorney

**STATE OF FLORIDA  
COUNTY OF COLUMBIA**

The foregoing instrument was acknowledged before me by means of \_\_\_\_\_physical presence or \_\_\_\_\_online notarization, this \_\_\_\_\_ day of \_\_\_\_\_, 2022 by Stephen M. Witt, Mayor, on behalf of the City of Lake City, Florida, who are personally known to me or produced \_\_\_\_\_ as identification.

\_\_\_\_\_  
Notary Public - Signature

\_\_\_\_\_  
Notary Name - Printed

CODE ENFORCEMENT SPECIAL MAGISTRATE  
CITY OF LAKE CITY, FLORIDA

CITY OF LAKE CITY, FLORIDA

CASE NO. 14-52400968

PETITIONER,

v.

MAGNOLIA TC 3 REO, LLC,

RESPONDENT.

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AMENDED ORDER

THIS CAUSE came before the Special Magistrate on August 14, 2014, at the request of Petitioner, and the Special Magistrate having heard and received testimony and evidence from Petitioner and Respondent, makes the following findings of fact and conclusions of law and thereupon ORDERS as follows:

**Findings of Fact**

1. Respondent, MAGNOLIA TC 3 REO, LLC, is the owner of residential real property located at 862 NW Georgia Avenue in Lake City, Florida, and more particularly described in Exhibit A.
2. City of Lake City Code Inspector Beverly Wisman inspected Respondent's property on June 16, 2014, and observed the following conditions:  

Trash and debris littering the yard from unpermitted demolition of a mobile home structure on the subject property.
3. On June 24, 2014 Petitioner sent a Notice of Violation to Respondent describing the alleged violations and providing Respondent until July 16<sup>th</sup> to correct them.

4. The June 24<sup>th</sup> Notice of Violation was delivered to Respondent's mailing address via certified U.S. mail on June 26, 2014.
5. A Notice of Hearing for August 14, 2014, was delivered to Respondent along with the Notice of Violation.
6. City of Lake City Code Inspector Beverly Wisman re-inspected Respondent's property on or about August 13, 2014 and observed the following conditions:

The trash and debris from the unpermitted demolition work was piled along the curb fronting the subject property.

7. No trash pickup services are active for the subject property.

#### **Conclusions of Law**

1. The authority of the undersigned special magistrate to hear and determine the violations alleged by Petitioner comes from Part I, chapter 162, Florida Statutes; Chapter 2, Article X, Section 2-414 of Lake City, Florida Code of Ordinances; and Lake City Council Resolution No. 2014-050.
2. The proceedings in this matter are governed by chapter 162, Florida Statutes, and Article X, Chapter 2, Part II, Lake City, Florida Code of Ordinances.
3. Respondent was properly notified of the alleged violations and provided with a reasonable period of time within which to correct the violations.
4. Respondent completed the demolition of the mobile home without a permit and cleaned up the subject property, however, Respondent failed to remove and properly dispose of the trash and debris resulting from demolition of the mobile home on the property.
5. Petitioner requested a hearing and provided proper notice to Respondent of its date, time and location.

6. Respondent's property located at 862 NW Georgia Avenue in Lake City, Florida is in violation of Section 22-191, Lake City, Florida Code of Ordinances, which concerns public nuisances.

**Order**

1. Respondent shall take the actions necessary to correct the violation found on the subject property within 30 days of the date of this Order.
2. In the event the subject property is not brought into compliance with Petitioner's Code of Ordinances on or before the 30<sup>th</sup> day, a daily fine of one-hundred and fifty dollars and zero cents (\$150.00) will begin to accrue on the 31<sup>st</sup> day in accordance with Section 162.09, Florida Statutes, and may become a lien on the property upon which Petitioner may foreclose.
3. In addition, Respondent is ordered to pay Petitioner's enforcement costs in the amount of six dollars and ninety cents (\$6.90) within ten days of receipt of this order. In the event, such costs are not timely paid by Respondent, \$6.90 may be added to the amount of any lien placed on the subject property by Petitioner pursuant to above paragraph no. 2.

DONE AND ORDERED in this 26<sup>th</sup> day of August 2014.

  
JENNIFER B. SPRINGFIELD  
SPECIAL MAGISTRATE

**CERTIFICATE OF SERVICE**

I HEREBY CERTIFY that a true copy of the foregoing has been furnished to Beverly Wisman, City of Lake City, Florida via electronic mail to [wismanb@lcfla.com](mailto:wismanb@lcfla.com) and to Respondent, Magnolia TC 3 REO, LLC via certified mail to 558 W. New England Avenue, Suite 250, Winter Park, Florida 32789 this 26<sup>th</sup> day of August 2014.

  
Jennifer B. Springfield

Cc via e-mail: Wendell Johnson  
Robert Hathcox  
Herbert F. Darby