

CITY COUNCIL RESOLUTION NO. 2021-008

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LAKE CITY, FLORIDA, AUTHORIZING THE EXECUTION OF A RELEASE AND SATISFACTION OF LIEN, THE LIEN RELATING TO A CODE ENFORCEMENT LIEN BEING RECORDED IN THE OFFICIAL RECORDS BOOK 1347, PAGE 2347, OF THE PUBLIC RECORDS OF COLUMBIA COUNTY, FLORIDA.

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 Respondents Ethelene Moore, et al (hereinafter the “Property Owners”), at the time of the entry of a Magistrate’s Order imposing a fine and lien, said order having been recorded in the Official Records Book 1347, beginning at Page 2347, of the public records of Columbia County, Florida; and

WHEREAS, the City desires to release, terminate and cancel the City 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 January 2021.

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.: 2017-000090

v.

Ethelene Moore, et al.,
Respondents.

_____ /

RELEASE AND SATISFACTION OF LIEN

COMES NOW, the Petitioner-Lienor, CITY OF LAKE CITY, FLOIRDA (herein "City"), which filed and recorded a lien on, or about, November 13, 2017, through its *Order*, a copy of such being attached hereto as "Exhibit A" consisting of five (5) pages and incorporated herein, at Official Records Book 1347, Page 2347, Public Records of Columbia County, Florida, on the property owned by Respondents and further identified as Parcel 00-00-00-11480-000 (hereinafter the "Property") by the Columbia County Property Appraiser and addressed as 135 NW Long Street, Lake City, Florida.

Upon consideration of the premises of this matter the City Council of the City of Lake City, Florida, at a duly noticed meeting on the ____ day of January 2021, did deliberate and vote to release all liens on the aforementioned Property created by the aforementioned lien.

NOW THEREFORE, the City of Lake City herby releases all liens and right of lien or claim of whatsoever kind or character on the Property by the City of Lake City, Florida, through the date hereof, including, but not limited to, the aforementioned lien recorded in the Public Records of Columbia County, Florida as first stated herein.

[Remainder of this page intentionally left blank.
Signatures to appear on the next page.]

Signed this _____ day of January 2021

CITY OF LAKE CITY, FLORIDA

By: _____
Stephen M. Witt, Mayor

ATTEST:

APPROVED AS TO FORM LEGALITY:

By: _____
Audrey E. Sikes,
City Clerk

By: _____
Fred 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 January 2021 by Stephen M. Witt, Mayor and Audrey E. Sikes, City Clerk on behalf of the City of Lake City, Florida who are personally known to me or produced _____ as identification.

(NOTARY SEAL OR STAMP)

Notary Public – Signature

Notary Name – Printed

EXHIBIT A

Inst. Number: 201712020801 Book: 1347 Page: 2374 Page 1 of 5 Date: 11/13/2017 Time: 2:55 PM
P.DeWitt Cason Clerk of Courts, Columbia County, Florida



Inst: 201712020801 Date: 11/13/2017 Time: 2:55PM
Page 1 of 5 B: 1347 P: 2374, P.DeWitt Cason, Clerk of Court
Columbia, County, By: BD
Deputy Clerk

MAJOR COUNCIL MEMBER
STEPHEN M. WITT
COUNCIL MEMBERS
JAKE HILL, JR.
EUGENE JEFFERSON
MELINDA MOSES
GEORGE WARD

CITY MANAGER
WENDELL JOHNSON

CITY CLERK
AUDREY E. SIKES

CITY ATTORNEY
FRED KOBERLEIN, JR.

STATE OF FLORIDA

COUNTY OF COLUMBIA

I, Michele L. Greene, Acting Clerk of the City of Lake City, DO
HEREBY CERTIFY the attached to be a true and correct copy of City of
Lake City Code Enforcement Special Magistrate Order - Case Number
2017-00000090 (4 pages), as promulgated and on file in the City Clerk's
office and the official records of the City of Lake City, Florida.

IN WITNESS WHEREOF, I have hereunto subscribed my name and
affixed the Corporate Seal of this City this 8th day of November 2017.

SEAL OF THE CITY OF LAKE CITY, FLORIDA.


MICHELE L. GREENE
Acting City Clerk

CODE ENFORCEMENT SPECIAL MAGISTRATE
CITY OF LAKE CITY, FLORIDA

CITY OF LAKE CITY, FLORIDA

CASE NO. 2017-00000090

PETITIONER,

v.

ETHELENE MOORE ET AL.,

RESPONDENTS.

ORDER

THIS CAUSE came before the Special Magistrate on October 12, 2017, at the request of Petitioner, and the Special Magistrate having heard and received testimony and evidence from Petitioner, makes the following findings of fact and conclusions of law and thereupon orders, as follows:

Findings of Fact

1. Respondents, Ethelene Moore et al. ("Respondent"), are the owners of residential real property located at 135 NW Long Street in Lake City, Florida ("Property"). The Property is currently vacant.
2. City of Lake City Code Inspector Beverly Jones initially inspected Respondents' residential property on May 4, 2017 and observed a structure with broken windows, which make the interior accessible, a roof in disrepair (it appears a tree may have landed upon it during one of the recent storms), and grass and weeds exceeding Petitioner's allowable limit of 12 inches.
3. On May 4, 2017, Petitioner sent a Warning Notice via USPS first class mail addressed to Respondents c/o Vincent Livingston at 1630 NE 185th Street, Shoreline, WA 98155,

describing the alleged violations and requesting that the violations be corrected no later than June 30, 2017.

4. City of Lake City Code Inspector Beverly Jones re-inspected the Property on August 31, 2017 and the conditions were unchanged. On August 31, 2017, Petitioner sent a Notice of Violation (NOV) via USPS certified mail to Respondents c/o Vincent Livingston at 1630 NE 185th Street, Shoreline, WA 98155, again describing the alleged violations on the Property and requesting that the violations be corrected on or before October 1, 2017. A Notice of Hearing was also included with the time and place of the October 12, 2017 hearing. USPS returned the certified mail receipt to Petitioner indicating that it was received by Respondents.
5. City of Lake City Code Inspector Beverly Jones re-inspected the Property on October 30, 2017 and the conditions were unchanged.

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. Respondents were properly notified of the alleged violations on the Property and provided with a reasonable period of time within which to correct the violations.
4. Respondents failed to timely correct the alleged violations on the Property.

5. Petitioner requested a hearing and provided proper notice to Respondents of its date, time and location.

Order

1. Within ninety (90) days of the date of this Order, Respondents shall take all actions necessary to obtain a permit from Petitioner to repair or demolish the structure on the subject Property and properly remove all trash and debris on the Property, as stated and described herein and in accordance with Petitioner's Code of Ordinances and other applicable laws and regulations.
2. In the event the subject Property is not brought into compliance with Petitioner's Code of Ordinances on or before the 90th day, a daily fine of one-hundred dollars (100.00) will begin to accrue on the 91st day, in accordance with Section 162.09, Florida Statutes, and may become a lien on the Property upon which Petitioner may foreclose.
3. Within ten days of the date of this Order, Respondents shall reimburse Petitioner for expenses incurred in this matter in the amount of six dollars and fifty-six cents (\$6.56). If unpaid, this amount may be added to the amount of any lien imposed on the Property by Petitioner.

DONE AND ORDERED in this 10 day of November 2017.


JENNIFER B. SPRINGFIELD
SPECIAL MAGISTRATE

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true copy of the foregoing has been furnished to Respondents, Ethelene Moore et al. c/o Vincent Livingston at 1630 NE 185th Street, Shoreline, WA 98155 via USPS regular mail, and to Beverly Jones, City of Lake City, Florida via electronic mail to jonesb@lcfla.com this 6 day of November 2017.



Jennifer B. Springfield

Copies to:
JohnsonW@lcfla.com
hofertr@lcfla.com