

STAFF REPORT REGULAR MEETING

AGENDA DATE: September 5, 2023

DEPARTMENT: City Attorney

TITLE:

City of Lake Worth Beach v North H Enterprises, Inc., et al., Case No. 50-2020-CA-009354

SUMMARY:

The City had previously commenced a foreclosure action relative to the properties located at 219 North H Street, 221 North H Street, and 225 North H Street. The City was successful at the Trial court, and the Court entered an Order granting foreclosure and entering judgment in the City's favor in the amount of \$960,173.00. The Court also ordered the parties to attend mediation. At mediation, the City and property owners agreed to release all liens related to these properties in exchange for the demolition of certain structure and the payment of \$650,000 by the property owner to the City.

BACKGROUND AND JUSTIFICATION:

As set forth in the Summary, the parties have entered into the attached Agreed Mediated Settlement, subject to consideration and approval by the City Commission. The Agreement provides that the rear unoccupied building located at 221 North H Street and the unoccupied building located at 225 North H Street shall be demolished by October 30, 2023. The Agreement also provides that the property owner pay the City the sum of \$650,000 by October 30, 2023.

If the above demolition and payment is timely completed, the City will release all code liens at the subject properties (219 North H Street, 221 North H Street, and 225 North H Street) and dismiss the lawsuit.

If the above demolition and payment is not timely completed, the City will move forward with the sale of the property via foreclosure.

MOTION:

Move to approve/disapprove the Agreed Mediated Settlement.

ATTACHMENT(S):

Agreed Mediated Settlement