

IN THE CIRCUIT COURT OF THE 15TH JUDICIAL CIRCUIT
IN AND FOR PALM BEACH COUNTY, FLORIDA

CITY OF LAKE WORTH BEACH, a Florida
Municipal Corporation,

CASE NO.: 50-2020-CA-009354

Plaintiff,

v.

NORTH H ENTERPRISES, INC., a Florida
corporation, and MASTER CONTRACTORS
INC., A Florida corporation.

Defendant.

AGREED MEDIATED SETTLEMENT

Plaintiff, CITY OF LAKE WORTH BEACH (hereinafter referred to as the “CITY”), and counsel for North H Enterprises, Inc., (hereinafter referred to as the “North H”), file this Agreed Mediated Settlement and states as follows:

1. Pursuant to the Court’s Order Requiring Mediation, dated May 9, 2023, the Parties mediated this matter on July 3, 2023 and August 2, 2023.

2. As a result of the mediations, the Parties have entered into a Negotiated Settlement Agreement as follows:

A. North H agrees to obtain the necessary demolition permit from the CITY and complete the demolition, including all inspections, of the rear, unoccupied, building located at 221 North H and the unoccupied building located on 225 North H on or before October 30, 2023;

B. North H agrees to pay and remit to the City a total of SIX HUNDRED AND FIFTY THOUSAND DOLLARS (\$650,000.00) on or before October 30, 2023. This payment shall be made by wire transfer with the funds received by the City on or before October 30, 2023;

C. North H shall not remit any payment or commence the demolition set forth in A. above until the City Commission for the City of Lake Worth Beach approves this Negotiated Settlement Agreement.

D. If North H timely completes its obligations under this Negotiated Settlement Agreement, the City will:

- a. File a dismissal of this lawsuit, with prejudice, with each party bearing their own fees and costs; and,
 - b. Close, comply, release and deem satisfied any obligations, monetary or otherwise, that North H owed to the CITY arising out of or relating to the following code enforcement cases and liens:
 - i. Code Enforcement Case 16-0001663, ORB 29158, Page 1583;
 - ii. Code Enforcement Case 17-0002185, ORB 29411, Page 0821;
 - iii. Code Enforcement Case 19-0003684, ORB 31095, Page 0097;
 - iv. Code Enforcement Case 17-0002129, ORB 29411, Page 0819;
 - v. Code Enforcement Case 19-0003686, ORB 31095, Page 0100;
 - vi. Code Enforcement Case 17-0002103, ORB 29411, Page 0817; and,
 - vii. Code Enforcement Case 19-0003697, ORB 31095, Page 0103.
- E. If North H fails to complete its obligations under this Negotiated Settlement Agreement for any reason, the Parties agree that the City shall seek a sale date for the properties located at 219 North H Street, 221 North H Street and 225 North H Street from the Court without objection from North H.
- F. This Negotiated Settlement Agreement resolves the judgment and claims provided within Judge Curley's **ORDER ON PLAINTIFF'S AMENDED MOTION FOR SUMMARY JUDGMENT (AS TO TITLE ONLY) AND MOTION FOR DEFAULT FINAL JUDGMENT AS TO DEFENDANT MASTER CONTRACTORS INC., AS TO CODE ENFORCEMENT CASE NOS. 16-1663, 17-00002185, 17-0002129, AND 17-0002103**, issued on May 9, 2023 in this litigation, and the above listed liens regarding the properties located at 219 North H Street, 221 North H Street and 225 North H Street, which the City had, has or could have asserted through the date of this Agreement. The CITY acknowledges it has not previously assigned the Claims to any other person or entity and is not aware of any other claims against North H as of the date of this Agreement.
- G. Further, all code enforcement claims the City had, has or could have asserted through the date of this Negotiated Settlement Agreement are released, and the City acknowledges such code enforcement claims were not previously assigned to any other person or entity. The City may initiate any code enforcement case for any condition or violation existing on the properties located at 219 North H Street, 221 North H Street and 225 North H Street after the date of this Agreement.

Attorneys for the City of Lake Worth Beach	Attorneys for North H Enterprises, Inc.
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