

RESOLUTION NO. 06-2024 OF THE CITY OF LAKE WORTH BEACH, FLORIDA, DOCUMENTING THE ASSESSMENT OF THE COSTS INCURRED BY THE CITY PURSUANT TO SECTION 12-42 OF THE CITY CODE OF ORDINANCES FOR THE ABATEMENT OF CERTAIN NUISANCES (LOT CLEARING) WITHIN THE CITY; LEVYING LIENS ON SAID PROPERTIES IDENTIFIED HEREIN; PROVIDING FOR THE RECORDING OF THIS RESOLUTION IN THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA; PROVIDING A SEVERABILITY CLAUSE, AN EFFECTIVE DATE AND FOR OTHER PURPOSES

WHEREAS, the City of Lake Worth Beach, Florida has, pursuant to sections 12-38 through 12-42 of the Code of Ordinances of the City of Lake Worth Beach, Florida, as amended, found and determined that the condition of certain properties or parcels of land as hereinafter described violated section 12-38 of said Code by reason of the existence of debris, vegetation, tree, or other matter thereon and thereby created a hazard declared to be a public nuisance; and

WHEREAS, the respective owners of the parcels of property hereinafter described were duly notified of the existence of the aforesaid nuisances on their properties and were required to abate the nuisances; and

WHEREAS, said owners have, after being duly notified by a Notice of Violation, failed to bring their property into code compliance; and

WHEREAS, the lots have been cleared of debris, vegetation, tree or other public nuisance thereon by the City or its contractor at a cost to the City as set forth below; and

WHEREAS, it is recommended that in accordance with section 12-42 of the Code of Ordinances of the City of Lake Worth Beach, the costs incurred to abate said nuisances, which are assessed against the respective properties as special assessment liens, be hereby documented and recorded against the properties in the Public Records of the Palm Beach County, Florida.

NOW THEREFORE BE IT RESOLVED BY THE CITY COMMISSION OF THE CITY OF LAKE WORTH BEACH, FLORIDA, that:

**Section 1.** The foregoing recitals are hereby ratified and confirmed as being true and correct and are hereby made a specific part of this resolution.

**Section 2.** Legislative Determinations. It is hereby ascertained and declared that the lot clearing on the properties listed in **Exhibit "A"** (attached hereto and incorporated herein) provided a special benefit to each parcel assessed, based upon the following legislative determinations:

(A) It is hereby ascertained, determined, and declared that each assessed parcel has benefitted by the City's provision of lot clearing services in an amount not less than the amount

of the lot clearing services costs imposed against each parcel.

(B) It is fair and reasonable to assess the lot clearing services costs in the amounts actually expended by the City to benefit each assessed parcel.

**Section 3.** In accordance with sec. 12-42 of the Code of Ordinances, at the time services were provided, all costs incurred by the City in the abatement of nuisances on the following parcels of land, along with an administrative fee, were levied and assessed against said properties as municipal special assessment liens on the properties identified and in the amounts indicated on the attached "**Exhibit A**". To each of the aforesaid lien amounts shall be added the cost to reimburse the City to record each lien in the Public Records of Palm Beach County, Florida. The City Commission is hereby documenting such special assessment liens through this resolution.

**Section 4.** Said liens shall be prior in dignity to all other liens, encumbrances, titles and claims against the property and equal in rank and dignity with ad valorem taxes and shall remain on such property until paid. A failure to pay any such lien, even a lien upon homesteaded property, may result in a loss of title to property.

**Section 5.** Said special assessment liens shall bear interest from the date of adoption of this resolution at the legal rate until fully paid.

**Section 6.** The City Clerk is hereby directed to record a certified copy of this resolution in the Public Records of Palm Beach County, Florida. The failure to record a certified copy of this resolution shall not affect the validity of any special assessment.

**Section 7.** The Finance Department is hereby directed to mail a copy of this resolution to the owners of the parcels of land levied hereby at the last known address of such owner.

**Section 8.** Such assessment liens, together with interest, administrative fees costs, and reasonable attorneys' fees shall be enforced and collected, and may be foreclosed, pursuant to the Code of Ordinances of the City of Lake Worth Beach and applicable provisions of law. Such assessment liens, if they remain unpaid, may also be collected pursuant to the uniform method set forth in sec. 197.3632, Fla. Stat. or through any other remedy available at law or in equity.

**Section 9.** All resolutions or parts of resolutions in conflict herewith are hereby repealed.

**Section 10.** If any provision of this resolution or the application thereof to any person or circumstances is held invalid, the invalidity shall not affect other provisions or applications of this resolution which can be given effect without the invalid provision or application and to this end the provisions of this resolution are declared severable.

**Section 11.** This resolution shall take effect upon adoption.

The passage of this resolution was moved by Commissioner \_\_\_\_\_, seconded by Commissioner \_\_\_\_\_, and upon being put to a vote, the vote was as follows:

Mayor Betty Resch  
Vice Mayor Christopher McVoy  
Commissioner Sarah Malega  
Commissioner Kim Stokes  
Commissioner Reinaldo Diaz

The Mayor thereupon declared this resolution duly passed and adopted on this \_\_\_\_ day of March, 2024.

LAKE WORTH BEACH CITY COMMISSION

By: \_\_\_\_\_  
Betty Resch, Mayor

ATTEST:

\_\_\_\_\_  
Melissa Ann Coyne, MMC, City Clerk

## Exhibit A

CASE #	OWNER	MAILING ADDRESS	MAILING CITY/STATE	PCN	LEGAL DESCRIPTION	PROPERTY ADDRESS	INVOICE AMOUNT
23-356	MAESEL SHAWN R	105 E PALMETTO PARK RD	BOCA RATON FL 33432 4801	38-43-44-21-15-118-0091	TOWN OF LAKE WORTH N 1/2 OF LT 9 & LT 10 BLK 118	420 N H ST	\$500.00
23-1273	BECKMAN RICHARD A	1125 N K ST	LAKE WORTH BEACH FL 33460 2235	38-43-44-25-15-346-0100	TOWN OF LAKE WORTH LT 10 BLK 346	1125 N K ST	\$855.00
23-1272	JOHNSON BRUCE	412 S B ST	LAKE WORTH BEACH FL 33460 4338	38-43-44-21-15-137-0081	TOWN OF LAKE WORTH N 25 FT OF LT 6 BLK 137	412 S B ST	\$963.79
23-1410	BANTOCRATOR TRUST	7756 NEMEC DR S	WEST PALM BEACH FL33406 8761	38-43-44-21-15-066-0150	TOWN OF LAKE WORTH LT 15 BLK 66	205 N C ST	\$1,034.61
23-1500	APPRECIATE CHARITY INC	700 S DIXIE HWY	LAKE WORTH BEACH FL 33460 4951	38-43-44-21-15-223-0090	TOWN OF LAKE WORTH LT 9 (LESS E 2.25 FT & NELY TROGLR PAR US NO 1 R/W) BLK 223	700 S DIXIE HWY	\$1,305.54
23-1893	WILLIAMS ICON HOMES & PROPERTIES & DEALE WILLIAM R	1616 CAMERON LANDING DR	STOCKBRIDGE GA 30281 6863	38-43-44-21-15-082-0312	TOWN OF LAKE WORTH W 45 FT OF LTS 31 & 32 BLK 82	1006 3RD AVE N	\$500.00
23-2245	MAESEL SHAWN R	105 E PALMETTO PARK RD	BOCA RATON FL 33432 4801	38-43-44-21-15-118-0091	TOWN OF LAKE WORTH N 1/2 OF LT 9 & LT 10 BLK 118	420 N H ST	\$837.80
24-11	ALC HOME SERVICES LLC	7495 W ATLANTIC AVE STE 200-288	DELRAY BEACH FL 33446 1393	38-43-44-21-15-235-0130	TOWN OF LAKE WORTH LT 13 BLK 235	719 S C ST	\$665.00
			-			TOTAL	\$6,661.74