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RESOLUTION NO. 03-2021 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:

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(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.

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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 Pam Triolo
- Vice Mayor Andy Amoroso
- Commissioner Scott Maxwell
- Commissioner Carla Blockson
- Commissioner Herman Robinson

The Mayor thereupon declared this resolution duly passed and adopted on this 2nd
day of February, 2021.

LAKE WORTH BEACH CITY COMMISSION

By: _____
Pam Triolo, Mayor

ATTEST:

Deborah M. Andrea, CMC, City Clerk

EXHIBIT "A"
LOT CLEARINGS

CASE #	OWNER	OWNER ADDRESS	OWNER CITY/STATE	PCN	LEGAL DESCRIPTION	PROPERTY ADDRESS	INVOICE AMOUNT
20-1682	S PINE ST LAND TRUST MARTIN ANTONIO G ESQ TR	1420 CELEBRATION BLVD STE 200	KISSIMMEE FL 34747 5162	38-43-44-28-03-000-0280	ADD 1 TO LAKEVIEW HGTS LT 28	616 S PINE ST	\$ 285.14
20-1646	KEIRN MICHAEL & SCARCELLA KEIRN ANNETTE	1604 13TH AVE N	LAKE WORTH BEACH, FL 33460	38-43-44-33-07-000-0150	LAKE OSBORNE MANOR LT 15	1420 HILLCREST DR	\$ 226.40
20-1686	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 TRGLR PAR US NO 1 R/W)	700 S DIXIE HWY	\$ 380.57
20-1582	JOHNSON BRUCE	412 S B ST	LAKE WORTH BEACH, FL 33460	38-43-44-21-15-137-0061	TOWN OF LAKE WORTH N 25 FT OF LT 6 BLK 137	412 S B ST	\$ 258.57
20-1684	PIMIENTA JUAN C	1015 S G ST	LAKE WORTH BEACH FL 33460 4845	38-43-44-21-15-281-0120	TOWN OF LAKE WORTH LTS 12 BLK 281	1015 S G ST	\$ 1,598.26
20-1326	DEALE WILLIAM R & WILLIAMS ICON HOMES & PROPERTIES	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	\$ 455.51
20-1691	AGUSTI HECTOR F EST	1018 N C ST	LAKE WORTH FL 33460 2049	38-43-44-21-15-322-0050	TOWN OF LAKE WORTH LT 5 BLK 322	1018 N C ST	\$ 1,530.76
20-1759	MALDONADO CELESTINA & RIVASDARDAN AMANDA S	417 S D ST	LAKE WORTH BEACH FL 33460	38-43-44-21-15-139-0240	TOWN OF LAKE WORTH LTS 24 & 25 BLK 139	417 S D ST	\$ 528.01
20-1176	MAESEL SHAWN R	105 E PALMETTO PARK RD	BOCA RATON, FL 33432	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	\$ 660.14
20-1979	DUBE DANIEL & FLEITAS ABEL	622 WRIGHT DR	LAKE WORTH BEACH FL 33460	38-43-44-33-07-000-0150	LAKE OSBORNE HEIGHTS LT 75	622 WRIGHT DR	\$ 930.00
20-1667	SIMON SUSAN J	116 MONTEREY WAY	WEST PALM BEACH FL 33411	38-43-44-21-15-213-0072	TOWN OF LAKE WORTH W 45 FT OF E 90 FT OF N 20 FT OF LT 7 & W 45 FT OF E 90 FT OF LT 8 BLK 213	513 6TH AVE S	\$ 358.87
20-1935	CITRUS LAND & TIMBER INC	1908 NW 4TH AVE APT 112	BOCA RATON, FL 33432	38-43-44-21-15-064-0030	TOWN OF LAKE WORTH LTS 3 TO 5 INC BLK 64	204 N C ST	\$ 511.87