

RESOLUTION NO. 2023-_____

CITY OF POMPANO BEACH
Broward County, Florida

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, AUTHORIZING THE PROPER CITY OFFICIALS TO EXECUTE THE RELEASE OF LIENS; AGREEING TO WAIVE IN FULL THE (17) SEVENTEEN NUISANCE ABATEMENT LIENS PLUS ACCRUED INTEREST AND COSTS TOTALING \$3,992.94 AGAINST REAL PROPERTY LOCATED AT 3012 NW 2ND STREET, POMPANO BEACH, FLORIDA, WHICH IS CURRENTLY OWNED BY THE CITY OF POMPANO BEACH; PROVIDING AN EFFECTIVE DATE.

WHEREAS, pursuant to Chapter 96.26 Public Nuisances, "Health and Safety", of the Code of Ordinances of the City of Pompano Beach, on 11 (eleven) separate occasions since 1995, the City Manager or his designated representative did declare the existence of a nuisance upon real property identified by Folio No. 4842 33 04 7620 (hereinafter PROPERTY), which is further described as follows.

LEGAL: LOT NO. 1149 OF COLLIER CITY, AN UNRECORDED PLAT AS FOLLOWS: SECTION 33, TOWNSHIP 48 SOUTH, RANGE 42 EAST, THE WEST 50 FEET OF THE EAST 235 FEET OF THE SOUTH 1/5 OF THE NORTHEAST 1/4 OF THE SOUTHWEST 1/4, SOUTHWEST 1/4, LESS THE NORTH 25 FEET FOR THE STREET OF BROWARD COUNTY, STATE OF FLORIDA

FOLIO: 4842 33 04 7620

ADDRESS: 3012 NW 2nd Street, Pompano Beach, Florida

WHEREAS, due to neglect and/or failure of the prior owner of the PROPERTY to timely abate the aforesaid nuisances, the City of Pompano Beach (hereinafter CITY), through agents or contractors hired by the City Administration, was therefore required to and did enter upon said PROPERTY on

eleven (11) separate occasions since 1994, and incurred costs, including administrative fees and interest totaling \$3,992.94 to abate said nuisances; and

WHEREAS, the City Commission passed Resolutions that documented the aforementioned CITY expenditures to abate said nuisances and directed the City Clerk of Pompano Beach to record a certified copy of said Resolutions in the Public Records of Broward County so that upon the date and time of recording of the certified copies, liens with interest as set by Chapter 55.03, Florida Statutes, would then become effective (Exhibits 1); and

WHEREAS, after acquiring the subject PROPERTY by Tax Deed on August 7, 2003 (Exhibit 2), Broward County Board of Commissioners subsequently conveyed it to the CITY on December 4, 2019 (Exhibit 3); and

WHEREAS, OHUI has constructed single family home on said property that is currently under contract for sale with a qualified buyer; and

WHEREAS, as said Nuisance Abatement liens have expired per the five (5) year Statute of Limitations and are void and unenforceable as of this date; and

WHEREAS, Section 96.36 (B) of the Pompano Beach Code of Ordinances provides the City Commission may waive nuisance abatement liens and/or all accrued interest associated with a nuisance abatement lien upon a showing of good cause.

NOW THEREFORE, BE IT RESOLVED BY THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA:

SECTION 1: The City Commission of Pompano Beach does hereby waive the \$3,992.94 the CITY spent in nuisance abatement plus any accrued interest as set forth in CITY Resolution Nos. 95-34, 97-105, 98-32, 98-124, 99-46, 99-299, 2001-44, 2002-87, 2003-161,

2004-139 and 2004-340, all of which have been recorded in the Public Records of Broward County.

SECTION 2: The proper CITY officials are hereby authorized to waive in full the \$3,992.94 the CITY spent in nuisance abatement costs plus accrued interest and to execute the Release of Liens on the subject Nuisance Abatement cases (attached hereto are the Release of Liens as Exhibit 4) and record a certified copy of same along with a certified copy of this Resolution in the Public Records of Broward County, Florida.

SECTION 3: This Resolution shall become effective upon passage.

PASSED AND ADOPTED this _____ day of _____, 2023.

REX HARDIN, MAYOR

ATTEST:

KERVIN ALFRED, CITY CLERK

JZ/mcm
5/23/2023
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