

RESOLUTION NO. _____

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF KEY WEST, FLORIDA, AUTHORIZING THE CITY MANAGER TO ENTER INTO AN AGREEMENT WITH ANDREA SHAYE MORGAN, THROUGH HER REPRESENTATIVE ATTORNEY ROBERT CINTRON, AS PROPERTY OWNER OF 621 EATON STREET, PERMITTING A RELEASE OF LIEN UPON PAYMENT BY THE OWNERS OF THE AMOUNT OF \$20,000.00; PROVIDING CONDITIONS; PROVIDING FOR AN EFFECTIVE DATE

WHEREAS, a property lien in the total amount of \$108,500.00, resulting from fines accrued in Code Compliance File No. 13-0758, was promulgated upon owner of record, Andrea Morgan; and

WHEREAS, on January 27, 2015, compliance was achieved, and daily fines were discontinued, however, the fine amount had accumulated to One Hundred and Eight Thousand Five Hundred Dollars (\$108,500.00), and on January 28, 2015 the Special Magistrate imposed an order for a lien to be filed; and

WHEREAS, the lien was filed with the Monroe County Clerk of Courts in Book number 2742, Page number 1897 on May 28, 2015; and

WHEREAS, on March 19, 2019, Code Compliance received a Lien Mitigation Request from Andrea Shaye Morgan, the property owner offering \$20,000.00 to settle the lien, and in Resolution 19-202 the City Commission authorized an Lien Mitigation Agreement to be paid within 30 days of approval (July 2019); and

WHEREAS, the mitigated Lien was not payed timely, and the owner has submitted a new request for lien mitigation; and

WHEREAS, on September 14, 2021, the City Commission considered the owner's request to release the lien imposed on the property.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COMMISSION OF THE CITY OF KEY WEST, FLORIDA, AS FOLLOWS:

Section 1: That the City Manager, upon the advice and consent of the City Attorney, is authorized to enter into an agreement with Andrea Shaye Morgan, through her representative Attorney Robert Cintron, as the owner of the property known as 621 Eaton Street, to allow the City's release of lien upon payment of a mitigated amount of \$20,000.00.

Section 2: That the property owner shall pay the reduced lien amount of \$20,000.00 [on or before the closing date for sale of the property, or within thirty (30) days of the date of this Resolution, whichever is sooner,] as a condition precedent to the release of the \$108,500.00 lien.

Section 3: City staff is directed to provide the property owner/representative with a Release of Lien for recording with the Monroe County Clerk Of Courts upon receipt of full payment of the lien mitigation amount.

Section 4: That this Resolution shall go into effect immediately upon its passage and adoption and authentication by the signatures of the presiding officer and Clerk of the Commission.

Passed and adopted by the City Commission at a meeting held this _____ day of _____, 2021.

Authenticated by the presiding officer and Clerk of the Commission on _____, 2021.

Filed with the Clerk on _____, 2021.

Mayor Teri Johnston _____
Vice Mayor Sam Kaufman _____
Commissioner Gregory Davila _____
Commissioner Mary Lou Hoover _____
Commissioner Clayton Lopez _____
Commissioner Billy Wardlow _____
Commissioner Jimmy Weekley _____

TERI JOHNSTON, MAYOR

ATTEST:

CHERYL SMITH, CITY CLERK