

RESOLUTION NO. _____

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF KEY WEST, FLORIDA, APPROVING A PARTIAL RELEASE OF LIEN FOR THE PROPERTY LOCATED AT 1019 PACKER STREET, KEY WEST, FL TO FACILITATE RESOLUTION OF A BOUNDARY DISPUTE WITH 1020 PACKER STREET; PROVIDING FOR AN EFFECTIVE DATE

Whereas, the City of Key West holds a lien in the amount of \$1,285,500.00 plus accrued interest and additional daily fines until certain violations are brought into compliance against a property located at 406 Petronia Street in Key West, FL owned by Alexei Saenko by virtue of code enforcement order originating in code compliance case numbers 12-1771 and 18-0233 and duly recorded with the Monroe County Clerk of Court; and

Whereas, Florida Statute 162.09(3) mandates that a certified copy of an order imposing a fine, or a fine plus repair costs, may be recorded in the public records and thereafter shall constitute a lien against the land on which the violation exists and upon any other real or personal property owned by the violator; and

Whereas, the property owner of 1021 Packer Street, Falcon Eyrie Farms, LLC (Falcon) wishes to settle a boundary dispute with Alexie Saenko, the owner of 1019 Packer Street, which is also subject to said liens for 406 Petronia Street, pursuant to F.S. 162.09(3), albeit not the location of the code violations; and

Whereas, to facilitate the resolution of the Packer Street boundary dispute, the owner of 1021 Packer Street has negotiated

to take ownership of a narrow strip of land comprised of approximately 163 square feet of the lien-encumbered 1019 Packer Street property, conditioned upon the City Commission issuing a partial release of lien as it pertains to that 163 square feet of 1019 Packer Street; and

Whereas, pursuant to written agreement, the owner of 1021 Packer Street is not responsible for code violations at 406 Petronia Street, which have resulted in the code compliance liens that extend to 1019 Packer Street, and no code violations have been identified at the 1019 Packer Street property. The boundary dispute impedes value and salability of both Packer Street properties; and

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

Section 1: That the City Manager, on behalf of the City Commission, is authorized to execute a partial release of lien, specifically to remove the lien encumbrance on the 163 square feet of property at 1019 Packer Street that is identified to be transferred to Falcon Eyrie Farms, LLC, as owner of 1021 Packer Street, to resolve the boundary dispute. The liens remain with the property at 406 Petronia Street and the remaining property at 1019 Packer Street, owned by Alexei Saenko.

Section 2: That this Resolution shall go into effect immediately upon its passage and adoption and authentication by the signature of the Presiding Officer and the 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 _____ day of _____, 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