

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 ELISABETH ODOU, AS FORMER PROPERTY OWNER OF 2505 SEIDENBERG AVENUE, PERMITTING A RELEASE OF LIEN UPON PAYMENT BY THE OWNERS OF THE MITIGATED AMOUNT OF [\$21,375.00 REQUESTED]; PROVIDING CONDITIONS; AUTHORIZING THE CITY MANAGER TO EXECUTE ANY NECESSARY DOCUMENTS; PROVIDING FOR AN EFFECTIVE DATE

WHEREAS, the City of Key West holds a lien in the total amount of \$42,750.00, against a property located at 2505 Seidenberg Avenue, formerly owned by Joel and Elizabeth Odou, and currently owned by Jamal Malik Edwards, by virtue of code enforcement orders originating in Code Compliance Case number CC 2022-0661 (for an unlicensed business formerly operated by Ms. Odou at 517 Fleming Street); and

WHEREAS, on October 19, 2022, compliance was achieved, by virtue of the Florida Department of Hotels and Restaurants, along with Key West Police Department posting the subject unlicensed business closed, and daily fines were discontinued, however, the fine amount had accumulated to Forty Two Thousand, Seven Hundred and Fifty Dollars (\$42,750.00); and

WHEREAS, Florida Statutes Sec. 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 lien was filed with the Monroe County Clerk of Courts in Book number 3199, Page number 2139 on November 1, 2022; and

WHEREAS, on February 28, 2023, Code Compliance received a Lien Mitigation Request from Elisabeth Odou as former property owner, offering \$21,375.00 to settle the case, and on April 4, 2023, the City Commission considered the owner's request; 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, upon the advice and consent of the City Attorney, is authorized to enter into an agreement with Elizabeth Odou, as the former owner of the property located at 2505 Seidenberg Avenue, to allow the City's release of lien upon payment of a mitigated amount of **[\$21,375.00 requested]**.

Section 2: That the property owner shall pay the reduced lien amount of [\$21,375.00 requested] [within thirty (30) days of the date of this Resolution] as a condition precedent to the release of the \$42,750.00 lien.

Section 3: That 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 the City Manager or designee is authorized to execute any necessary documents, upon consent of the City Attorney.

Section 5: 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 _____, 2023.

Authenticated by the presiding officer and Clerk of the
Commission on _____, 2023.

Filed with the Clerk on _____, 2023.

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

TERI JOHNSTON, MAYOR

ATTEST:

CHERYL SMITH, CITY CLERK