

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  
252 MARS LANE, GEIGER KEY, FL; PROVIDING FOR  
AN EFFECTIVE DATE**

Whereas, the City of Key West holds a lien in the amount of \$244,550.00 plus accrued interest and additional daily fines until certain violations are brought into compliance against a property located at 2804 Seidenberg Ave. in Key West, FL owned by Lissette Cuervo and Louis Cuervo T/C by virtue of a code enforcement order originating in code compliance case number 09-2109 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, Lissette Cuervo has proposed to sell her property located at 252 Mars Lane on Geiger Key, which is also subject to said lien pursuant to F.S. 162.09(3), albeit not the location of the code violations; and

Whereas, to facilitate the sale of 252 Mars Lane, it is necessary for the City Commission to issue a partial release of lien only as it pertains to 252 Mars Lane;

Whereas, pursuant to written agreement, it is the intent of

the property owners to bring the code violations at 2804 Seidenberg Avenue into compliance forthwith upon the sale of 252 Mars Lane and the proceeds from said sale will be used in part to achieve compliance.

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 encumbrance on the property located at 252 Mars Lane on Geiger Key, Florida.

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 \_\_\_\_\_, 2018.

Authenticated by the Presiding Officer and Clerk of the  
Commission on \_\_\_\_\_ day of \_\_\_\_\_, 2018.

Filed with the Clerk on \_\_\_\_\_, 2018.

Mayor Craig Cates	_____
Vice Mayor Clayton Lopez	_____
Commissioner Sam Kaufman	_____
Commissioner Richard Payne	_____
Commissioner Margaret Romero	_____
Commissioner Billy Wardlow	_____
Commissioner Jimmy Weekley	_____

\_\_\_\_\_  
CRAIG CATES, MAYOR

ATTEST:

\_\_\_\_\_  
CHERYL SMITH, CITY CLERK