

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 MATTHEW McDOWELL, THROUGH HIS REPRESENTATIVE ATTORNEY GREG OROPEZA, AS CURRENT PROPERTY OWNER, AND DOUGLAS BROWN AS CONTRACTED BUYER OF 1330 20<sup>th</sup> STREET, PERMITTING A RELEASE OF LIEN UPON PAYMENT BY THE OWNERS OF THE AMOUNT OF [\$40,000.00]; PROVIDING FOR AN EFFECTIVE DATE

WHEREAS, a property lien in the total amount of \$805,000.00, resulting from fines accrued in Code Compliance File No. 10-1059, was promulgated upon owner of record; and

WHEREAS, on September 19, 2011 a lien in the amount of \$28,250.00 was filed with the Monroe County Clerk in Book 2534 on Page 1344, with a daily fine in the amount of \$250.00, and compliance was achieved on March 1, 2020, at which time the fine amount had accumulated to Eight Hundred and Five Thousand Dollars (\$805,000.00); and

WHEREAS, Code Compliance received a Lien Mitigation Request from Gregory Oropeza, on behalf of Douglas Brown, who is under contract as purchaser for a proposed short sale of the property, offering a mitigated fine amount of \$40,000.00; and

WHEREAS, on July 21, 2020, the City Commission considered the request to release the liens 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 Matthew McDowell the property owner, and Douglas Brown, the contracted prospective buyer, through their representative Attorney Gregory Oropeza for the property known as 1333 20<sup>th</sup> Street, to allow the City's release of lien upon payment of a mitigated amount of [\$40,000.00.]

Section 2: That the property owner shall pay the reduced lien amount of [\$40,000.00] within thirty (30) days of the date of this Resolution as a condition precedent to the release of the \$805,000.00 lien.

Section 3: 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 \_\_\_\_\_, 2020.

Authenticated by the presiding officer and Clerk of the Commission on \_\_\_\_\_, 2020.

Filed with the Clerk on \_\_\_\_\_, 2020.

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