

RESOLUTION NO. 2024-14R-10

A Resolution adopting and imposing a CLAIM OF LIEN and CERTIFICATE OF INDEBTEDNESS against the hereinafter described real property for fines and administrative costs imposed by the Town pursuant to Ordinance No. 379, Section 13-45, for failure to correct a continuing violation of the Town's Nuisance Ordinance.

WHEREAS, the hereinafter described property has been cited by the Town for a violation of its Nuisance Ordinance in that there is a growth of grass and weeds which exceeds 14 inches in height as well as open sink holes in violation of section 13-38(1) of the Town's Nuisance Code and also an overall condition so that the property is detrimental to the health, safety, welfare, of property of others and causes or tends to cause a substantial diminution in the value in the property of others in violation of Section 13-37(1) of said Nuisance Code; and

WHEREAS, the TOWN has imposed a fine of \$100 per day for the period of June 3, 2022 to February 7, 2023, and a fine of \$500 per day from February 8, 2023 until the violations are corrected as well as an administrative charge of \$15 for the processing of the violations pursuant to Section 14-45(5) of said Nuisance code;

WHEREAS, as of October 29, 2024 the above-described violations have not been corrected, and such fines have an accumulated total of \$340,000.00 plus the processing fee of \$15.00 for a total of \$340,015.00; and

WHEREAS, this Resolution 2024-14R-10 supersedes Resolution 2024-14R-9 adopted by the Town on September 24, 2024, addressing the heretofore described violations, which as of September 24, 2024 were and continue as of the date of this Resolution 2024-14R-10 to be uncorrected, for the below-described real property.

NOW THEREFORE AND IN VIEW OF THE FOREGOING, a Claim of Lien and Certificate of Indebtedness is now hereby adopted and imposed upon the following described real property located in the Town of Havana, Florida:

705 Fla. GA. Highway
Havana, FL 32333

OR 838 P 1718 OR 132 P 459-BEGIN 819 FT N OF NEC OF SW1/4 OF SE1/4 RUN W 408.2 FT N 151.25 FT TO S SIDE OF U S 27 RUN N/ELY ALONG RD 460 FT TO A POINT DUE N OF POB RUN S 371 FT TO POB CONTAINING 2.3 ACRES. BEGIN 408.2 FT W & 163 FT N OF NEC OF SW1/4 OF SE1/4 W 310 FT S 167.7 FT N 89 DEG 46 MIN W 591.85 FT N 1 DEG 46 MIN E 385.85 FT TO S OF US 27 N/ELY ALONG SAID RD 1070 FT TO A PT DUE N OF POB'S 807.25 FT TO POB CONTAINING 13-8 ACRES. BEGIN AT A POINT 408.2 FT W OF NEC OF SW1/4 OF SE1/4 N 163 FT W 310 FT S 167.7 FT E 48.55 FT S 0 DEG TO P.O.B IN SECTION 34-3N-2W.

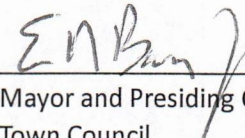
Owned by IICE BHAASKET PROPERTIES, LLC
12815 Water Point Blvd.
Windermere, FL 34786

In the total amount of \$340,015.00 as of October 29, 2024 as shown on the chart attached hereto as Exhibit "A" and made apart hereof.

The Town reserves its rights to adopt subsequent claims of lien and certificates of indebtedness to address continuing, repeated, or additional violations as those described above, with respect to the described real property, and to take all other lawful actions available to the Town.

Upon recording this Claim of Lien shall constitute a lien against the hereinabove described property and shall upon petition to the Circuit Court be enforceable in the same manner as a court judgment by the sheriffs of this state, including execution and levy against the property of the violator. The Town may also enforce this lien using any method available to it under Florida law, including the initiation of legal proceedings to collect or foreclose on this lien and may recover the costs of the suit and reasonable attorney's fees, all pursuant to section 35-45 of the Town's Nuisance Code.

ADOPTED BY THE TOWN COUNCIL in open session this 29 day of October, 2024.



Mayor and Presiding Officer of the
Town Council

Attest:



Town Clerk