

City of Dade City

AGENDA MEMO

To: Mayor and Members of the City Commission
From: Karla S. Owens, City Attorney/Community Development Director
Subject: Filing of Demolition Lien Resolutions/Peavey and Grant
Date: January 8, 2009

It is requested that the City Commission consider the following information and recommendation(s):

BACKGROUND:

On September 26, 2008, the structures located at 14530 6th Street and 14741 5th Street were demolished at the direction of the City. Pursuant to Chapter 22 of the Dade City Code of Ordinances, the Building Official determined on June 20 and June 25, 2008, respectively, that the structures were unsafe and met the criteria for demolition. A Final Order to Demolish was posted on the structures and mailed to all interested parties on July 9 and July 14, 2008, respectively. The owner of the first property did not object to the demolition. Morris Peavey, Jr., owner of the second structure, filed an appeal of the Notice of Unsafe Structure which appeal was heard by the City Commission on September 9, 2008. Following that public hearing, the City Commission denied the appeal and approved the demolition of the structure.

ISSUES:

At this time, it is necessary to adopt the attached resolutions in order to place the above-referenced liens on the subject properties. The liens will be recorded in the Official Records of Pasco County, Florida. The liens represent costs expended by the City for the benefit of the properties and the surrounding neighborhood. The liens will accrue interest at eight percent per annum from the date the liens are recorded.

ALTERNATIVES:

1. Approve the attached lien resolutions, authorize the Mayor's execution of same, and authorize staff to record the liens in the Official Public Records.
2. Do not approve the attached lien resolutions and absorb the costs of the demolitions into the City's budget.

RECOMMENDATION:

This office recommends Alternative No. 1 above.

FUNDING:

Funding for the demolition of this structure was previously budgeted.

BY THE CITY COMMISSION

LIEN RESOLUTION No.: 2009-03

RESOLUTION BY THE CITY COMMISSION OF THE CITY OF DADE CITY IMPOSING A LIEN ON REAL PROPERTY FOR THE INVOLUNTARY DEMOLITION AND/OR CLEARANCE BY THE CITY OF DADE CITY OF AN UNSAFE STRUCTURE PURSUANT TO CHAPTER 22 OF THE DADE CITY CODE OF ORDINANCES; PROVIDING A COST FOR DEMOLITION, CLEARANCE, ADMINISTRATIVE FEES AND PENALTIES; AND PROVIDING AN EFFECTIVE DATE

WHEREAS, on June 25, 2008, the Dade City Building Official, under Chapter 22 of the Dade City Code of Ordinances, determined that the existing structure located at 14741 5TH Street met the criteria for demolition; and

WHEREAS, on July 14, 2008, the Dade City Building Department posted a Final Order to Demolish on said structure and provided written notification to the owner(s) and all interested parties of the unsafe structure and conditions pursuant to Chapter 22 of the Dade City Code of Ordinances; and

WHEREAS, on September 9, 2008, the City Commission held a public hearing and, following the hearing, voted to deny the appeal of the demolition notice filed by the property owner; and

WHEREAS, the Dade City Building Department issued a Notice to Proceed for the demolition and clearance of said structure on September 26, 2008, pursuant to Chapter 22 of the Dade City Code of Ordinances.

NOW, THEREFORE, BE IT RESOLVED by the City Commission of the City of Dade City, Florida in regular session duly assembled that:

SECTION 1. Pursuant to the provisions of Chapter 22 of the Dade City Code of Ordinances, the City Commission hereby imposes a lien on the property described below for the total amount of Three Thousand One Hundred Fifty-Eight Dollars and 78/100 (\$3,158.78). Such charges comprise:

Cost of Demolition and Disposal of Debris	\$3,158.78
BuildingDept.AdminFee	\$200.00
Costs for Demolition	\$146.28
Administrative Process Fee	\$200.00
<u>TOTAL</u>	<u>\$3,158.78</u>

SECTION 2. Property subject to this lien is described as:

**MERIDITH ADDITION PB 4 PG 47 LOTS 7 & 8 BLOCK 4 AND NORTH 19 FT. LOT 6
BLOCK 4 LYING NORTH & EAST OF US HIGHWAY 98 & RIVER ROAD IN DADE
CITY, FLORIDA PER PLAT THEREOF RECORDED IN PLAT BOOK OF THE
PUBLIC RECORDS OF PASCO COUNTY, FLORIDA**

PARCEL I.D. NO. 27-24-21-0250-00400-0080

14741 5TH STREET

SECTION 3. This lien shall accrue interest at eight percent (8%) per annum as measured from the effective date of this resolution until satisfied.

SECTION 4. Payment made to satisfy this lien shall be credited to the City of Dade City. Contact the Dade City Building Department, 14150 5th Street, Dade City, Florida 33525, (352)521-1460, for payoff information.

SECTION 5. This resolution shall take effect immediately upon its adoption.

DONE AND RESOLVED this 27th day of January, 2009.

ATTEST:

CITY OF DADE CITY, FLORIDA

BY: _____
James D. Class, City Clerk

BY: _____
Scott Black, Mayor

APPROVED AS TO LEGAL FORM AND CONTENT

BY: _____
Karla S. Owens, City Attorney

BY THE CITY COMMISSION

LIEN RESOLUTION No.: 2009-04

RESOLUTION BY THE CITY COMMISSION OF THE CITY OF DADE CITY IMPOSING A LIEN ON REAL PROPERTY FOR THE INVOLUNTARY DEMOLITION AND/OR CLEARANCE BY THE CITY OF DADE CITY OF AN UNSAFE STRUCTURE PURSUANT TO CHAPTER 22 OF THE DADE CITY CODE OF ORDINANCES; PROVIDING A COST FOR DEMOLITION, CLEARANCE, ADMINISTRATIVE FEES AND PENALTIES; AND PROVIDING AN EFFECTIVE DATE

WHEREAS, on June 20, 2008, the Dade City Building Official, under Chapter 22 of the Dade City Code of Ordinances, determined that the existing structure located at 14530 6th Street met the criteria for demolition; and

WHEREAS, on July 9, 2008, the Dade City Building Department posted a Final Order to Demolish on said structure and provided written notification to the owner(s) and all interested parties of the unsafe structure and conditions pursuant to Chapter 22 of the Dade City Code of Ordinances; and

WHEREAS, the City's Notice of Unsafe Structure was uncontested by the property owner and/or the interested parties; and

WHEREAS, the Dade City Building Department issued a Notice to Proceed for the demolition and clearance of said structure on September 26, 2008, pursuant to Chapter 22 of the Dade City Code of Ordinances.

NOW, THEREFORE, BE IT RESOLVED by the City Commission of the City of Dade City, Florida in regular session duly assembled that:

SECTION 1. Pursuant to the provisions of Chapter 22 of the Dade City Code of Ordinances, the City Commission hereby imposes a lien on the property described below for the total amount of Four Thousand Two Hundred One Dollar and 14/100 (\$4,201.14). Such charges comprise:

Cost of Demolition and Disposal of Debris	\$3,491.00
BuildingDept.AdminFee	\$200.00
Costs for Demolition	\$310.14
Administrative Process Fee	\$200.00
<u>TOTAL</u>	<u>\$4,201.14</u>

SECTION 2. Property subject to this lien is described as:

THE NORTH 52 FEET OF THE SW ½ OF BLOCK 25, W.C. SUMNER'S ADDITION IN DADE CITY, FLORIDA, AS PER RECORDED PLAT THEREOF AS RECORDED IN THE OFFICE OF THE CLERK OF THE CIRCUIT COURT OF SAID PASCO COUNTY, FLORIDA

PARCEL I.D. NO. 27-24-21-0460-02500-0060

14530 6TH STREET

SECTION 3. This lien shall accrue interest at eight percent (8%) per annum as measured from the effective date of this resolution until satisfied.

SECTION 4. Payment made to satisfy this lien shall be credited to the City of Dade City. Contact the Dade City Building Department, 14150 5th Street, Dade City, Florida 33525, (352)521-1460, for payoff information.

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