

CODE ENFORCEMENT
LIEN SETTLEMENT AGREEMENT

The City of Alachua, Florida (City) and Cary C. Stroud (Owner), on this 20 of November 2017, hereby enter into this full and final settlement to resolve and satisfy all issues and the CODE ENFORCEMENT LIEN recorded in favor of City on March 10, 2009 in OR Book 3863 page 760 of the Public Records of Alachua County Florida based and contingent upon payment to City by Owner of the Amount of One Thousand Dollars (\$1,000.00).

City and Owner, in further support of this Agreement and as additional mutual consideration exchanged hereby, agree, state and say:

1. The City perfected its LIEN, identified above, on March 10, 2009 against Alachua County Parcel No. 03131-068-000 (13819 NW 158th Place and further identified as Lots 68 and 69 of Lincoln Gardens of Plat Book E Page 40, Public Records of Alachua County), the (Property);
2. The owners of the Property, during all times material to the code enforcement case brought by City, were Emma and Willie McCullum.
3. The current Owner and party to this Agreement, acquired title by Quitclaim Deed dated June 19, 2017 and recorded in the Public Records of Alachua County that same day in OR Book 4524 Page 1625.
4. City staff worked with the prior owners of the Parcel before and after the Code Enforcement hearing that led to the entry of the Order resulting in the recorded LIEN. No effort to bring the property in compliance was forthcoming. The Lien continued to accrue at One Hundred Dollars (\$100.00) per day reaching an amount in the six figures.
5. Staff has worked with parties, including the current Owner, who showed interest in acquiring the property. Staff was authorized by the City Manager to agree to recommend to the City Commission a settlement of the Lien upon payment by Owner to the City of \$1,000.00 after the property was acquired by Owner, the derelict building was demolished, the grounds cleared and the Property otherwise brought in Compliance. The Owner did and continues to agree to the set terms.
6. The Property has been acquired by Owner, cleared and brought in compliance with City Codes. Owner hereby agrees to deliver his check for the \$1,000 settlement amount prior to the staff presentation of the Agreement to the City Commission along with Staff's recommendation for acceptance. Conditioned and contingent on acceptance by the City Commission of this Agreement, the City will accept the \$1,000.00 payment, execute and record a proper Release and Satisfaction of the Code Enforcement Lien.

Property Owner

By:


Cary C. Stroud, Property Owner

Date:

11/20/17

City of Alachua

By:


Gib Coerper, Mayor

Date:

Nov. 27. 2017

This instrument prepared by or under the
direction of and to be returned to:

Marian Rush
P.O. Box 9
Alachua, Florida, 32616

**SATISFACTION AND RELEASE
OF
CODE ENFORCEMENT LIEN**

WHEREAS, certain findings OF VIOLATIONS of City of Alachua Code of Ordinances (Code) resulted in the imposition of a LIEN for certain costs and continuing and accruing daily fines against the Property identified as Alachua County Tax Parcel 03131-068-000 and its then owners Emma and Willie McCullum. The LIEN was recorded on March 19, 2009 in OR Book 3863 Page 760 of the Public Records of Alachua County; and,

WHEREAS, Cary C. Stroud, (OWNER), in the spring of 2017, approached City to discuss the resolution of the identified LIEN if he could contact the owners of record, the afore identified McCullums, and purchase the Property; and,

WHEREAS, The current Owner assured City he would demolish the dilapidated structure on the Property, clear the land and otherwise bring the entire premises to Code compliance; and,

WHEREAS, City staff agreed if Owner acquired title to the Property, demolished the dilapidated structure, cleared the Property and otherwise brought the entire premises in compliance with the Code, that City staff would recommend that the City Commission execute and record a Release and Satisfaction of the described LIEN upon payment of \$1,000.00 from Owner to City; and,

WHEREAS, The City of Alachua City Commission, at its regularly scheduled meeting on November 27, 2017, voted to and did accept and acknowledge receipt of the payment of \$1000.00 by Cary C. Stroud and further found the identified Parcel has been cleared of the dilapidated structure and otherwise brought in compliance with the Code; and,

WHEREAS, City, by and through its City Commission and based on the efforts, expense and payment to City of \$1,000.00 by Owner and the resulting benefit to the residents of the City, particularly the immediate neighborhood, recognizes, agrees and accepts the efforts, expense,

payment to the City and other named benefits in full satisfaction of amounts due under the described LIEN;

NOW THEREFORE, The City of Alachua, holder of the aforesaid Code Enforcement Lien recorded at O R Book 3863 Page 760 of the Public Records of Alachua County, acknowledges full payment, satisfaction and cancellation of said Lien.

CITY OF ALACHUA


Gib Coerper, Mayor

Attest:


Traci Gresham, City Manager/ City Clerk

Dated this 27th day of November 2017 in the City of Alachua, Florida.