

REQUEST FOR CITY COUNCIL CONSIDERATION

Meeting Date: June 4, 2007

Agenda Item: 5 (E)	Prepared By: Steve Olmsted, Comm. Dev. Director Date: May 25, 2007
Agenda Section: Business: Discussion	
Subject: Release of Lien - Code Enforcement Board 1220 Samoa Avenue	Department: Community Development

BACKGROUND: It is requested that City Council approve the attached Agreement and release of lien documents following payment of assessed fines owed to the City of Marco Island and provide the prospective buyer of 1220 Samoa Avenue the opportunity to bring the property into compliance with orders of the Code Enforcement Board within 90 days of purchase.

On January 19, 2007, a lien in the amount of \$15,850.00 was placed on property at 1200 Samoa Avenue for unpaid fines assessed by the Marco Island Code Enforcement Board for failure to maintain the structure in a safe condition, in violation of Section 6-111 of the City's Code of Ordinances. Since the lien was recorded, the order of the Code Enforcement Board was also recorded and fines have continued to accrue. A sales contract is currently pending on the home. The seller has agreed to pay the lien amount and additional fines that have accrued since recording of the lien and recording of the order of the Code Enforcement Board. The buyer has agreed to bring the property into compliance with the Marco Island Code of Ordinances and all orders of the Code Enforcement Board within ninety (90) days of purchase.

The purchaser is requesting that the recorded lien and order of the Code Enforcement Board be released following payment of all accrued fines as of the date of the closing. The prospective purchaser has agreed to make all necessary repairs and to remove the unsafe structure as necessary to bring the property into compliance within 90 days of the closing. In the event that repairs are not completed within 90 days of closing, the matter would be referred back to the Code Enforcement Board for further consideration. The purchaser has prepared a proposed agreement for consideration by City Council.

A copy of the release of lien documents and proposed agreement are attached.

RECOMMENDED ACTION: Approve and execute the attached Agreement and release of lien documents.

Reviewed by Department Director

Steve Olmsted

Reviewed by City Manager

Al Walker

Council Action: Motion by:

Second by: