RESOLUTION NO. 2015-R-3

A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF NORTH MIAMI, FLORIDA, AUTHORIZING THE CITY ATTORNEY TO INITIATE LITIGATION FOR THE FORECLOSURE OF CERTAIN CODE ENFORCEMENT LIENS AND FOR MONEY JUDGMENT; PROVIDING FOR AN EFFECTIVE DATE AND ALL OTHER PURPOSES.

WHEREAS, the Mayor and City Council authorized the City Attorney to proceed with aggressive collection of outstanding code enforcement fines especially against commercial, multi-family and non-homestead property; and

WHEREAS, section 21-66 of the Code of Ordinance provides that the Mayor and City Council may authorize the City Attorney to initiate litigation to foreclose on code enforcement liens and to file litigation seeking a money judgment; and

WHEREAS, City Administration has identified several properties in the City with substantial outstanding code enforcement liens that they recommend foreclosure litigation be filed against. Said properties are set forth in "Exhibit 1"; and

WHEREAS, the Mayor and City Council, after being fully advised, have determined that it is in the best interest of the City and its residents to proceed to litigation against the recommended seven (7) properties.

NOW THEREFORE, BE IT DULY RESOLVED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF NORTH MIAMI, FLORIDA THAT:

Section 1. **Authorization to City Attorney.** The Mayor and City Council of the City of North Miami, Florida, hereby authorize the City Attorney to initiate litigation for foreclosure of code enforcement liens and money judgment against the properties set forth in "Exhibit 1".

Section 2. **Effective Date.** This Resolution shall become effective immediately upon adoption.

PASSED AND ADOPTED by a **5-0** vote of the Mayor and City Council of the City of North Miami, Florida, this **13th** day of January, 2015.

DR. SMITH JOSEPH
MAYOR

ATTEST:

MICHAEL A. ETIENNE, ESQ.
CITY CLERK

APPROVED AS TO FORM
AND LEGAL SUFFICIENCY:

REGINE M. MONESTIME
CITY ATTORNEY

SPONSORED BY: CITY ADMINISTRATION

Moved by: **Galvin**

Seconded by: **Bien-Aime**

Vote:

Mayor Smith Joseph, DO.	x (Yes)	____ (No)
Vice Mayor Philippe Bien-Aime	x (Yes)	____ (No)
Councilperson Scott Galvin	x (Yes)	____ (No)
Councilperson Carol Keys, Esq.	x (Yes)	____ (No)
Councilperson Marie Erlande Steril	x (Yes)	____ (No)

EXHIBIT 1

Property 1:

300 NE 130 Sreet
Owner: Denni Graciela Florian
The City has 1 lien which totals $1,488.50. The property is assessed at approximately $201,000.

Property 2:

695 NE 135 Street
Owner: Mauricio M. Jalil & Marietta Marrerro
The City has approximately 8 liens which total $326,276.71. The property has a mortgage of $400,000.00 with Bank of America and the property is assessed at approximately $218,000.

Property 3:
13300 N.E. 9 Avenue
Owner: Maurice Goodman
The City has approximately 18 liens which total $471,083.21. The property is assessed at approximately $158,000. There is no mortgage on this property. There is approximately $116,000.00 in federal tax liens recorded against the property.

Property 4:
885 NE 127 Street
Owner: Norman & Hilda Strangwayes
The City has approximately 3 liens which total $104,302.52. The property has a mortgage of $175,000.00 with HSBC Bank and the property is assessed at approximately $187,000.

Property 5:
975 NW 132 Street
Owner: Gerard & Nel Opstal
The City has approximately 9 liens which total $238,262.03. The property does not have a mortgage and is assessed at approximately $95,000.

Property 6:
12505 NW 11 Avenue
Owner: Deutsche Bank National TR CO TRS Morgan Stanley ABS Capital INC TR

The City has approximately 7 liens which total $105,300.45. The property has a mortgage of $212,000.00 with Deutsche Bank and a second mortgage of $29,000.00 with Eastern Financial Credit Union. The property is assessed at approximately $99,000.

Property 7:
490 N.E. 141 Street
Owner: Mimose Anantua

The City has approximately 6 liens which total $110,900.81. The property has a mortgage of $220,000.00 with US Bank and the property is assessed at approximately $187,000.