RESOLUTION NO. 2015-R-86

A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF NORTH MIAMI, FLORIDA, AUTHORIZING THE CITY ATTORNEY TO TAKE ALL LEGAL ACTION NECESSARY, INCLUDING INITIATING ANY AND ALL LITIGATION, IN LAW OR IN EQUITY, TO FORECLOSE ON THE PROPERTY LOCATED AT 12350 NE 6TH AVENUE, NORTH MIAMI, FLORIDA; PROVIDING FOR AN EFFECTIVE DATE AND FOR ALL OTHER PURPOSES.

WHEREAS, Section 21-66 of the City of North Miami ("City") Code of Ordinances 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, the City has identified a parcel of property located at 12350 NE 6th Avenue ("Property") which is in severe disrepair constituting a blight on the community with substantial outstanding code enforcement liens that they recommend foreclosure litigation be filed against; and

WHEREAS, the City has approximately ten (10) liens against the property which total over Two Hundred Twenty-Eight Thousand Six Hundred Sixty-Four Dollars ($228,664.00) and the property is currently assessed at approximately Two Hundred Eighty-Three Thousand Dollars ($283,000.00); and

WHEREAS, the property is a non-homestead property with no mortgage with tax liabilities for unpaid ad valorum taxes in the amount of Fourteen Thousand Three Hundred Forty-Nine Dollars and 91/100 ($14,349.91); and

WHEREAS, court costs to initiate foreclosure litigation are estimated at One Thousand Six Dollars ($1,006.00); 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 parcel of property.

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

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 property located at 12350 NE 6th Avenue, North Miami, Florida.

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 8th day of September, 2015.

DR. SMITH JOSEPH
MAYOR

ATTEST:

MICHAEL A. ETIENNE, ESQ.
CITY CLERK

APPROVED AS TO FORM
AND LEGAL SUFFICIENCY:

ROLAND C. GALDOS, ESQ.
INTERIM CITY ATTORNEY

SPONSORED BY: CITY ADMINISTRATION

Moved by: Galvin

Seconded by: Desulme

Vote:

Mayor Smith Joseph, D.O., Pharm. D.	X (Yes)	____ (No)
Vice Mayor Carol Keys, Esq.	X (Yes)	____ (No)
Councilman Scott Galvin	X (Yes)	____ (No)
Councilman Alix Desulme	X (Yes)	____ (No)
Councilman Philippe Bien-Aime	X (Yes)	____ (No)