

RESOLUTION NO. 10-865

A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF MIAMI LAKES, FLORIDA; ACCEPTING THE REQUEST OF SUE KING (RELS TITLE) ON BEHALF OF E TRADE BANK (NEW OWNER) TO REDUCE A PREVIOUSLY ASSESSED CODE COMPLIANCE FINE FOR CASE NO. C2006-1043; DIRECTING THE TOWN MANAGER TO EXECUTE ANY REQUIRED DOCUMENTS; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the Town of Miami Lakes (the "Town"), through its Code Compliance Department, issued Citation No. C2006-1043 to Vivian Gonzalez and Aylin Dulzaides (the "Previous Owners"); and

WEHERAS, ownership of the property was transferred to E Trade Bank; and

WHEREAS, a Citation was issued to the Previous Owners and the violation was subsequently corrected by E Trade Bank (New Owner); and

WHEREAS, the Owners had incurred a fine of \$13,241.40; and

WHEREAS, the New Owner has requested that the Town reduce the fine and the Town Manager having reviewed the file has recommended to the Town Council approval of a 50% reduction of the fine of \$6,620.70 leaving a balance to be paid in the amount of \$6,620.70.

WHEREAS, the New Owner has agreed to sign a release of the Town from any claims relating to the Citation as a condition of the reduction.

NOW, THEREFORE, BE IT RESOLVED BY THE TOWN COUNCIL OF THE TOWN OF MIAMI LAKES, FLORIDA, AS FOLLOWS:

Section 1. **Recitals.** The above recitals are true and correct and are incorporated herein by this reference.

Section 2. Reduction of Fine. The civil penalty/fine for Code Compliance Case No. C2006-1043 is reduced to \$6,620.78 subject to the New Owner paying the reduced amount no later than 60 days from the effective date of this Resolution. The Town Manager is authorized to execute appropriate documents, including a release and waiver by the New Owner for any and all claims relating to the citation and this reduction.

Section 3. Conditions. In the event the reduced fine is not paid within sixty (60) days of the effective date of this Resolution, the original fine amount shall be reinstated and continue to accrue interest as if this Resolution had not existed.


Section 4. Effective Date. This Resolution shall be effective immediately upon adoption.

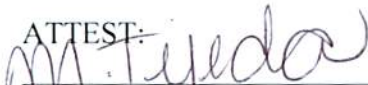
PASSED AND ADOPTED this 14 day of December, 2010.

Motion to adopt by Daubert, second by Pulido.

FINAL VOTE AT ADOPTION

Mayor Michael Pizzi	<u>Absent</u>
Vice Mayor Nick Perdomo	<u>Absent</u>
Councilmember Mary Collins	<u>NO</u>
Councilmember Tim Daubert	<u>Yes</u>
Councilmember Nelson Hernandez	<u>Yes</u>
Councilmember Ceasar Mestre	<u>NO</u>
Councilmember Richard Pulido	<u>Yes</u>


Michael Pizzi
MAYOR

ATTEST:

Marjorie Tejeda
TOWN CLERK

Approved as to form and legality for the use and benefit of the Town of Miami Lakes only:


Weiss, Serota, Helfman, Pastoriza, Cole & Boniske, P.L.
TOWN ATTORNEY