

RESOLUTION NO. 13-1073

A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF MIAMI LAKES, FLORIDA; ACCEPTING A REQUEST FROM ALEXANDER RUIZ ON BEHALF OF POSITANO HOMES, LLC (CONTRACT PURCHASER) TO REDUCE PREVIOUSLY ASSESSED CODE COMPLIANCE FINES FOR CASE NO. C2012-1898, C2012-1624, C2012-1507, C2012-0082, C2011-2182, C2010-1051, C2006-1014 AND C2006-0110; DIRECTING THE TOWN MANAGER TO EXECUTE ANY REQUIRED DOCUMENTS; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the Town of Miami Lakes (“Town”), through its Code Compliance Department, issued Citation No. C2012-1898, C2012-1624, C2012-1507, C2012-0082, C2011-2182 to Nationstar Mortgage LLC. (“Current Owners”) and Citation No. C2010-1051, C2006-1014 and Citation No. C2006-0110 to Arnold Archibold and Bertilda Archibold (“Previous Owners”); and

WHEREAS, the Owners have incurred a total fine of \$105,511.26; and

WHEREAS, Positano Homes, LLC. (“Contracted Buyer”) has requested that the Town reduce the fines and the Town Manager having reviewed the file has recommended to the Town Council approval of a reduction of the fine from \$105,511.26 to \$6,290.11 (which is equal to one days’ fine and the costs incurred by the Town to process the eight cases); and

WHEREAS, Positano Homes, LLC. (“Contracted Buyer”) has agreed to sign a release of the Town from any claims relating to the Citation as a condition of the reduction.

WHEREAS, the violations will be corrected within six (6) months or the building will be demolished within the six (6) months period.

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 penalties/fines for Code Compliance Cases No. C2012-1898, C2012-1624, C2012-1507, C2012-0082, C2011-2182, C2010-1051, C2006-1014 and C2006-0110 are reduced to \$6,290.11 subject to Positano Homes, LLC. (“Contracted Owner”) paying the reduced amount no later than six (6) months from the effective date of this Resolution. The Town Manager is authorized to execute appropriate documents, including a release and waiver by the Owner for any and all claims relating to the Citation and this reduction.

Section 3. Conditions. The violation must be corrected and/or the building demolished within six (6) months, and the reduced fine must be paid within the said six (6) month period, or the original fine amount shall be re-instated and continue to accrue interest as if this Resolution had not existed.

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


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PASSED AND ADOPTED this 23 day of April, 2013.

Motion to adopt by Nelson Hernandez, second by Tony Lama.

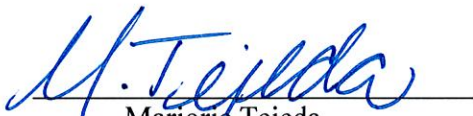
FINAL VOTE AT ADOPTION

Mayor Michael Pizzi	<u>yes</u>
Vice Mayor Ceasar Mestre	<u>yes</u>
Councilmember Manny Cid	<u>yes</u>
Councilmember Tim Daubert	<u>yes</u>
Councilmember Nelson Hernandez	<u>yes</u>
Councilmember Tony Lama	<u>yes</u>
Councilmember Nelson Rodriguez	<u>yes</u>




Michael Pizzi
MAYOR

Attest:



Marjorie Tejada
TOWN CLERK

Approve as to Form and Legal Sufficiency



Joseph S. Geller
Greenspoon Marder PA
TOWN ATTORNEY