



**CITY OF FORT LAUDERDALE**  
**City Commission Agenda Memo**

**# 12-1311**

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**TO:** Honorable Mayor & Members  
Fort Lauderdale City Commission

**FROM:** Lee Feldman, City Manager

**DATE:** August 21, 2012

**TITLE:** Motion for Discussion – Proposed Lien Settlement (646 NW 14 Terrace)

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**Recommendation**

It is recommended that the City Commission review and approve the attached liens settlement as recommended by the City Manager.

**Background**

The proposed lien settlement does not meet the criteria to be approved pursuant to City Commission Resolution 05-50, approved on March 15, 2005, because the owner wishes to execute these liens by September 6, 2012, which is before the end of the 30-day City Commission Call-Up Period.

There are two liens on 646 NW 14 Terrace, CE03031877 (\$450.00) and CE07041641 (\$19,075.00). The aforementioned liens are cross-attaching to property located in Pompano Beach, Florida. The City has made a claim with Broward County for surplus funds from the tax deed sale of the Pompano Beach property. The total amount of surplus funds available is \$28,888.07. There are other multiple claims to the aforementioned surplus proceeds.

Property Info	
Case Number	CE07041641 & CE03031877
Address	646 NW 14 TER.
Owner	Christopher & Melissa Christ
Zoning	RC-15
BCPA Assessed Value	\$51,410.00 (as of August 14, 2012)
BCPA Taxes	\$1,665.04
Homestead Tax Exempt	No
Mortgage	\$99,806.28 (as of May 27, 2009)
Lien Info	

Original Amount	<b>\$19,075.00</b>
Recorded Date	January 29, 2008 & March 11, 2007
City Costs	\$1,638.00 & \$433.00
Recommendation	<b>\$18,000.00 (92.19% of liens)</b>
Reduction Factors	<ul style="list-style-type: none"> <li>▪ The property came into full compliance on January 08, 2010.</li> <li>▪ The property is being maintained and free of other violations.</li> </ul>
<b>Motion for Discussion</b>	<p>Christopher &amp; Melissa Christ purchased this property on March 22, 2002 for \$89,900.00. On January 29, 2009, Wachovia Bank initiated a foreclosure action against the Christs. The Bank was awarded a final judgment on June 04, 2009. On August 01, 2012, Brian Gibson contacted the City Manager, Lee Feldman, in reference to this lien. Mr. Gibson purchased a property at 4100 NE 15<sup>th</sup> Ave, Pompano Beach, FL on May 12, 2012 in a tax deed sale. Christopher and Melissa Christ previously owned this property. The liens for CE07041641 and CE0301877 are recorded with Broward County and are cross-attaching to the Pompano Property. On July 17, 2012 the City of Fort Lauderdale filed a Statement of Claim to recover any available portion of the \$29,888.07 in surplus funds resulting from the Tax Deed sale. On August 10, 2012, Mr. Gibson agreed to a proposal by CM Feldman to pay the City \$18,000.00 for a full release of these liens. Mr. Gibson is prepared to pay that amount prior to September 06, 2012. We are recommending that the Commission approve this agreement.</p>
<b>Special Magistrate</b>	<b>Case CE07041641</b>
Certified Mail Receipt Date	Notice of hearing posted on the property on October 09, 2007
Meeting Date	November 01, 2007
Violations	9-329(b) – The property was boarded without a valid City board up permit.
Outcome	The order required compliance within 35 days or a fine of \$25 per day for would begin to accrue.
Hearing to Impose a Fine	January 17, 2008
Compliance Date	January 08, 2010
<b>Special Magistrate</b>	<b>Case CE03031877</b>
Certified Mail Receipt Date	Notice of hearing posted on the property on May 11, 2003
Meeting Date	June 5, 2003
Violations	Sec. 9-281(b): Trash and debris on property; Sec. 9-280(b): Doors and windows not weather /watertight; Sec. 47-21.8: Ground cover not maintained; Sec. 47-20.13 A: Parking area in disrepair; Sec. 9-306: Peeling paint/stained surfaces; Sec. 9-278(g): Missing/torn screens
Outcome	The order required compliance within 60 days or a fine of \$50 per day per violation would begin to accrue.
Hearing to Impose a Fine	August 4, 2003
Compliance Date	August 8, 2003

### **Resource Impact**

Liens in the amount of \$19,525.00 will be reduced to \$18,000.00. Revenue will be placed in the General Fund, Index #BLD020101, Sub Object #M103.