



THOMAS J. TRASK, B.C.S.*
JAY DAIGNEAULT
RANDY MORA
ERICA F. AUGELLO
DAVID E. PLATTE
PATRICK E. PEREZ
ROBERT M. ESCHENFELDER, B.C.S.*

** Board Certified by the Florida Bar in
City, County and Local Government Law*

DATE: September 21, 2018

TO: Mayor Chris Alahouzos
Vice Mayor David Banther
Commissioner Rea Seiber
Commissioner Susan Miccio-Kikta
Commissioner Jacob Karr

FROM: Jay Daigneault, Esquire

CC: Mark LeCouris, City Manager

RE: ***Annexy v. City of Tarpon Springs Code Enforcement Board***, Sixth Judicial Circuit Court Case No. 17-0052-AP-88A—Settlement offer (39 W. Oakwood St.)

Annexy v. City of Tarpon Springs Code Enforcement Board, Sixth Judicial Circuit Court Case No. 18-0039-AP-88B—Settlement offer (544 Grand Blvd.)

Annexy v. City of Tarpon Springs Code Enforcement Board, Sixth Judicial Circuit Court Case No. 18-0040-AP-88B—Settlement Offer (439 E. Lemon St.)

Dear Mayor, Vice Mayor, and Commissioners:

The above-referenced cases are appeals of orders issued by the City's Code Enforcement Board (the "Board") on November 9, 2017, May 10, 2018, and May 10, 2018, respectively. The property owner has made a request to settle the code enforcement liens underlying each of the cases, which settlements would terminate the respective appeals.

As to each case, the appeals have not been briefed before the appellate court and so none have generated significant legal fees. I am confident that the City will prevail on appeal in each case and could successfully foreclose the associated liens if that was the will of this Board, but the acceptance of the offers made by the owner will obviate the need to litigate the appeals through conclusion and avoid the foreclosure actions, both of which are attended by considerable legal fees and expenses.

In the first case, the lien has a pay-off of \$1,271.56 through October 15, 2018, including \$1,050.00 in principal and the remainder in costs and fees. The property owner has offered to settle for \$750.00.

In the second case, the lien has a pay-off of \$3,643.75 through October 15, 2018, including \$3,400.00 in principal and the remainder in costs and fees. The property owner has offered to settle for \$2,000.00.

In the third case, the lien has a pay-off of \$7,725.96 through October 15, 2018, including \$7,300.00 in principal and the remainder in costs and fees. The property owner has offered to settle for \$3,750.00.

I recommend that the Board of Commissioners accept the settlement offers made in these cases in full and final settlement of the associated liens. These settlements will bring the matters to final conclusion without the need for additional expenditures of legal fees and costs.

Should you have any questions or concerns regarding this matter, please do not hesitate to contact me at your convenience.

Sincerely,

A handwritten signature in blue ink, appearing to be "JD", written in a cursive style.

Jay Daigneault, Esq.
City Attorney