City of Sanibel
Natural Resources Department — Memorandum

MARCH 27, 2012

TO: Judie Zimomra, City Manager

FROM: Holly Downing, Environmental Specialist
Rob Loflin, Natural Resources Director

RE: Release of Lien Imposed on June 30, 2009 for Failure to Remove Brazilian Pepper at 2285 Wulfert Road; Sandra P. Morales, Owner of Record

On June 30, 2009, a Code Enforcement Lien (Order) was imposed on the vacant parcel at 2285 Wulfert Road for failure to remove Brazilian pepper within Zone 3 of the City's Brazilian Pepper Eradication Program. Zone 3 was designated a mandatory Brazilian pepper removal zone by City Council on May 7, 2002.

The sale of the property is currently under contract. In anticipation of the pending closing, Brazilian pepper was completely removed from the parcel by licensed vegetation contractor, Freddy's Lawn Service, on March 26, 2012.

Given this action, Natural Resources recommends that City Council waive the accrued daily fines in the amount of $146,850.00 (accrued at a rate of $150.00 per day for 979 days from July 21, 2009 through March 25, 2012), subject to payment of the City's costs to pursue Code Enforcement action in the amount of $428.62.

FINAL RELEASE OF LIEN

STATE OF FLORIDA)
COUNTY OF LEE)

CITY OF SANIBEL, FLORIDA
Relating to Instrument #2009000181966,
Filed in Official Records 7/6/09

The undersigned, in consideration of final payment of City of Sanibel Code Enforcement Order, Case No. 2008-161, and City of Sanibel costs in the amount of $428.62 paid to the City of Sanibel, does hereby waive, release, and relinquish any and all liens, lien rights, claims or demands of any kind whatsoever relating to the City of Sanibel Code Enforcement Order in Case No. 2008-161 filed as City of Sanibel Instrument No. 2009000181966 in the Official Records of Lee County Clerk of Courts for the following property:

2285 Wulfert Road, Sanibel Florida
STRAP NO. 12-46-21-T4-00100.0020
Owner of Record: Sandra P. Morales

This is a FINAL RELEASE of lien given pursuant to Florida Statutes.

Dated this _____ day of April, 2012.

CITY OF SANIBEL

BY:_____
Kenneth B. Cuyler, City Attorney

STATE OF FLORIDA)
COUNTY OF LEE)

The foregoing instrument was acknowledged before me this _____ day of April, 2012 by Kenneth B. Cuyler, on behalf of the City of Sanibel, who is personally known to me or produced _____ as identification and who did not take an oath.

(Seal)

_____
Signature of Notary Public

_____
(Print, type or stamp commissioned
Name of Notary Public)