

RESOLUTION

of the

SEMINOLE COUNTY BOARD OF COUNTY COMMISSIONERS:

REVISING RESOLUTION NO. 2025-R-25 TO CORRECT A SCRIVENER’S ERROR IN THE EVALUATION CRITERIA APPLICABLE TO THE COUNTY’S TEMPORARY PROGRAM AUTHORIZING FULL AND PARTIAL RELEASE OF CODE ENFORCEMENT LIENS TO FACILITATE CONSTRUCTION OF PUBLIC INFRASTRUCTURE PROJECTS OR IMPROVEMENTS; RESTATING THE PROGRAM IN ITS ENTIRETY; PROVIDING FOR AN EFFECTIVE DATE, REPEAL OF RESOLUTIONS IN CONFLICT, AND PROVIDING FOR SUNSET AND TERMINATION.

WHEREAS, on April 22, 2025, the Board of County Commissioners of Seminole County (the “Board”) adopted Resolution No. 2025-R-25 establishing a process to identify private property needed for the completion of County Improvements (“Identified Properties”) and to clear the title for the Identified Properties so the County can acquire the necessary legal rights to benefit the community by moving projects for County Improvements forward more efficiently and avoid eminent domain proceedings or other arduous and timely procedures; and



WHEREAS, the process to obtain clear title includes satisfaction and removal of any recorded County code enforcement liens (“Liens”) on qualified Identified Properties; and

WHEREAS, the County has identified the need to correct a scrivener’s error in the evaluation criteria established in Resolution No. 2025-R-25 to properly effectuate the intent of the program; and

WHEREAS, to ensure clarity, the Board desires to restate the entire program policy, as revised, herein.

NOW, THEREFORE, BE IT RESOLVED by the Board of County Commissioners of Seminole County, Florida, that:

Section 1. Incorporation of Recitals. The foregoing recitals are hereby fully incorporated herein by this reference and are deemed a material part of this Resolution.

Section 2. Intent and Purpose. The intent and purpose of this Resolution is to revise the evaluation criteria established in Resolution No. 2025-R-25 to correct a scrivener's error and to restate the program in its entirety, as revised. As originally set forth in Resolution No. 2025-R-25, the temporary program is for the partial or full release of code enforcement liens only as to certain Identified Properties which 1) have been identified by the County as those from which an easement or other legal interest in private property is needed to facilitate County Improvements, and 2) meet certain eligibility criteria, as further provided herein.

Section 3. Process for identification of real property necessary to expedite the County Improvements.

(a) The County Manager or designee shall identify public infrastructure projects or improvements ("County Improvements") for which easements or other legal interests in real property are required from private property owners for the construction thereof.

(b) Identified Properties must be determined to be necessary for construction and completion of a County Improvements project.

Section 4. Evaluation criteria for real property identified for potential program eligibility. When the real property identified for program participation ("Identified Property") meets all of the following criteria, the County Manager shall have the discretion to execute a Partial or Full Release of Code Enforcement Lien, as applicable, releasing the Identified Property from the Lien. The County Manager shall determine if the following criteria are met:

(a) Ownership of the Identified Property must be verified by a Florida Opinion of Title, an Ownership and Encumbrance Report, or other document acceptable to the County Attorney's Office;

(b) The Identified Property must be in full compliance with the Seminole County Code;

(c) If the Identified Property has a code enforcement lien resulting from statutory attachment pursuant to Section 162.09(3), Florida Statutes, the Identified Property must be in full compliance with the Seminole County Code;

(d) The property owner of the Identified Property must have executed an easement agreement, sale agreement, or other similar agreement with the County to transfer the necessary legal interests in the Identified Property, or a portion thereof, to the County for the County Improvements ("Executed Agreement"). Any administrative costs incurred by the County in prosecuting the case resulting in the code enforcement lien shall be deducted from the compensation paid to the property owner in exchange for the legal interests obtained by the County for the County Improvements;

(e) The Executed Agreement must be held in escrow by the County; and

(f) The inability for the property owner to pay the code enforcement lien must be based on economic, medical, or other valid reason as determined by the County Manager or designee.

The Full or Partial Release of Code Enforcement Lien shall be substantially in the form of the Full or Partial Release of Code Enforcement Liens attached hereto as Exhibits A and B, respectively.

Section 5. Authorized signatory. The County Manager is authorized to execute Full or Partial Releases of Lien for Identified Properties which meet all evaluation criteria in Section 4.

Section 6. Severability. If any provision in this Resolution is for any reason held to be contrary to any express provision of law, or contrary to the policy of express law, or is, for any reason

whatsoever, held invalid, then such provision will be null and void, will be deemed severable from the remaining provisions of this Resolution, and will, in no way, affect the validity of the remaining provision of this Resolution.

Section 7. Effective Date. This Resolution will become effective upon adoption by the Board of County Commissioners.

Section 8. Repeal of Resolutions in Conflict. All resolutions, or parts of resolutions, in conflict with the provisions of this Resolution are hereby repealed to the extent of such conflict.

Section 9. Sunset. This Resolution shall automatically sunset and terminate concurrently with the sunset of and termination of Resolution No. 2025-R-25.

Section 10. Recording. A certified copy of this Resolution will be recorded in the Official Records of Seminole County, Florida.

ADOPTED this ____ day of _____, 2025.



ATTEST:

BOARD OF COUNTY COMMISSIONERS
SEMINOLE COUNTY, FLORIDA

GRANT MALOY
Clerk to the Board of
County Commissioners of
Seminole County, Florida.

By: _____
JAY ZEMBOWER, Chairman

Date: _____

Attachments:

- Exhibit A – Full Release of Code Enforcement Lien template
- Exhibit B – Partial Release of Code Enforcement Lien template

JBN
5/29/25

Exhibit A

FULL RELEASE OF CODE ENFORCEMENT LIEN

THIS instrument disclaims and releases the lien imposed by the **NAME OF CODE ENFORCEMENT ORDER**, issued by the Seminole County Code Enforcement **Board/Special Magistrate** in Case No. **##-#####**, filed against **NAME** and filed by and on behalf of Seminole County, on **RECORDING DATE**, and recorded in Official Records Book **#####**, Pages **#####**, of the Public Records of Seminole County, Florida (“Lien”), against the following described real property:

INSERT LEGAL DESCRIPTION OF IDENTIFIED PROPERTY

The Lien has been satisfied in full, including all applicable costs, interest, administrative expenses and attorney’s fees.

The undersigned is authorized to and does hereby disclaim and release the Lien as to the whole of the above-described real property, and consents that the same be discharged of record.

DATED this ____ day of _____, 20 ____.



By: _____
DARREN GRAY, County Manager

Date: _____

For the use and reliance of Seminole County only.

As authorized for execution pursuant to Resolution **###**

Approved as to form and Legal sufficiency.

The document was prepared by:
Seminole County Code Enforcement Clerk
Seminole County Government
1101 East First Street
Sanford, Florida 32771
407-665-7403

County Attorney

CASE NO: **xx-xxxxxxx**

Exhibit B

PARTIAL RELEASE OF CODE ENFORCEMENT LIEN

1. THIS instrument disclaims and releases the lien imposed by the **NAME OF CODE ENFORCEMENT ORDER**, issued by the Seminole County Code Enforcement **Board/Special Magistrate** in Case No. **##-#####**, filed against **RESPONDENT(S) NAME** and filed by and on behalf of Seminole County, on **RECORDING DATE**, and recorded in Official Records Book **#####**, Pages **#####**, of the Public Records of Seminole County, Florida (“Lien”), **ONLY WITH REGARD TO THE FOLLOWING REAL PROPERTY:**

Parcel number: **#####**

Legally described as:

INSERT LEGAL DESCRIPTION OF IDENTIFIED PROPERTY

2. Pursuant to Section 162.09(3), Florida statutes, the Lien shall remain in full force and effect with respect to all other real and personal property of the violators/Respondent(s), **RESPONDENT(S) NAME(S)**, not specified herein.

DATED this ____ day of _____, 20____.



By: _____
DARREN GRAY, County Manager

Date: _____

For the use and reliance
of Seminole County only.

As authorized for execution pursuant to
Resolution **###**

Approved as to form and
Legal sufficiency.

The document was prepared by:
Seminole County Code Enforcement Clerk
Seminole County Government
1101 East First Street
Sanford, Florida 32771
407-665-7403

County Attorney

CASE NO: **xx-xxxxxxx**