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May 6, 2015

Robert Baldwin
City Manager
100 West Dania Beach Blvd.
Dania Beach, Florida 33004

Re: Tax Deed Sale
149 NW 14 Avenue Property

The City of Dania Beach has requested that my office investigate the process to place a bid at an upcoming Tax Deed Auction for the above referenced property. This will allow the City to acquire and address the continuing nuisance (yard storage of debris, junk, overgrowth) at the property site because other City efforts have been fruitless with the resident-owner in efforts to gain compliance.

The above referenced property is subject to one code enforcement lien recorded June 1, 2011 in OR Book 47947, Page 1322. The amount due on the City's lien as of the date of this letter is \$857,254. The violations on the property are for trash, litter, junk and debris on the property. The Broward County Property Appraiser lists the Market Value of the property at \$68,190. The City's lien has been authorized to foreclose, however, if the City proceeds with a Foreclosure action it is likely that property owner will be able to successfully defend the action by declaring the property his Homestead, which would be an absolute defense to a forced sale in this case.

The most efficient and cost effective way for the City to take title and subsequently clean up the above referenced property is to bid at the upcoming Tax Deed sale. If the City decides to place a bid on the above referenced property, the auction will be held on May 20, 2015. The auction is live and is held in Room 422 of the Governmental Center at 115 S. Andrews Avenue at 10:00 AM. The property is sold to the highest bidder, who has to make a minimum of a 5% deposit on the day of the auction and pay the remaining balance by the end of business the following day with certified funds. The expected minimum bid will be \$10,784.25. I recommend that the City bid the minimum amount of \$10,784.25 and no more.

If the City is the highest bidder, they would take title to the subject property free and clear of all interests and liens on the property. Pursuant to Florida Statute Section 197.582 no right, interest, restriction or other interest survives the issuance of a Tax Deed, except for a lien

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held by a municipal or county governmental unit. As of my last title search of the property, the only municipal or county liens on the property were held by the City of Dania Beach and the only lien was a Mortgage held by a non-institutional lender in the initial amount of \$45,000. The Tax Deed sale will extinguish this mortgage and all prior lien holders (other than Governmental Lien Holders) will be foreclosed.

One week after the Tax Deed Auction, the winning bid will receive title to the subject property. At that time the City could immediately take action to remedy the current violations on the property.

After the City takes title, I would recommend that a Quiet Title action be commenced to ensure marketable title. I estimate that a Quiet Title Action would take no more than six months to prosecute. Additionally, the City may have to file an eviction or ejectment action if the current owner refuses to vacate the premises. I estimate that an eviction or ejectment action would take no more than 3 months to prosecute.

Please contact me if you have any additional questions or concerns regarding this matter.

Sincerely,

A handwritten signature in black ink, appearing to read 'Eric W. Abend', written over a horizontal line.

ERIC W. ABEND

cc: Tom Ansbro, Marc LaFerrier, Eric Walton (via email)