

**CITY OF FORT PIERCE - OFFICE OF THE CITY ATTORNEY**

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**M E M O R A N D U M**

**THIS COMMUNICATION IS A COMMUNICATION FROM COUNSEL TO AGENTS AND REPRESENTATIVES OF THE CITY OF FORT PIERCE IN AN ATTORNEY/CLIENT RELATIONSHIP AND IS, THEREFORE, CONFIDENTIAL AND PRIVILEGED, AND IS FURTHER PROTECTED BY FLORIDA STATUTE 119.07 AS IT CONTAINS WORK PRODUCT OF THE ATTORNEY PREPARED IN ANTICIPATION OF, OR IN CONNECTION WITH CIVIL LITIGATION.**

**TO:** Peggy Arraiz, Code Compliance Manager

**CC:** Robert V. Schwerer, City Attorney

**FROM:** Steven R. McCain, Assistant City Attorney *SRM*

**SUBJECT:** Release of Lien - SM Case #8-2299, formerly 8-429, 2206 Ave. N (Anglin)

**DATE:** June 3, 2009

*RECEIVED*  
JUN 04 2009  
CITY OF FORT PIERCE  
CODE ENFORCEMENT

Please find enclosed herewith the original Release of Lien dated May 14, 2009, recorded May 21, 2009 at OR Book 3091, Page 1962 of the Public Records of St. Lucie County, Florida, which our office recently received from the clerk and which we are transmitting to you for appropriate disposition, including documenting your Department's file.

I believe this concludes matters initially raised in your April 20, 2009 to me; however, if you have any questions or may need our office to do anything further at this juncture, please let me know.

SRM/dam

Enclosure

**RELEASE OF LIEN**

KNOW ALL MEN BY THESE PRESENTS:

WHEREAS, the CITY OF FORT PIERCE, FLORIDA, a Florida municipal corporation of the State of Florida (hereinafter referred to as the "City"), through its Special Magistrate pursuant to Chapter 162, Florida Statutes, recorded an ORDER ASSESSING FINE AND IMPOSING LIEN dated April 1, 2009 (hereinafter referred to as the "Order") in Official Records Book 3075, Page 2498 of the public records in the Office of Clerk of the Circuit Court, St. Lucie County, Florida, against Alma Anglin and the real property located at 2206 Ave. N, Fort Pierce, St. Lucie County, Florida 34950 and more particularly described in the Order as:

SOUTHERN PINES BLK 8 LOT 8 (OR 855-2160)  
TAX ID#: 2404-609-0134-000/3

(hereinafter referred to as the "real property"); and

WHEREAS, the real property appears to be currently owned by the said Alma Anglin; and

WHEREAS, said recording of the Order was due to an inadvertent clerical mistake of the City; and

WHEREAS, in considering the foregoing, the City, by and through its undersigned authorized representative, does hereby agree to release its lien under the Order, as recorded, to the real property and to declare that such lien against the real property as may be evidenced by the Order, as recorded, is relinquished so that the real property is restored to its status as existed before the recording of the Order as if said Order had not been recorded; provided, however, that such release is without prejudice to and with reservation of rights of the City and that nothing contained in this release shall in any way affect, impair, alter, or diminish any of the rights and remedies of the City to pursue enforcement of its Code of Ordinances relative to the real property, including further proceedings consistent with matters addressed in the Order.

NOW, THEREFORE, the undersigned, in consideration of the foregoing, does hereby release its lien under the above-referenced ORDER ASSESSING FINE AND IMPOSING LIEN as against the above named Alma Anglin and the real property described herein, does declare that such lien as against the said Alma Anglin and the real property described herein is relinquished, and does direct the Clerk of said Circuit Court to cancel same of record.

DATED this 14<sup>th</sup> day of May, 2009.

Witnesses:

CITY OF FORT PIERCE

Christine Famularo

BY:

[Signature]  
ROBERT V. SCHWERER, ESQUIRE  
City Attorney

Witness Signature

Christine Famularo

Print Name

[Signature]

Witness Signature

Debra A. McLean

Print Name

JOSEPH E. SMITH, CLERK OF THE CIRCUIT COURT  
SAINT LUCIE COUNTY  
FILE # 3347590 05/21/2009 at 08:37 AM  
OR BOOK 3091 PAGE 1962 - 1963 Doc Type: RLN  
RECORDING: \$18.50

STATE OF FLORIDA  
COUNTY OF ST. LUCIE

I HEREBY CERTIFY that on this day, before me, an officer duly authorized in the State and County aforesaid to take acknowledgments, personally appeared ROBERT V. SCHWERER, ESQUIRE, personally known to be the person described in and who executed the foregoing instrument and acknowledged before me that he executed same.

IN WITNESS WHEREOF, I have hereunto affixed my hand and official seal this 14<sup>th</sup>  
day of May, 2009.



**Debra A. McCain**  
Commission # DD607469  
Expires November 20, 2010  
Bonded Troy Fain - Insurance, Inc. 800-385-7019

*Debra A. McCain*

Notary Signature - State of Florida at Large

Debra A. McCain

Print Name

My Commission Expires: 11/20/2010

PREPARED BY:  
Robert V. Schwerer, Esquire  
City Attorney  
Post Office Box 1480  
Fort Pierce, FL 34954

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