

# MEMORANDUM

## Department of Budget and Finance

To: Robert Rawls, Interim Town Administrator

From: Chris Wallace, Director of Budget and Finance

Date: May 14, 1999

Subject: Roadway Assessment

Attached are proposed Resolutions with regard to the Town of Davie roadway assessment. Below is a short summary of the requests made by the parcel owners.

Parcel owner: Peter G. Dornau  
Parcel 14, Folio No. 0125-19-309

Request: The parcel owner requests a waiver of accrued interest for the roadway assessment as the current parcel owner contends that he did not receive the original special assessment bill.

The Town records indicate that a special assessment bill was forwarded to the address of record of the subject property on January 3, 1995. The parcel owner acquired the subject property on or about December 2, 1994. The Town records do not indicate that the parcel owner submitted a lien inquiry to the Town of Davie at the time of purchase of the property to ascertain as to the existence of any special assessment liens.

The parcel owner has paid the base amount of the assessment to the Town of Davie. The proposed Resolution recommends approval of the request for waiver of accrued interest, prior to the date of the demand letter sent on April 1, 1997. This request is less than the request of the parcel owner.

If you have any questions or need additional information about this resolution, please give me a call.

RESOLUTION NO. R-99-

A RESOLUTION OF THE TOWN OF DAVIE, FLORIDA,  
GRANTING IN PART REQUEST FOR WAIVER OF  
ACCRUED INTEREST OF THE SPECIAL ROAD AND  
DRAINAGE ASSESSMENT LIEN UPON PARCEL 14;  
AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the Town imposed a Special Assessment for road and drainage improvements by Resolution R-91-65; and

WHEREAS, as part of the assessment, Parcel 14, Folio No. 0125-19-309, was assessed the sum of \$4,299.08; and

WHEREAS, interest on the amount due and claimed by the Town on Parcel 14, Folio No. 0125-19-309, is \$1,960.12, up to and including May 19, 1999 (current per diem \$.40); and

WHEREAS, the parcel owner, Peter G. Dornau, forwarded a request for waiver of accrued interest contending that he did not receive a bill for the special assessment; and

WHEREAS, the parcel owner acquired the subject property on or about December, 1994; and

WHEREAS, the records of the Town of Davie indicate that the special assessment bill was forwarded on or about January 3, 1995, to the address of record of the subject property; and

WHEREAS, the address of record was not the address of the then current property owner; and

WHEREAS, on April 1, 1997, the Town of Davie forwarded a demand letter to Peter G. Dornau in an effort to collect the special road and drainage assessment lien on Parcel 14; and

WHEREAS, Peter G. Dornau paid the base amount of the assessment due in the amount of \$4,299.08, on July 21, 1997, and correspondence requesting a waiver of accrued interest; and

WHEREAS, it is in the best interest of the Town to accept payment from the parcel owner, and to demand payment of, the subsequent accrued interest on the special road and drainage assessment lien upon Parcel 14, Folio No. 0125-19-309, ten (10) days from the date of the demand letter.

NOW, THEREFORE, BE IT RESOLVED BY THE TOWN COUNCIL OF THE TOWN OF DAVIE, FLORIDA:

SECTION 1. That upon payment to the Town of Davie of the sum of \$121.51, in cleared funds, the special assessment lien referred to above on Parcel 14, Folio No. 0125-19-309, shall be deemed satisfied.

SECTION 2. That in the event the parcel owner, Peter G. Dornau, fails to pay the sum of \$121.51 in cleared funds within ten (10) days from the date of this Resolution, the Town of Davie is authorized to pursue any and all available legal remedies to collect the interest amount in Section 1 and any and all interest accruing from the date of this Resolution.

SECTION 3. This Resolution shall take effect immediately upon its passage and adoption.

PASSED AND ADOPTED THIS \_\_\_\_ DAY OF \_\_\_\_\_, 1999.

\_\_\_\_\_  
MAYOR/COUNCILMEMBER

ATTEST:

\_\_\_\_\_  
TOWN CLERK

APPROVED THIS \_\_\_\_ DAY OF \_\_\_\_\_, 1999.