

**RESOLUTION NO. 36-05-07**

**A RESOLUTION OF THE TOWN COMMISSION OF THE TOWN OF LAKE PARK, FLORIDA INCREASING THE CHARGES FOR THE PROCESSING OF LIEN SEARCH REQUESTS FROM FOUR DOLLARS (\$4.00) TO FIFTEEN DOLLARS (\$15.00) FOR A REGULAR LIEN SEARCH, AND TO FIFTY DOLLARS (\$50.00) FOR A RUSH LIEN SEARCH, AND AUTHORIZING THE TOWN MANAGER TO INCREASE THE AMOUNTS FOR SUCH REQUESTS FROM TIME TO TIME AS MAY BE REQUIRED IN THE TOWN MANAGER'S SOLE DISCRETION; AND PROVIDING AN EFFECTIVE DATE.**

**WHEREAS**, the Town of Lake Park ("Town") is a municipal corporation of the State of Florida with such power and authority as has been conferred upon it by the Florida Constitution and Chapter 166, Florida Statutes; and

**WHEREAS**, the Town frequently receives request for lien searches from title companies, banks, financial institutions, attorneys, and other entities and individuals for which the Town has been charging a processing fee of Four Dollars (\$4.00) since 1996; and

**WHEREAS**, approximately two years ago the Town Clerk's Office conducted a survey of the charges that other municipalities in Palm Beach County charge for similar lien search requests, a copy of the survey results are attached hereto as **Exhibit "A"**; and

**WHEREAS**, based upon the results of the survey, it is evident that the Town is not charging an amount comparable with other municipalities in the County for this service, and after further investigation it has been determined that the amount charged by the Town also does not adequately reflect the administrative time and costs to the Town incurred in the processing of these requests; and

**WHEREAS**, when a lien search request is received by the Town, it requires the staff time of at least three Town departments, including but necessarily limited to, the Town Clerk's Office, the Town's Finance Department, and the Town's Community Development Department; and

**WHEREAS**, in light of the processing time and cost to the Town, the charges imposed by other municipalities in the County for the same service, and the fact that the charge for this Town service has not been increased for over 11 years, Town staff has recommended that the charge for lien searches be increased; and

**WHEREAS**, Town staff has recommended that the charge for a regular lien search, defined as a search request that may not be completed within 48 hours, and which may take up to 5 business days to complete, be established at Fifteen Dollars (\$15.00); and

**WHEREAS**, Town staff has recommended that the charge for a rush lien search, defined as a search request which shall be completed by the Town within 24 hours, Monday through Thursday, be established at Fifty Dollars (\$50.00); and

**WHEREAS**, Town staff has also recommended that the Town Manager be authorized to increase the charges for lien search requests as needed, from time to time, in the exercise of the Town Manager's sole and reasonable discretion.

**NOW, THEREFORE, BE IT RESOLVED BY THE TOWN COMMISSION OF THE TOWN OF LAKE PARK:**

**Section 1.**

The whereas clauses are hereby incorporated herein as true and correct.

**Section 2.**

The charge for a regular lien search, defined as a search request that may not be completed by the Town within 48 hours of receipt of the request, and which may take up to 5 business days to complete, is hereby established at Fifteen Dollars (\$15.00).

**Section 3.**

The charge for a rush lien search, defined as a search request which shall be completed by the Town within 24 hours of receipt of the request, Monday through Thursday, is hereby established at Fifty Dollars (\$50.00).

**Section 4.**

This Resolution shall take effect immediately upon its adoption.

The foregoing Resolution was offered by Commissioner Balius, who moved its adoption. The motion was seconded by Vice-Mayor Daly, and upon being put to a roll call vote, the vote was as follows:

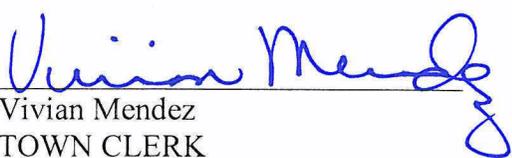
	AYE	NAY
MAYOR PAUL W. CASTRO	<u>X</u>	___
VICE-MAYOR ED DALY	<u>X</u>	___
COMMISSIONER CHUCK BALIUS	<u>X</u>	___
COMMISSIONER JEFF CAREY	<u>X</u>	___
COMMISSIONER PATRICIA OSTERMAN	<u>X</u>	___

The Town Commission thereupon declared the foregoing Resolution NO. 36-05-07 duly passed and adopted this 2 day of May, 2007.

TOWN OF LAKE PARK, FLORIDA

BY:   
PAUL W. CASTRO  
MAYOR

ATTEST:

  
Vivian Mendez  
TOWN CLERK



Approved as to form and legal sufficiency:

BY:   
THOMAS J. BAIRD  
TOWN ATTORNEY

**Vivian Mendez**

Exhibit "A"

**From:** Patricia McLean [patriciamclean@cityofpahokee.com]  
**Sent:** Wednesday, August 17, 2005 11:33 AM  
**To:** cityclerk@atlantisfla.org; dbuff@belleglade-fl.com; scarannante@ci.boca-raton.fl.us; dking@ci.boca-raton.fl.us; vhines@ci.boca-raton.fl.us; prainitoj@ci.boynton-beach.fl.us; pylej@ci.boynton-beach.fl.us; townofcloudlake@msn.com; nubin@ci.delray-beach.fl.us; whipple@ci.delray-beach.fl.us; glenridgetownof@bellsouth.net; vlgclerk@bellsouth.net; shill@ci.greenacres.fl.us; ymanboard@gulf-stream.org; tohadmin@bellsouth.net; dtrinley@ci.highland-beach.fl.us; jdillon@ci.highland-beach.fl.us; Janice Moore; hypoluxo@hypoluxo.org; dfick@hypoluxo.org; afay@juno-beach.fl.us; nharvey@juno-beach.fl.us; sallyb@jupiter.fl.us; lorim@jupiter.fl.us; jicolony@bellsouth.net; lkclarke1@bellsouth.net; mpinkermanlcs@bellsouth.net; thouselcs@bellsouth.net; Sthomas; Vivian Mendez; plopez@lakeworth.net; vhurley@lakeworth.net; estephenon@lakeworth.net; dlevy@lantana.org; salbury@mangoniaparktown.com; npbclerk@village-npb.org; marykay@village-npb.org; oceanridgetc@adelphia.net; seichhorn@townofpalmbeach.com; dkassover@townofpalmbeach.com; psnider@pbgfl.com; rellis@pbgfl.com; pbstwnhall@adelphia.net; robertath@adelphia.net; iburroughs@villageofpalmsprings.org; vwalton@villageofpalmsprings.org; cward@rivierabch.com; crobinson@rivierabch.com; mgould@royalpalmbeach.com; ddisanto@royalpalmbeach.com; vwclerk@aol.com; sbayadmnsstnt@aol.com; pmoree@sfwmd.gov; vmutchnik@southpalmbeach.com; gcarlisle@tequesta.org; arodriguez@ci.wellington.fl.us; rcallovi@ci.wellington.fl.us; Fwarren@wpb.org; bdughan@wpb.org; jmcdonald@wpb.org; ptrobinson@wpb.org  
**Subject:** Lien Search Survey Results

Thank you all for your quick responses. Here is the info for your own FYI . . .

**Lien Search Tally Results**

North Palm Beach	10	
Lake Park	4	
Hypoluxo	4	
Gulfstream	5	
Boynton Beach	15	\$75 Rush
PB Gardens	20	
Boca	40	110 Rush
Greenacres	15	
Juno Beach	2	
Riviera Beach	10	
WPB	25	75 Rush
Palm Springs	15	20/eff Oct 1, 2005.
Palm Beach Shores	10	

Thank you again. I'll update if more replies are received.

Pat McLean, City Clerk  
 Pahokee

4/18/2007

**Lien Search Request Tally**

January 2007: 14

February 2007: 9

March 2007: 16

April (as of April 18, 2007): 6

Average amount of lien searches based on January through March 2007 is 13.